



Export Control (Tariff Rate Quotas) Amendment (Brexit) Order 2021

I, Debbie Langford, as delegate of the Secretary of the Department of Agriculture, Water and the Environment, make the following order.

Dated 12 March 2021

Debbie Langford
Assistant Secretary
Residues and Food Branch
Exports and Veterinary Services Division
Department of Agriculture, Water and the Environment

Contents

1	Name.....	1
2	Commencement	1
3	Authority.....	1
4	Schedules.....	1
	Schedule 1—Amendments	2
	<i>Export Control (Tariff Rate Quotas) Order 2019</i>	<i>2</i>

1 Name

This instrument is the *Export Control (Tariff Rate Quotas) Amendment (Brexit) Order 2021*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	18 March 2021

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under section 23A of the *Export Control Act 1982*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Export Control (Tariff Rate Quotas) Order 2019

1 Section 6 (definitions of *EU Beef and Buffalo Regulation*, *EU Dairy Regulation* and *European Union*)

Repeal the definitions.

2 Section 6

Insert:

EU Tariff Quota Regulation means Commission Implementing Regulation (EU) No 2020/761, as in force from time to time.

Note: The Regulation could in 2021 be viewed on the EUR-Lex website (<https://eur-lex.europa.eu>).

3 Section 6

Insert:

UK buffalo meat: see section 89A.

UK high quality beef: see section 89E.

UK Quota Table means the Quota Table within the meaning of the UK Tariff Quota Regulations.

UK Tariff Quota Regulations means the *Customs (Tariff Quotas) (EU Exit) Regulations 2020* (UK), as in force from time to time.

Note: The Regulations could in 2021 be viewed on the UK legislation website (<https://legislation.gov.uk>).

4 Section 6 (definition of *UK withdrawal transition period*)

Repeal the definition.

5 Section 53 (definition of *EU buffalo meat*)

Omit “referred to in Article 1(1)(b) of the *EU Beef and Buffalo Regulation*”, substitute “described under order number 09.4001 in Annex VIII to the *EU Tariff Quota Regulation*”.

6 Section 56

Omit “Article 1(1)(b) of the *EU Beef and Buffalo Regulation*”, substitute “order number 09.4001 in Annex VIII to the *EU Tariff Quota Regulation*”.

7 Section 56

Omit “Article 1(3) of that Regulation”, substitute “that order number”.

8 Section 60 (definition of *EU high quality beef*)

Omit “referred to in Article 2(b) of the *EU Beef and Buffalo Regulation*”, substitute “described under order number 09.4451 in Annex VIII to the *EU Tariff Quota Regulation*”.

9 Section 62

Repeal the section, substitute:

62 Method for issuing tariff rate quota certificates

- (1) Subject to subsections (2) to (5), the allocation method applies for the purposes of issuing a tariff rate quota certificate in relation to a consignment of EU high quality beef for export to the European Union in a quota year beginning on or after 1 July 2020.

Note: The allocation method is set out in Part 3 of Chapter 2.

Maximum transfer percentage

- (2) For the quota years beginning on 1 July 2021, 1 July 2022 and 1 July 2023, subsections 29(2) and 44(2) do not apply.
- (3) For the quota year beginning on 1 July 2024, subsections 29(2) and 44(2) apply as if the reference to any of the 3 previous quota years were a reference to the quota year beginning on 1 July 2023.
- (4) For the quota year beginning on 1 July 2025, subsections 29(2) and 44(2) apply as if the reference to any of the 3 previous quota years were a reference to the quota years beginning on 1 July 2023 and 1 July 2024.

Allocation penalty

- (5) For the quota year beginning on 1 July 2021, no person has an allocation penalty.

10 Section 63

Omit “Article 2(b) of the EU Beef and Buffalo Regulation”, substitute “order number 09.4451 in Annex VIII to the EU Tariff Quota Regulation”.

11 Section 63

Omit “Article 1(3) of that Regulation”, substitute “that order number”.

