

AQIS

Quarantine Approved Premises Conditions of Approval

SECTION A**Introduction****1. Purpose**

These AQIS Quarantine Approved Premises (QAP) Conditions of Approval specify the conditions that must be met to obtain and maintain AQIS approval as a QAP under section 46A of the *Quarantine Act 1908*.

2. Scope

The scope of these QAP Conditions of Approval is limited to QAPs that:

- (a) do not have a Compliance Agreement; and
- (b) belong to one of the following QAP categories:
 - (i) Class 1.2
 - (ii) Class 1.3 that handle reportable documents, also known as 'high volume low value' ('HVLV') air cargo
 - (iii) Classes 2 to 9
 - (iv) Class 95.

3. Definitions*AQIS*

Australian Quarantine and Inspection Service

Co-located QAPs

Multiple QAPs operating within a single physical site and sharing a common ABN and senior manager may be approved by AQIS under a single approval fee.

Compliance Agreement

A legally binding agreement between AQIS and another party under section 66B of the *Quarantine Act 1908*.

Dunnage

Materials used for supporting or protecting consignments during transportation. Dunnage is not intrinsically associated with the cargo.

Import Permit

A permit issued to an importer of quarantine material pursuant to the *Quarantine Act 1908*.

Items

Includes (but is not limited to) plants, animals, seeds, goods, materials, products, commodities, containers, equipment, documents, parcels, packaging and dunnage.

Processing

Any type of activity undertaken on an item that changes:

- (a) an item physically, chemically or biologically; or
- (b) what is known about an item's physical, chemical or biological state; or
- (c) an item's physical location.

Includes (but is not limited to) growing, vaccinating, treating, inspecting, testing, analysing, x-raying, transporting, heating, freezing, preserving, irradiating, fumigating, machining, milling, crushing, manufacturing, washing, cleaning, sieving, dipping, steaming, boiling, sterilising, disinfecting, disinsecting, spraying, centrifuging and dehydrating.

QAP Accredited Person

A person at the QAP who has successfully completed the AQIS-approved QAP training necessary to obtain and maintain QAP Accredited Person status. A QAP Accredited Person may be an employee, contractor, student or client of the QAP.

QAP operator

Owner or nominated senior manager of the QAP.

Quarantine Approved Premises (QAP)

Premises approved by AQIS for the performance of quarantine under section 46A of the *Quarantine Act 1908*.

Quarantine area

The designated area within a QAP where items subject to quarantine are stored, handled, processed or treated. Depending on the QAP, the quarantine area and the QAP may be synonymous.

Quarantine containment level

A specific degree of containment security within a particular class of QAP. Some classes of QAPs (e.g. Class 5) have a number of different sub-classes representing a progression in containment security from lower to higher.

SECTION B

Items Subject to Quarantine

There are 4 categories of items that are subject to quarantine:

1. Imported items

Imported items that AQIS has identified as being of quarantine concern are subject to quarantine until AQIS has advised, in writing, that they may be released from quarantine.

2. Products of imported items

Imported items subject to quarantine that have undergone processing by whatever means continue to be subject to quarantine unless AQIS has advised that the processing is sufficient to allow the products to be released from quarantine.

3. By-products and waste products from imported items

Similarly, by-products and waste products (liquids or solids) that have been produced by processing of imported items continue to be subject to quarantine unless AQIS has advised that the processing is sufficient to allow the by-products or waste products to be released from quarantine.

4. Items that have been contacted or contaminated by the above

Any items that have been in contact with, or are otherwise potentially contaminated by, any items belonging to the above 3 categories will become subject to quarantine unless AQIS has advised that any subsequent processing is sufficient to allow the items to be released from quarantine (this includes packaging material, wrapping material, dunnage *etc.*).

SECTION C

Conditions for Items Subject to Quarantine

Items subject to quarantine (items belonging to any of the 4 categories in SECTION B) must be maintained and processed at a QAP appropriate for the items (see relevant QAP Class Criteria) according to all of the following:

1. these Conditions of Approval (this document)
2. the conditions in the relevant QAP Class Criteria
3. import conditions specified on AQIS's Import Conditions Database (ICON) (see www.aqis.gov.au/icon)
4. import conditions on an AQIS Import Permit (if an Import Permit is required)
5. any other directions from AQIS
6. the *Quarantine Act 1908* and subordinate legislation.

SECTION D

High Priority Conditions for Management of Items Subject to Quarantine

Further to the requirements of SECTION C, the conditions in SECTION D are mandatory and have been identified as requiring particular attention from QAP operators.

1. Isolation

Procedures must be implemented to ensure that items subject to quarantine are, at all times, kept physically separated from other goods (including during transport), to ensure negligible risk of cross contamination from:

- (a) imported items that have been released from quarantine;
- (b) domestic items; and
- (c) the Australian environment.

Isolation can be achieved through the use of distance or physical barriers. The amount of distance or type of physical barriers required will depend on the nature of the items subject to quarantine. Refer to the relevant Class Criteria, Import Permits, ICON or AQIS directions for specific requirements.

2. Hygiene

Procedures must be implemented to ensure that the standard of hygiene at the QAP is appropriate for the nature of the items subject to quarantine held at the QAP.

Procedures must be implemented to ensure that any equipment that has been used or in contact with imported items subject to quarantine or could have been potentially contaminated by the imported items (see point 4 in SECTION B) does not leave the quarantine area until it has been processed (cleaned, disinfested, decontaminated) or disposed of in accordance with requirements of sources of conditions listed in SECTION C.

