



November 2021

Plant export legislation changes

Plant rules – Changes affecting export bulk vessels commencing 1 July 2022

On 1 July 2022, the Export Control (Plants and Plant Products) Rules 2021 (plant rules) are being amended to better align with current business and regulatory practices.

The proposed changes to export bulk vessel survey practices will provide greater assurance to us, the shipping industry, and Australia's grain exporters that bulk vessels comply with agricultural export legislation.

The proposed change does not shift the standard expected of vessels to be loaded with Australian grain. The proposed change:

- puts in place more effective checks and balances to ensure surveying practices meet the current expected standard
- minimises the risk of Australian grain becoming infested or contaminated after loading and while transiting to its destination overseas.

Introduction of the Accredited Grain Surveyor Assurance scheme

We are proposing to introduce the Accredited Grain Surveyor Assurance (AGSA) scheme on 1 July 2022. We have been collaborating on these changes with the Australasian Institute of Marine Surveyors (AIMS) and representatives of Australia's shipping and grain export industries.

The AGSA scheme provides an opportunity to clarify the qualification requirements for marine surveyors and:

- better reflects the broader range of relevant training and qualifications held by marine surveyors performing bulk vessel surveys
- incorporates express work experience requirements to provide greater assurance that new marine surveyors can perform surveys safely and compliantly
- minimises fraudulent practices surrounding supervised vessel survey requirements to reflect realistic timeframes for marine surveyors to satisfy the requirement.

Administration of AGSA scheme by AIMS

AIMS members and non-members may apply to AIMS to be accredited under the AGSA scheme:

- The annual accreditation fee will be \$250 per marine surveyor. An application fee of \$90 will apply for the initial application. Accreditation must be renewed annually.

- The fees will facilitate assessment of applications and ongoing management of marine surveyors' accreditations by AIMS.
- A publicly available list of accredited marine surveyors will be provided on the [AIMS website](#). Accredited marine surveyors will also be provided with identification cards as evidence of their annual accreditation.
- More information on how and when to apply for the AGSA scheme accreditation will be provided closer to implementation.

Sourcing accredited marine surveyors

Exporters and shipping companies will be required to source marine surveyors accredited under the AGSA scheme to perform bulk vessel surveys:

- Bulk vessel inspection Authorised Officers (BVI AOs) will confirm marine surveyors are accredited when performing bulk vessel inspections and prior to approving the vessel for loading with grain.
- Marine surveyor certificates (Fitness to Load certificates) from non-accredited surveyors will not be accepted by BVI AOs.
- Further information and changes to instructional material will be provided to support BVI AOs, exporters, marine surveyors and industry to understand the changes.

Qualification and experience requirements for accreditation

Marine surveyors will be required to hold at least one of the following combinations of qualification and experience options in Table 1 to be accredited.

Table 1: Marine surveyor qualification and experience requirements

Option	Qualification	Experience
1	Hold or have held a: <ul style="list-style-type: none"> • Master Class 1 (Unrestricted) Certificate OR <ul style="list-style-type: none"> • Master grade Certificate of Competency as outlined under <i>Schedule 1 of Marine Orders 71 (Masters and deck officers) 2014</i> made under the Navigation Act 2021. 	6 months on a bulk carrier in the capacity of Chief Officer.
2	Advanced Diploma of Maritime Operations (Master Unlimited).	6 months on a bulk carrier in the capacity of Chief Officer.
3	Diploma or Advanced Diploma of Marine Surveying with the modules for dry bulk cargo and grain operations.	3 years' experience as a marine surveyor.
4	Diploma of Maritime Operations (Watchkeeper Deck) with modules for dry bulk cargo and grain operations.	3 years' experience as a marine surveyor.

Evidence required when applying for accreditation

Proposed evidence to be submitted as part of an application to AIMS for the AGSA scheme is set out below in Table 2.

Table 2: Evidence of qualification and experience requirements when applying for accreditation

Qualification requirement evidence	Experience requirement evidence
<p>Certified copy of your qualification (see one of the 4 options under qualification and experience requirements in Table 1).</p> <p>If option requires dry bulk cargo and grain operation modules, also provide a copy of your transcript showing completion of the relevant modules.</p>	<p>Provide as applicable to demonstrate the relevant experience requirement:</p> <ul style="list-style-type: none"> • Sea service record <p>OR</p> <ul style="list-style-type: none"> • The following evidence supported by an Australian Commonwealth Statutory Declaration: <ul style="list-style-type: none"> ○ Discharge notices ○ Evidence of service ○ Employer reference ○ Resume.

Initial accreditation

To be accredited, marine surveyors must have performed at least 10 bulk vessel surveys within a period of no less than 2 months and no more than 2 years, accompanied by another accredited marine surveyor (or a person who was a qualified marine surveyor prior to commencement of AGSA scheme).

Note: If these 10 supervised surveys were completed more than 3 years ago, marine surveyors will also need to provide evidence they performed at least 3 bulk vessel surveys in the most recent 3-year period.

Maintaining accreditation

To maintain accreditation, marine surveyors must continue to perform at least 3 bulk vessel surveys in the most recent 3-year period.

Note:

The following evidence of your attendance at these surveys is required:

- Your name as an attending surveyor listed on the Fitness to Load certificate (FTL) that is provided to the Authorised Officer at the completion of the survey; or
- submission of a separate listing of your ship surveys, which must include:
 - date
 - ship's name
 - grain type
 - port of survey
 - attending FTL Surveyors name and signature

- Master’s signature and ship’s stamp.

Background

The plant rules commenced 28 March 2021 and, along with the Export Control Act 2020, set the specific requirements for the export of plants and plant products. We have been tracking areas where the new legislation may not align with current business practice and regulatory expectations, and where additional regulatory improvements are needed. The plant rules will be reviewed annually and amended where needed.

Further information

Email plantexportreform@awe.gov.au

Web

- awe.gov.au/plant-export-leg-changes
- awe.gov.au/market-access-trade/improving-export-legislation
- <https://www.aimsurveyors.com.au/>

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