



Australian Government

Department of Agriculture, Fisheries and Forestry
Australian Quarantine and Inspection Service

AQIS Organic and Biodynamic Program

2008 Fees and Charging Policy

October 2008

1 OVERVIEW

- 1.0.1 The Australian Quarantine and Inspection Service (AQIS) Organic and Biodynamic Programme is responsible for the management of the Australian organic and biodynamic export sector.
- 1.0.2 Export legislation complimented with the AQIS Administrative Arrangements and the National Standard for Organic and Bio-dynamic Produce (National Standard) underpin this export program.
- 1.0.3 Through regular audit and verification activities, AQIS ensures that approved certification organisations continue to satisfy export and importing country requirements.

2. PURPOSE

- 2.0.1 This Fees and Charging Policy describes the conditions and situations under which AQIS will invoice an approved certifying organisation.

3. DEFINITIONS

- 3.0.1 **Authorised officer** has the same definition as prescribed under the Export control Act 1982.
- 3.0.2 **Fee-For-Service** means an activity associated with audit and verification either on-site or in-office, and attracts a charge which is currently levied at an hourly rate.
- 3.0.3 **DAFF** means the Commonwealth Department of Agriculture Forestry and Fisheries.

4. LEGISLATIVE BASIS

- 4.0.1 Operational Legislation

Act	Regulations	Orders
<i>Export Control Act 1982</i>		Export Control (Organic Produce Certification) Orders Prescribed Goods (General) Orders

- 4.0.2 Charging Legislation

Act	Regulations	Orders
<i>Export Control Act 1982</i>	Export Control (Orders) Regulations	Export Control (Fees) Orders 2001

5. EXEMPTIONS

- 5.0.1 Under this policy, AQIS will not invoice certified operators for any Fee-For-Service activity or charge.
- 5.0.2 Approved certifying organisations are exempt from export registration charges.
- 5.0.3 Under this policy, AQIS does not impose levies on approved certifying organisations.
- 5.0.4 AQIS will not issue an invoice for a fee for service activity into a non-compliance investigation if it is confirmed that the non-compliance matter could not be substantiated.

6. FINANCIAL

- 6.0.1 Fee-For-Service charges/codes

Item Record	Project Code	Description	Unit	Fee
SOPCo5	123924	QM system audit (fee-for-service)	Per hour	\$289.00
SPOCo6	123924	In office (fee-for-service)	Per hour	\$289.00
SPOCo7	123924	Quarterly annual administration charge	Per organisation	\$1875.00

SPOCo8	123924	New application fee	Per application	\$7,100
--------	--------	---------------------	-----------------	---------

7. FEE-FOR-SERVICE CONDITIONS

- 7.0.1 If an authorised officer has arranged to commence a fee for service activity at a given time however the approved certifying organisation is not ready, the client will be charged from the time agreed and not from the time the service actually commenced.
- 7.0.2 If an authorised officer arrives at the organisation ahead of the scheduled time and commences the service at that time, with the agreement of the company the client will be charged from the time the audit commenced.
- 7.0.3 Charging time will cease when the fee for service is complete. However if additional fee for service activity is required to be undertaken at another location, including “in office” the time taken will be invoiced to the approved certifying organisation.
- 7.0.4 Where AQIS services are broken by time, a fee for service charge will be applied for every activity. For example, if a service is provided over two non-consecutive days and takes 4 hours per day, the fee for service charge that will be invoiced to the approved certifying organisation will be eight hours.
- 7.0.5 Where AQIS chargeable work activities are performed away from the office of the organisation (e.g. auditing a certified operator), the client is advised beforehand. These types of activities usually involve the participation of an organisation’s representative (e.g. organic inspector) and the time taken by AQIS for the activity is “authorised” on the fee for service charge form by the organisation’s representative.
- 7.1 Documentation Fees
Under the “organic” co-regulatory arrangement, AQIS may charge a documentation fee.
- 7.2 Registration Fees
Under the “organic” co-regulatory arrangement, AQIS does not charge an export registration fee.
- 7.3 Overtime and Shift Fees
Under the existing arrangement, AQIS does not charge a shift or overtime fees for activities relating to organic or biodynamic.

8. PROGRAM COLLECTION ARRANGEMENTS

Overview

- 8.0.1 The annual administration fee is invoiced on a quarterly basis via the DAFF Revenue Unit.
- 8.0.2 Fee for service activities, including “in office” services have an invoice is generated via DAFF Revenue Unit. The client’s will be advised on any of these activities undertaken by AQIS.
- 8.0.3 The new application fee is charged to organisations that elect to become an approved certifying organisation. For this activity the program generates an invoice via the DAFF Revenue Unit.
- 8.0.4 Under the departments Debt Management policy, legislative power can be used to recover outstanding moneys owed to the Commonwealth.

9. WITHDRAWAL OF SERVICES

- 9.0.1 The power to withdraw services from a client exists under Clause 16A of the Export Control (Fees) Orders. The Secretary (or his delegate) may withdraw inspection services including audit services, where fees remain unpaid 14 days after the due date for payment.

- 9.0.2 The power to apply penalty fees exists under Clause 16AB of the *Export Control (Fees) Orders*. A penalty fee at the rate of 20% per annum may be applied where fees payable for inspection services, including audits, remain unpaid at any time after the due date for payment.

10. SANCTIONS

- 10.0.1 The following sanctions may apply if the procedures are not followed correctly:

10.1 Organic Produce Certificates

- 10.1.1 AQIS must receive the yellow copy of the Organic Produce Certificates no later than the 5th of the month following. (For example – certificates dated March must be to AQIS no later than the 5th of April). A service fee of \$289.00 per hour may be charged if the certificates are not received on time.
- 10.1.2 All Organic Produce Certificates must be filled out correctly. Failure to do this may incur the service charge of **\$289.00** per hour for AQIS to obtain correct information.

10.2 AQIS Notices

- 10.2.1 All AQIS issued notices must be actioned and complied to immediately. Failure to do so by any AQIS Approved Certifying Organisation may incur a \$289.00 per hour fee if investigation or auditing is required.
- 10.2.2 Any certified operator not complying with AQIS notices may incur a fee of \$289.00, per hour if further investigation is conducted.
- 10.2.3 Failure to report any non compliance of operators to AQIS by the AQIS Approved Certifying Organisations may result in a suspension of certification for the operator and a fee of \$289.00 per hour for the AQIS Approved Certifying Organisation they are certified with while an investigation is conducted.

10.3 Reporting

- 10.3.1 Failure to report critical non compliance to AQIS will result in immediate sanctions being applied. For example suspension of an operator's certification may apply along with the AQIS Approved Certifying Organisation being invoiced for all investigation and follow up activities.

10.4 Products and Labelling

- 10.4.1 Failure to apply correct labelling requirements to any accredited produce will result in an investigation. Such an investigation may attract a penalty charged to the AQIS Approved Certifying Organisation they are certified with at a rate of \$289.00 per hour.
- 10.4.2 As a result of an AQIS non compliance investigation, the certified operator and AQIS Approved Certifying Organisation may be referred to other authorities who administer Australian and / or International Laws for investigation and/or prosecution.