12 At the end of section 66

Add:

Note: This section does not apply in relation to the quota years beginning on 1 July 2021, 1 July 2022 and 1 July 2023 (see section 135).

13 Subsection 68(3)

Omit “300”, substitute “200”.

14 Section 70

Repeal the section, substitute:

70 New entrant amounts

- (1) The new entrant access amount for EU high quality beef for export to the European Union is:
- (a) in relation to the quota year beginning on 1 July 2020—500 tonnes; and
 - (b) in relation to a later quota year—250 tonnes.

- (2) The new entrant access cap for EU high quality beef for export to the European Union is:
- (a) in relation to the quota year beginning on 1 July 2020—100 tonnes; and
 - (b) in relation to a later quota year—80 tonnes.

15 Section 71 (table item 1)

Omit “quota number 09.4522 in Annex III(A) to the EU Dairy Regulation”, substitute “order number 09.4522 in Annex IX to the EU Tariff Quota Regulation”.

16 Section 71 (table item 2)

Omit “quota number 09.4521 in Annex III(A) to the EU Dairy Regulation”, substitute “order number 09.4521 in Annex IX to the EU Tariff Quota Regulation”.

17 Section 74

Omit “EU Dairy Regulation”, substitute “EU Tariff Quota Regulation”.

18 After Part 3 of Chapter 3

Insert:

Part 3A—Exports to the United Kingdom

Division 1—UK buffalo meat

89A UK buffalo meat

UK buffalo meat is boneless buffalo meat of a kind that may, under the UK Tariff Quota Regulations, be exported from Australia to the United Kingdom under quota number 05.4001.

89B Quota year

A quota year for UK buffalo meat for export to the United Kingdom is a period of 12 months beginning on 1 July.

89C Method for issuing tariff rate quota certificates

The first come, first served method applies for the purposes of issuing a tariff rate quota certificate in relation to a consignment of UK buffalo meat for export to the United Kingdom:

- (a) in the quota year beginning on 1 July 2020 for the issue of certificates on or after 1 January 2021; and
- (b) in a quota year beginning on or after 1 July 2021.

Note 1: The first come, first served method is set out in Part 1 of Chapter 2.

Note 2: Before 1 January 2021, the United Kingdom was included in the European Union for the purposes of this instrument.

89D Annual access amount

The annual access amount for UK buffalo meat for export to the United Kingdom in relation to a quota year is the weight of UK buffalo meat that may, as set out in the UK Quota Table, be exported from Australia to the United

Kingdom in the quota year at the quota duty rate for quota number 05.4001 in the UK Quota Table.

Division 2—UK high quality beef

89E UK high quality beef

UK high quality beef is meat of a kind that may, under the UK Tariff Quota Regulations, be exported from Australia to the United Kingdom under quota number 05.4451.

89F Quota year

A quota year for UK high quality beef for export to the United Kingdom is a period of 12 months beginning on 1 July.

89G Method for issuing tariff rate quota certificates

- (1) Subject to subsections (2) to (7), the allocation method applies for the purposes of issuing a tariff rate quota certificate in relation to a consignment of UK high quality beef for export to the United Kingdom:
 - (a) in the quota year beginning on 1 July 2020 for the issue of certificates on or after 1 January 2021; and
 - (b) in a quota year beginning on or after 1 July 2021.

Note 1: The allocation method is set out in Part 3 of Chapter 2.

Note 2: Before 1 January 2021, the United Kingdom was included in the European Union for the purposes of this instrument.

Allocation of quota

- (2) For the quota year beginning on 1 July 2020:
 - (a) Division 2 of Part 3 of Chapter 2 (allocation of quota at beginning of quota year) does not apply; and
 - (b) the Secretary may allocate amounts of tariff rate quota entitlement for UK high quality beef for export to the United Kingdom in that quota year in accordance with section 131.