3. Movement between QAPs

Procedures must be implemented to ensure that no items subject to quarantine move outside a QAP except for the purpose of

- (a) moving directly and securely to another QAP (of the appropriate QAP Class) with prior written approval from AQIS; or
- (b) moving directly and securely to a QAP of the same class (or of the same class but a higher *quarantine containment level* sub-class) that is *co-located* with this QAP; or
- (c) collection of quarantine waste by an AQIS-approved waste collection and transport company (operating under a *compliance agreement* for quarantine waste collection and transport).

If the items are being transported by a non-QAP Accredited Person (e.g. a truck driver), procedures must be implemented at the forwarding QAP to ensure that this person is made aware of the conditions relating to the transport of the items.

Note: This requirement does not apply to quarantine waste being collected by an AQIS-approved waste collection and transport company (operating under a *compliance agreement* for quarantine waste collection and transport).

4. Release from quarantine

Procedures must be implemented to ensure that no item subject to quarantine is permitted to leave the quarantine area, inadvertently or deliberately, without prior written direction or approval from AQIS.

5. Waste management

Procedures must be implemented to ensure that quarantine waste is disposed of in accordance with the sources of conditions listed in SECTION C.

Note: Any conditions specified on Import Permits for the treatment and disposal of waste take precedence over general waste disposal requirements in QAP Class Criteria.

6. Quarantine Approved Premises (QAP) Accredited Persons

A QAP Accredited Person must personally conduct or directly supervise all activities involving physical contact with or handling of items subject to quarantine at the QAP. 'Directly supervise' means that the QAP Accredited Person must be present in the area where the items subject to quarantine are being handled and must be able to (a) visually verify for themselves that the items are being handled in accordance with AQIS's requirements and (b) communicate immediately and effectively with the person(s) being supervised.

The QAP operator must ensure that all persons performing the function of a QAP Accredited Person have successfully completed the AQIS approved QAP training to obtain and maintain QAP Accredited Person status. The QAP operator must maintain auditable records of QAP Accredited Persons utilised at the QAP.

7. Identification

Procedures must be implemented to ensure that items subject to quarantine are clearly and visibly identified as being under quarantine to all persons who can physically access the items or the containers holding the items. The measures taken must ensure that all persons having physical access to items subject to quarantine can differentiate between items subject to quarantine and items that are not subject to quarantine.

8. Traceability

Procedures must be implemented to ensure that records are kept for a minimum of 18 months for all items subject to quarantine at the QAP and that these items are traceable in terms of (where applicable):

- (a) Quarantine Entry number
- (b) Import Permit number
- (c) Air Waybill or Bill of Lading number
- (c) date of receipt
- (d) processing (including inspection, treatment, testing) details
- (e) Quarantine Release
- (f) disposal details
- (g) storage location
- (h) QAP Accredited Person responsible for the items

Additional details may be required by the relevant QAP Class Criteria.

9. Awareness

Procedures must be implemented to ensure that all persons having physical access to items subject to quarantine are aware that such items must only be handled by a QAP Accredited Person or under the direct supervision of a QAP Accredited Person.

10. Contingency plan

Procedures must be implemented to manage unexpected events that threaten to compromise quarantine integrity of the QAP. Unexpected events include:

- (a) Appearance of pests or symptoms of disease
- (b) Structural damage (due to storms etc.)
- (c) Unauthorised removal of quarantine material
- (d) Spillages of quarantine material
- (e) Sudden unavailability of a QAP Accredited Person

A procedure for notifying AQIS immediately of these situations must be included.

11. Ceasing or transferring operations

AQIS must be informed, in writing, at least 15 working days prior to intended:

- (a) closure of its current QAP site;
- (b) relocation of the business including the QAP function; or
- (c) ceasing of operation as a QAP.

Any items subject to quarantine that remain at the premises must be treated or destroyed according to an AQIS-approved method or transferred to another QAP with prior approval from AQIS. The QAP operator will be liable for all associated costs.

12. Clarification

If a QAP operator has any doubt as to whether a particular item:

- (a) is subject to quarantine;
- (b) remains subject to quarantine; or
- (c) has become subject to quarantine; then

the item must be regarded as subject to quarantine pending clarification from AQIS.

If a QAP operator believes that there is an inconsistency or error in the conditions specified in SECTIONS C and D, clarification must be sought from AQIS at the earliest opportunity.

SECTION E

Compliance Assessment

AQIS reserves the right to:

1. audit, monitor, inspect and assess for compliance with these QAP Conditions of Approval with or without prior notice;
2. use the services of a third party to perform any or all of the above activities;
3. vary the frequency and intensity of the above activities according to the previous compliance performance of the QAP; and
4. charge on a fee-for-service basis for the above activities in accordance with Section 86E of the *Quarantine Act 1908*.

Compliance assessment will focus on, but is not limited to, the high priority areas identified in SECTION D.

SECTION F**Failure to Comply with Conditions of Approval**

If there is a failure to comply with these QAP Conditions of Approval, AQIS may refuse, suspend or revoke premises approval in accordance with sections 6B and 46A of the *Quarantine Act 1908*.

SECTION G**Variation of Conditions of Approval**

AQIS reserves the right to vary the QAP Conditions of Approval at any time.