

Importing and exporting prohibited or controlled goods

Do you, or do you act on behalf of someone, that imports and/or exports controlled goods that require a border permit or a licence?: No

Finding information about permits or licences

How do you usually find information about border permits or licences?: n/a

What improvements do you suggest to enhance the quality and accessibility of this information?:
n/a

Border permit and licence processes

What has been your experience with applying for border permits or licences to import/export controlled goods? Please use specific examples.: At the request of the sector, export controls have been in place for Australian wine since 1930. This followed a loss in confidence in the quality and authenticity of Australian wine in Europe in the early 1900s which had a long lasting and deleterious effect on Australia's export trade in wine for several decades. The sector remains supportive of the notion that robust and enforceable export controls are essential in supporting the Australian grape and wine community's promotional efforts. Export controls are set out in the Wine Australia Regulations 2018 (Regulations). The Regulations were remade in 2018 following sunseting of the Australian Grape and Wine Authority Regulations 1981 on 1 April 2018. Extensive consultation with the Australian grape and wine sector was conducted prior to the making of the new regulations. All of the recommendations made by the sector pertaining to the export controls were adopted in the making of the new regulations. The Regulations apply to the export of grape products, which includes any product containing wine as defined by the Wine Australia Act 2013. It is an offence under section 44 of the Act to export a grape product² from Australia without the following being issued at Wine Australia's discretion in accordance with the Regulations: • a licence to export grape products from Australia (which can be refused, cancelled or suspended by Wine Australia) • approval of grape product for export (which can be refused, suspended or revoked by Wine Australia), and • an export certificate in relation to individual shipments (which can be refused or revoked by Wine Australia). Accordingly, Wine Australia issues the following via its online Wine Export Approval system: • licences to export grape products from Australia • approval of grape products for export • export certificates.

Once you have your permit or licence, what do you do with it in order to import/export your goods? Please use specific examples.: Wine Australia is the only body that can issue export certificates for grape products. Applications for export certificates must be made at least five days before the day on which the product is to be exported. Applications must specify, at a minimum, the day on which the product will be exported, the country to which the product will be exported, and the person to which the product will be consigned overseas. Prior to granting export certificates, it is open to Wine Australia to request information about compliance with other laws to demonstrate that requirements under Australian law that relate to the description and presentation, such as those pertaining to vintage, variety and origin claims, have been met. Export certificates are commonly referred to as 'shipping approvals' and are assigned approval numbers. These approval numbers are uniquely generated using an algorithm that is shared with ABF which allows ABF to verify that shipments have been approved by Wine Australia. Wine Australia is undergoing a major IT project to redevelop its automated wine export approval system, WALAS. Highlights of the new system include introduction of a 'single use rule' for approval numbers issued by Wine Australia and shared with ABF to ensure approval numbers cannot be reused. Occasionally, Wine Australia engages directly with ABF to have high-risk exporters 'profiled'. On several occasions this has resulted in containers being isolated and inspected by ABF following allegations that they contained

counterfeit products destined for export. Wine Australia would welcome more formal engagement with ABF to allow routine inspections to be conducted at the ports to verify that label information provided to Wine Australia as a precursor to export approval correspond to the labels being affixed to the goods.

Improving the border permits framework

What suggestions do you have for improving the regulatory framework for border permits and licences?: Interaction at a intergovernmental level to remove requirements for paper import certificates, such as certificates of origin and certificates of free sale.

What examples can you give of unnecessary or excessive regulations ('red tape') for importing and/or exporting prohibited goods?: Wine Australia issues specific import certificates for China, Taiwan, Brazil, Philippines, South Africa and the European Union. In addition, Wine Australia issues Certificates of Free Sale which are generic and can be generated upon request. In 2017/18, Wine Australia issued over 55,000 import certificates, the majority of which are V11 certificates for the European Union, Certificates of Free Sale for China, and ChAFTA Certificates for China. All of these certificates are required to be issued as paper certificates and must physically accompany Australian wine exports. For China, Certificates of Origin issued under the China Australia Free Trade Agreement are required to be hand signed and stamped which increases the cost of providing the certificates and contributes significantly the red-tape associated with the export of wine from Australia to the relevant markets. Wine Australia would welcome any activity at an intergovernmental level that seeks to remove the requirement for paper import certificates – particularly for China and the European Union.

What examples can you give of additional administrative burden (including reporting) relating to border permits or licences for controlled goods?: n/a

Is there anything else you'd like to share?

Tell us about yourself

First name: Rachel

Last name: Triggs

Organisation name (if applicable): Wine Australia

Who is your submission on behalf of?: Other (please specify):

Submission on behalf of other: Wine Australia

What state/territory are you or your offices located in?: New South Wales; South Australia