Maximum transfer percentage

- (3) For the quota years beginning on 1 July 2021, 1 July 2022 and 1 July 2023, subsections 29(2) and 44(2) do not apply.
- (4) For the quota year beginning on 1 July 2024, subsections 29(2) and 44(2) apply as if the reference to any of the 3 previous quota years were a reference to the quota year beginning on 1 July 2023.
- (5) For the quota year beginning on 1 July 2025, subsections 29(2) and 44(2) apply as if the reference to any of the 3 previous quota years were a reference to the quota years beginning on 1 July 2023 and 1 July 2024.

Allocation penalty

- (6) For the quota year beginning on 1 July 2021, no person has an allocation penalty.

New entrants

- (7) For the purposes of the application of section 28 (new entrants), an allocation of standard tariff rate quota entitlement or supplementary tariff rate quota entitlement under the *Export Control (High Quality Beef Export to the European Union Tariff Rate Quotas) Order 2016* (as in force before it was repealed) is taken to have been an allocation of tariff rate quota entitlement for UK high quality beef for export to the United Kingdom.

89H Annual access amount

The annual access amount for UK high quality beef for export to the United Kingdom in relation to a quota year is the weight of UK high quality beef that may, as set out in the UK Quota Table, be exported from Australia to the United Kingdom in the quota year at the quota duty rate for quota number 05.4451 in the UK Quota Table.

89J Application and reclamation days

- (1) The annual application day for UK high quality beef for export to the United Kingdom for a quota year is 16 May in the calendar year in which the quota year starts.
- (2) The reclamation day for UK high quality beef for export to the United Kingdom for a quota year is 15 February in the quota year.

89K Eligible person

An eligible person for UK high quality beef for export to the United Kingdom is a person who holds a licence granted under section 10 of the *Australian Meat and Live-stock Industry Act 1997* allowing the holder to export UK high quality beef to the United Kingdom.

89L Eligible past exports

A consignment is an eligible past export for UK high quality beef for export to the United Kingdom in relation to a quota year if:

- (a) it is a consignment of UK high quality beef exported to the United Kingdom; and
- (b) a tariff rate quota certificate was issued in relation to the consignment in the period:
- (i) beginning on the 1 May that is 38 months before the start of the quota year; and
 - (ii) ending on 30 April of the calendar year in which the quota year starts.

Note: This section does not apply in relation to the quota years beginning on 1 July 2021, 1 July 2022 and 1 July 2023 (see section 135).

89M Minimum quota allocation

The minimum quota allocation for UK high quality beef for export to the United Kingdom in relation to a quota year is 1 tonne.

89N Penalties

- (1) The required usage percentage for UK high quality beef for export to the United Kingdom is 90 per cent.
- (2) The penalty individual threshold for UK high quality beef for export to the United Kingdom in relation to a quota year is 10 tonnes.
- (3) The penalty pool threshold for UK high quality beef for export to the United Kingdom in relation to a quota year is 200 tonnes.

89P Maximum transfer percentage

The maximum transfer percentage for UK high quality beef for export to the United Kingdom is 50 per cent.

89Q New entrant amounts

- (1) The new entrant access amount for UK high quality beef for export to the United Kingdom in relation to a quota year is 250 tonnes.
- (2) The new entrant access cap for UK high quality beef for export to the United Kingdom in relation to a quota year is 80 tonnes.

19 Section 129

Repeal the section.

20 Part 2 of Chapter 7

Repeal the Part, substitute:

**Part 2—Transitional provisions relating to the Export
Control (Tariff Rate Quotas) Amendment (Brexit)
Order 2021****129 Exports to the UK for which tariff rate quota certificates were issued as
exports to the European Union**

- (1) If a tariff rate quota certificate was issued for a consignment to be exported to the United Kingdom on the basis that it was a consignment of EU buffalo meat for export to the European Union, the issue of the certificate does not prevent the consignment from also being considered to be a consignment of UK buffalo meat.
- (2) If a tariff rate quota certificate was issued for a consignment to be exported to the United Kingdom on the basis that it was a consignment of EU high quality beef for export to the European Union, the issue of the certificate does not prevent the consignment from also being considered to be a consignment of UK high quality beef.

