

Policy frameworks

The following frameworks are the foundations to develop and implement trade reforms across government. They set a consistent approach for the way government agencies interact to deliver benefits to business. The frameworks operate within existing legislation. There will be further consultation where legislative change is required.

The consultation focuses on seeking views on these draft frameworks:

- Trade Identity Policy Framework
- Fit and Proper Person Assessments Reform
- Border Controls Policy Framework

Border Controls Policy Framework

The ABF, in partnership with the STS Taskforce and DAFF, are leading a reform of regulatory processes around border controls (like border permits) through the development of a Border Controls Policy Framework. This will provide government with a consistent approach to creating, reviewing, and administering border controls that is scalable, targeted and proportionate to the identified risks related to the movement of certain prohibited, restricted, and regulated goods across the Australian border.

The framework is designed to reduce inconsistent or duplicative requirements and inefficiencies in border control processes that create unnecessary administrative burden on business, industry, and government. The framework will support establishing best practice across government by providing practical principles and considerations for government to determine the suitability of border controls to achieve policy and regulatory objectives.

What are border controls?

Border controls are measures initiated by government agencies to prohibit, restrict, regulate, or monitor the movement of certain goods across the Australian border, based on the risk those goods pose to Australia's safety, security, and international reputation.

In this context they do not include trade related controls on individuals, organisations, and premises, such as licences issued for border intermediaries, revenue-based controls on the import or export of goods; or certificates of origin for goods used for claiming preferential treatment under relevant free trade agreements.

This is a foundational step towards simplifying trade for trade participants that import or export regulated goods to or from Australia. The focus is on regulatory reform and the establishment of clear policy and guidance. It also provides a foundation for further reform work, such as future development of supportive technology and a single source of truth on permit information.

What we have heard

In June 2023, we asked stakeholders:

- to identify border controls that have a high regulatory burden and that can be streamlined.
- how many border controls businesses typically interact with and the impact on businesses?

Stakeholders advised that the regulatory framework and administrative infrastructure sometimes lacked coordination, was unnecessarily complex and was often not fully digitised or automated. Agencies with digital systems would use different systems that did not communicate effectively with one another. Stakeholders provided feedback that the government could reduce duplication, increase transparency, and reduce risks related to imports and exports.

The development of the framework and the work that underpins this reform has also been supported and informed by the comprehensive **Border Permits Review** undertaken by the ABF in 2019. While the scope and focus of that piece was narrower than the Framework, the insights and views of business and industry were captured and considered for the development of this policy work.

Framework Principles

When proposing or reviewing a border control as part of an overall action plan or national strategy, the agency responsible for developing the policy for the control ('policy owner') will engage with the relevant border enforcement agency (for example, ABF or DAFF) to co-design the border control, ensuring that it adheres to the following draft principles (see box 3).

Box 3: Border Controls Policy Framework Principles



Engaged – the right people have been engaged in the design of the control and communication lines have been open throughout the process.



Scalable – the control can adapt to address evolving risks.



Defined – the purpose of the control is clear, and the subject goods clearly identified.



Enforceable – the control is reasonably practicable to enforce and will deliver on the policy intent.



Modern – the control is compatible with modern and digital trade processes.



Appropriate to risk – the control is warranted and proportionate to the risk it is intended to mitigate.



Economically feasible – the control does not impose undue regulatory burden or cost on either government or industry.



Compliant with international rules and conventions – the control is consistent with Australia's international obligations and commitments.

Next steps

This policy framework is a foundation for future process reform and technology that will directly improve the experiences of industry interacting with government.

Each border enforcement agency will develop their own supporting frameworks and processes to implement the principles outlined in this framework. This recognises that each agency may already have processes that are consistent with the principles.

HAVE YOUR SAY

We are seeking feedback from businesses on the framework principles.

Question 12

Please quantify, in time or money, how current border control compliance processes impact your business.

Question 13

How would implementation of these draft principles affect the effectiveness and efficiency of trade border controls relevant to your business or sector?

Question 14

Could you share any specific issues that you believe are not adequately addressed by the Framework principles?

To have your say, visit: <https://app.converlens.com/austrade/simplifiedtrade>