130 Varying existing EU high quality beef entitlements

- (1) The Secretary may, to take account of the withdrawal of the United Kingdom from the European Union, vary the amount of a person's tariff rate quota entitlement for EU high quality beef for export to the European Union in the quota year beginning on 1 July 2020.
- (2) In deciding the new amount of a person's tariff rate quota entitlement, the Secretary must take the following into account:
 - (a) the amount the European Union determines is the weight of EU high quality beef that may be exported from Australia to the European Union in the period from 1 January 2021 to 30 June 2021 at the *ad valorem* customs duty set out in order number 09.4451 in Annex VIII to the EU Tariff Quota Regulation;
 - (b) the consignments of EU high quality beef for export to a member country of the European Union (not including the United Kingdom) in the quota year beginning on 1 July 2020 for which tariff rate quota certificates have been issued (including consignments that have not yet been accepted for entry into the member country);
 - (c) the amount of each person's tariff rate quota entitlement for EU high quality beef for export to the European Union in the quota year beginning on 1 July 2020.

Note: Before 1 January 2021, the United Kingdom was included in the European Union for the purposes of this instrument.

- (3) In deciding the new amount of a person's tariff rate quota entitlement, the Secretary may also have regard to any other matter the Secretary reasonably believes is relevant.
- (4) If the Secretary varies the amount of a person's tariff rate quota entitlement under subsection (1), the Secretary must give the person a written notice stating the new amount of the entitlement.

131 Allocation of UK high quality beef entitlements for quota year beginning on 1 July 2020

- (1) If the Secretary has, under section 130, varied the amount of a person's tariff rate quota entitlement for EU high quality beef for export to the European Union in the quota year beginning on 1 July 2020, the Secretary may:
 - (a) allocate the person an amount of tariff rate quota entitlement for UK high quality beef for export to the United Kingdom in that quota year; or
 - (b) if the person has previously been allocated an amount of tariff rate quota entitlement for UK high quality beef for export to the United Kingdom under this section—vary the amount of the entitlement.
- (2) In deciding the amount, or the new amount, of a person's tariff rate quota entitlement, the Secretary must take the following into account:
 - (a) the amount the United Kingdom determines is the total weight of UK high quality beef that may be exported from Australia to the United Kingdom in the period from 1 January 2021 to 30 June 2021 at the quota duty rate for quota number 05.4451 in the UK Quota Table;
 - (b) the consignments of UK high quality beef for export to the United Kingdom in the quota year beginning on 1 July 2020 for which tariff rate

quota certificates have been issued (including consignments that have not yet been accepted for entry into the United Kingdom);

- (c) the amount of each person's tariff rate quota entitlement for EU high quality beef for export to the European Union in the quota year beginning on 1 July 2020;
- (d) if the Secretary has previously allocated amounts of tariff rate quota entitlement for UK high quality beef for export to the United Kingdom in the quota year beginning on 1 July 2020 under this section—the amount of each person's entitlement.

Note 1: Before 1 January 2021, the United Kingdom was included in the European Union for the purposes of this instrument.

Note 2: A tariff rate quota certificate might have been issued for a consignment of UK high quality beef on the basis that it was a consignment of EU high quality beef for export to the European Union (see subsection 129(2)).

- (3) In deciding the amount, or the new amount, of a person's tariff rate quota entitlement, the Secretary may also have regard to any other matter the Secretary reasonably believes is relevant.
- (4) If the Secretary allocates a person an amount of tariff rate quota entitlement under subsection (1), the Secretary must give the person a written notice stating the amount of the entitlement.
- (5) If the Secretary varies the amount of a person's tariff rate quota entitlement under subsection (1), the Secretary must give the person a written notice stating the new amount of the entitlement.

132 Determination of uncommitted access amounts

- (1) The Secretary may by legislative instrument, to take account of the withdrawal of the United Kingdom from the European Union, determine that, at a particular time during the quota year beginning on 1 July 2020:
 - (a) a specified weight is taken to be the uncommitted annual access amount for EU high quality beef for export to the European Union in the quota year; and
 - (b) a specified weight is taken to be the uncommitted new entrant access amount for EU high quality beef for export to the European Union in the quota year; and
 - (c) a specified weight is taken to be the uncommitted standard access amount for EU high quality beef for export to the European Union in the quota year; and
 - (d) a specified weight is taken to be the uncommitted annual access amount for UK high quality beef for export to the United Kingdom in the quota year;
 - (e) a specified weight is taken to be the uncommitted new entrant access amount for UK high quality beef for export to the United Kingdom in the quota year; and
 - (f) a specified weight is taken to be the uncommitted standard access amount for UK high quality beef for export to the United Kingdom in the quota year.
- (2) The Secretary may exercise the power to determine weights at a particular time in relation to more than one time during the quota year beginning on 1 July 2020.

- (3) If the Secretary decides to make a determination under subsection (1), the Secretary must take the following into account:
- (a) the amount the European Union determines is the weight of EU high quality beef that may be exported from Australia to the European Union in the period from 1 January 2021 to 30 June 2021 at the *ad valorem* customs duty set out in order number 09.4451 in Annex VIII to the EU Tariff Quota Regulation;
 - (b) the amount the United Kingdom determines is the total weight of UK high quality beef that may be exported from Australia to the United Kingdom in the period from 1 January 2021 to 30 June 2021 at the quota duty rate for quota number 05.4451 in the UK Quota Table;
 - (c) the consignments of EU high quality beef for export to a member country of the European Union (not including the United Kingdom) in the quota year beginning on 1 July 2020 for which tariff rate quota certificates have been issued (including consignments that have not yet been accepted for entry into the member country);
 - (d) the consignments of UK high quality beef for export to the United Kingdom in the quota year beginning on 1 July 2020 for which tariff rate quota certificates have been issued (including consignments that have not yet been accepted for entry into the United Kingdom);
 - (e) the amount of each person's tariff rate quota entitlement for EU high quality beef for export to the European Union in the quota year beginning on 1 July 2020;
 - (f) if the Secretary has allocated amounts of tariff rate quota entitlement for UK high quality beef for export to the United Kingdom in the quota year beginning on 1 July 2020 under section 131—the amount of each person's entitlement.

Note 1: Before 1 January 2021, the United Kingdom was included in the European Union for the purposes of this instrument.

Note 2: A tariff rate quota certificate might have been issued for a consignment of UK high quality beef on the basis that it was a consignment of EU high quality beef for export to the European Union (see subsection 129(2)).

- (4) In making a determination under subsection (1), the Secretary may also have regard to any other matter the Secretary reasonably believes is relevant.

133 Effect of issuing tariff rate quota certificate after access amounts determined

- (1) This section applies if:
- (a) the Secretary makes a determination under subsection 132(1); and
 - (b) after the time for which the Secretary specified access amounts in the determination, the Secretary issues a tariff rate quota certificate to a person in relation to:
 - (i) a consignment of EU high quality beef for export to the European Union in the quota year beginning on 1 July 2020; or
 - (ii) a consignment of UK high quality beef for export to the United Kingdom in the quota year beginning on 1 July 2020.
- (2) At the time the tariff rate quota certificate is issued, the uncommitted annual access amount for the quota type of the consignment and the quota year is taken to be reduced by:

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- (a) if the person does not have a tariff rate quota entitlement for the quota type and quota year—the weight for which the tariff rate quota certificate is issued; or
 - (b) if the person has a tariff rate quota entitlement for the quota type and quota year that is less than the weight for which the tariff rate quota certificate is issued—the difference between the 2 weights.
- (3) If the tariff rate quota certificate is issued under section 36 then, at the time the tariff rate quota certificate is issued, the uncommitted new entrant access amount for the quota type of the consignment and the quota year is taken to be reduced by the weight (if any) for which the certificate is issued using new entrant access quota.
- (4) If the tariff rate quota certificate is issued under section 36 then, at the time the tariff rate quota certificate is issued, the uncommitted standard access amount for the quota type of the consignment and the quota year is taken to be reduced by:
- (a) if the person does not have a tariff rate quota entitlement for the quota type and quota year—the weight (if any) for which the tariff rate quota certificate is issued using standard access quota;
 - (b) if the person has a tariff rate quota entitlement for the quota type and quota year that is less than the weight for which the tariff rate quota certificate is issued—the difference between the weight for which the tariff rate quota certificate is issued using standard access quota and the person’s entitlement.

134 Effect of cancelling tariff rate quota certificate after access amounts determined

- (1) This section applies if:
- (a) the Secretary makes a determination under subsection 132(1); and
 - (b) after the time for which the Secretary specified access amounts in the determination, the Secretary cancels a tariff rate quota certificate issued to a person for:
 - (i) a consignment of EU high quality beef for export to the European Union in the quota year beginning on 1 July 2020; or
 - (ii) a consignment of UK high quality beef for export to the United Kingdom in the quota year beginning on 1 July 2020.

- (2) To avoid doubt, this section (apart from subsection (3)) applies whether the tariff rate quota certificate was issued before or after the time for which the Secretary specified access amounts.

Note: Subsection (3) applies in certain circumstances when a certificate was issued before 1 January 2021.

- (3) If the consignment is a consignment of UK high quality beef for which a certificate was issued on the basis that it was a consignment of EU high quality beef for export to the European Union then, at the time the tariff rate quota certificate is cancelled:
- (a) the person’s tariff rate quota entitlement for UK high quality beef for export to the United Kingdom in the quota year is increased by the amount (if any) that the person’s tariff rate quota entitlement for EU high quality beef for export to the European Union in the quota year was reduced when the certificate was issued; and

- (b) despite subsection 119(5), the person's tariff rate quota entitlement for EU high quality beef for export to the European Union in the quota year is not increased.

Note: For other consignments, the same tariff rate quota entitlement that was reduced when the certificate was issued will be increased upon cancellation because the certificate is taken never to have been issued (see subsection 119(5)).

- (4) At the time the tariff rate quota certificate is cancelled, the uncommitted annual access amount for the quota type of the consignment and the quota year is taken to be increased by:
 - (a) if the person's tariff rate quota entitlement for the quota type and quota year is increased by the cancellation—the difference (if any) between the weight of the consignment and the amount of that increase; or
 - (b) if the person's tariff rate quota entitlement is not increased—the weight of the consignment.
- (5) If the tariff rate quota certificate is cancelled before the reclamation day for the quota type of the consignment and quota year then, at the time the certificate is cancelled, the uncommitted new entrant access amount for the quota type and the quota year is taken to be increased by the weight (if any) for which the certificate was issued using new entrant access quota.
- (6) If the tariff rate quota certificate is cancelled before the reclamation day for the quota type of the consignment and quota year then, at the time the certificate is cancelled, the uncommitted standard access amount for the quota type and quota year is taken to be increased by:
 - (a) if the person's tariff rate quota entitlement for the quota type is increased by the cancellation—the difference (if any) between the weight for which the certificate was issued using standard access quota and the amount of that increase; or
 - (b) if the person's tariff rate quota entitlement is not increased—the weight (if any) for which the certificate was issued using standard access quota.

135 Calculation of eligible past exports

- (1) This section sets out the method for determining, for the purposes of the application of sections 31, 32 and 46, a person's total weight of eligible past exports for:
 - (a) EU high quality beef for export to the European Union in each of the quota years beginning on 1 July 2021, 1 July 2022 and 1 July 2023; and
 - (b) UK high quality beef for export to the United Kingdom in each of the quota years beginning on 1 July 2021, 1 July 2022 and 1 July 2023.
- (2) Sections 66 and 89L do not apply in relation to the quota years mentioned in paragraphs (1)(a) and (b).

Quota year beginning on 1 July 2021

- (3) A person's **combined past exports amount for 2021** is the sum of:
 - (a) the total weight of consignments of EU high quality beef exported by the person to the European Union for which tariff rate quota certificates were issued in the period beginning on 1 May 2018 and ending on 30 April 2021 (including exports to the United Kingdom for which certificates were

issued on the basis that a consignment was a consignment of EU high quality beef); and

- (b) the total weight of consignments of UK high quality beef exported by the person to the United Kingdom for which tariff rate quota certificates were issued in the period beginning on 1 January 2021 and ending on 30 April 2021.
- (4) If the person is an applicant for tariff rate quota entitlement for EU high quality beef for export to the European Union in the quota year beginning on 1 July 2021, the person's total weight of eligible past exports for that quota type and quota year is 34.6993% of the person's combined past exports amount for 2021.
- (5) If the person is an applicant for tariff rate quota entitlement for UK high quality beef for export to the United Kingdom in the quota year beginning on 1 July 2021, the person's total weight of eligible past exports for that quota type and quota year is 65.3007% of the person's combined past exports amount for 2021.

Quota year beginning on 1 July 2022

- (6) A person's **combined past exports amount for 2022** is the sum of:
- (a) the total weight of consignments of EU high quality beef exported by the person to the European Union for which tariff rate quota certificates were issued in the period beginning on 1 May 2019 and ending on 30 April 2021 (including exports to the United Kingdom for which certificates were issued on the basis that a consignment was a consignment of EU high quality beef); and
 - (b) the total weight of consignments of UK high quality beef exported by the person to the United Kingdom for which tariff rate quota certificates were issued in the period beginning on 1 January 2021 and ending on 30 April 2021.
- (7) If the person is an applicant for tariff rate quota entitlement for EU high quality beef for export to the European Union in the quota year beginning on 1 July 2022, the person's total weight of eligible past exports for that quota type and quota year is the sum of:
- (a) 34.6993% of the person's combined past exports amount for 2022; and
 - (b) the total weight of consignments of EU high quality beef exported by the person to the European Union for which tariff rate quota certificates were issued in the period beginning on 1 May 2021 and ending on 30 April 2022.
- (8) If the person is an applicant for tariff rate quota entitlement for UK high quality beef for export to the United Kingdom in the quota year beginning on 1 July 2022, the person's total weight of eligible past exports for that quota type and quota year is the sum of:
- (a) 65.3007% of the person's combined past exports amount for 2022; and
 - (b) the total weight of consignments of UK high quality beef exported by the person to the United Kingdom for which tariff rate quota certificates were issued in the period beginning on 1 May 2021 and ending on 30 April 2022.

Quota year beginning on 1 July 2023

- (9) A person's **combined past exports amount for 2023** is the sum of:

- (a) the total weight of consignments of EU high quality beef exported by the person to the European Union for which tariff rate quota certificates were issued in the period beginning on 1 May 2020 and ending on 30 April 2021 (including exports to the United Kingdom for which certificates were issued on the basis that a consignment was a consignment of EU high quality beef); and
 - (b) the total weight of consignments of UK high quality beef exported by the person to the United Kingdom for which tariff rate quota certificates were issued in the period beginning on 1 January 2021 and ending on 30 April 2021.
- (10) If the person is an applicant for tariff rate quota entitlement for EU high quality beef for export to the European Union in the quota year beginning on 1 July 2023, the person's total weight of eligible past exports for that quota type and quota year is the sum of:
- (a) 34.6993% of the person's combined past exports amount for 2023; and
 - (b) the total weight of consignments of EU high quality beef exported by the person to the European Union for which tariff rate quota certificates were issued in the period beginning on 1 May 2021 and ending on 30 April 2023.
- (11) If the person is an applicant for tariff rate quota entitlement for UK high quality beef for export to the United Kingdom in the quota year beginning on 1 July 2023, the person's total weight of eligible past exports for that quota type and quota year is the sum of:
- (a) 65.3007% of the person's combined past exports amount for 2023; and
 - (b) the total weight of consignments of UK high quality beef exported by the person to the United Kingdom for which tariff rate quota certificates were issued in the period beginning on 1 May 2021 and ending on 30 April 2023.