

Is the Intergovernmental Agreement on Biosecurity effective and fit for the future?

Discussion paper

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Independent reviewer for the Intergovernmental Agreement on Biosecurity



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Disclaimer

This discussion paper has been prepared by Dr Michele Allan AO, the independent reviewer of the Intergovernmental Agreement on Biosecurity. This discussion paper is intended to facilitate and encourage discussion on the effectiveness of the 2019 Intergovernmental Agreement on Biosecurity. The views expressed in this discussion paper do not necessarily represent the views of the Australian Government. The Australian Government – including the Department of Agriculture, Fisheries and Forestry, their employees and advisers – and the independent reviewer disclaims all liability, including liability for negligence and for any loss, damage, injury, expense or cost incurred by any person as a result of accessing, using or relying upon any of the information in this discussion paper to the maximum extent permitted by law.

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Acknowledgement of Country

Dr Allan acknowledges the Traditional Custodians of Australia and their continuing connection to land and sea, waters, environment and community. Dr Allan pays her respects to the Traditional Custodians of the lands we live and work on, their culture, and their Elders past and present.

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1 Background

Australia's national biosecurity system aims to minimise the impact of pest and disease incursions on the nation's economy, environment and community, while protecting our international reputation for high-quality and safe produce.

Australia's highly regarded biosecurity system and related biosecurity status bring substantial benefits. Domestic consumers benefit from our world-class produce, our agricultural sector benefits from having preferential market access arrangements, and the broader community and the nation's tourism sector benefit from our pristine and unique natural environments.

Underpinning Australia's national biosecurity system is the Intergovernmental Agreement on Biosecurity (IGAB), which commenced in 2012. The IGAB is an agreement between the Commonwealth and state and territory governments to strengthen the national biosecurity system. It defines the roles and responsibilities of governments and outlines the priority areas for collaboration to minimise the impact of pests and diseases on Australia's economy, environment and community.

In late 2015, Australian Agriculture Ministers agreed to initiate a review of the national biosecurity system and the underpinning IGAB.

In July 2017, an independent panel presented its final report, *Priorities for Australia's biosecurity system: an independent review of the capacity of the national biosecurity system and its underpinning intergovernmental agreement* (the Craik Review), to the Agriculture Ministers' Forum. The report made 42 recommendations for strengthening Australia's national biosecurity system, including several recommendations to improve the IGAB. It is important to note that the Craik Review had a broad remit to investigate the biosecurity system as well as the operation of the 2012 IGAB. This 2024 review is more targeted and limited to evaluating the implementation and effectiveness of the 2019 IGAB.

Recommended improvements to the IGAB from the Craik Review included the need for the IGAB to remain an agreement between the first ministers of Australian, state and territory governments, the overseeing of the implementation of the IGAB's core commitments, the need for data and knowledge sharing, new priority reform areas and various other amendments. An updated IGAB was finalised and published in 2019.

The current IGAB requires an independent review of the agreement be initiated within 5 years from commencement. This review commenced in May 2024, and is the second to take place since the inception of the original IGAB in 2012. Dr Michele Allan AO was selected to undertake this review by members of the National Biosecurity Committee (NBC), Agriculture Senior Officials Committee (AGSOC) and Agriculture Ministers' Meeting (AMM). A support team has been established within the Department of Agriculture, Fisheries and Forestry (DAFF) to assist the independent reviewer during this process.

2 Purpose

This discussion paper is presented in 4 sections to align with the 4 elements of the scope of the review and contains the initial, provisional observations of the independent reviewer. This discussion paper contains explanatory text and guiding questions for stakeholders; however, submissions are welcomed on any aspect of the IGAB within the scope of the review.

This review will assess the implementation and effectiveness of the current IGAB, including cross-jurisdictional cost sharing and funding arrangements and potential areas for improvement and futureproofing as well as any impacts of COVID-19.

Key considerations of the independent reviewer will be whether:

- the IGAB is performing all the functions it was designed to do and where amendments may be necessary
- the agreement promotes consistency and collaboration between the Commonwealth and state and territory jurisdictions
- the agreement clearly articulates the roles and responsibilities of the signatory parties and whether those obligations are being met
- the language used in the agreement is appropriate, clear and contemporary
- the current governance arrangements of the agreement are suitable
- the agreement clearly articulates cost sharing and funding arrangements for managing Australia's biosecurity system and if those arrangements are being met by states and territories
- the agreement supports advancement in managing Australia's changing biosecurity needs
- the COVID-19 outbreak affected the functioning of the IGAB in any way.

A review report, including recommendations, will be provided to agriculture ministers by 22 January 2025.

3 Context

This section sets out the context for this review, as related to Australia's biosecurity system, the IGAB's purpose and related governance arrangements, the scope of the review and the independent reviewer's interpretation of the scope of the review.

3.1 Biosecurity in Australia

Biosecurity is the management of risks to the economy, the environment and the community, of pests and diseases entering, emerging, establishing or spreading. Australia has obligations under international agreements, including the World Trade Organization, which, among other things, binds members to comply with their obligations under the Agreement on the Application of Sanitary and Phytosanitary Measures (the SPS Agreement (WTO 1995)) and the Convention on Biological Diversity (UN 1992).

The goal of Australia's national biosecurity system is to minimise adverse impacts of pests and diseases on Australia's economy, environment and the community while facilitating trade and the movement of plants, animals, people and products. The objectives of the national biosecurity system are to provide arrangements, structures and frameworks involving governments, industry and community that:

- reduce the likelihood of exotic pests and diseases which have the potential to cause significant harm to the economy, the environment, and the community (people, animals and plants) from entering, becoming established or spreading in Australia
- prepare and allow for effective responses to, and management of, exotic and emerging pests and diseases that enter, establish or spread in Australia
- ensure that, where appropriate, nationally significant pests and diseases already in Australia are contained, suppressed or managed by relevant stakeholders
- enable international and domestic market access and tourism.

3.2 The Intergovernmental Agreement on Biosecurity

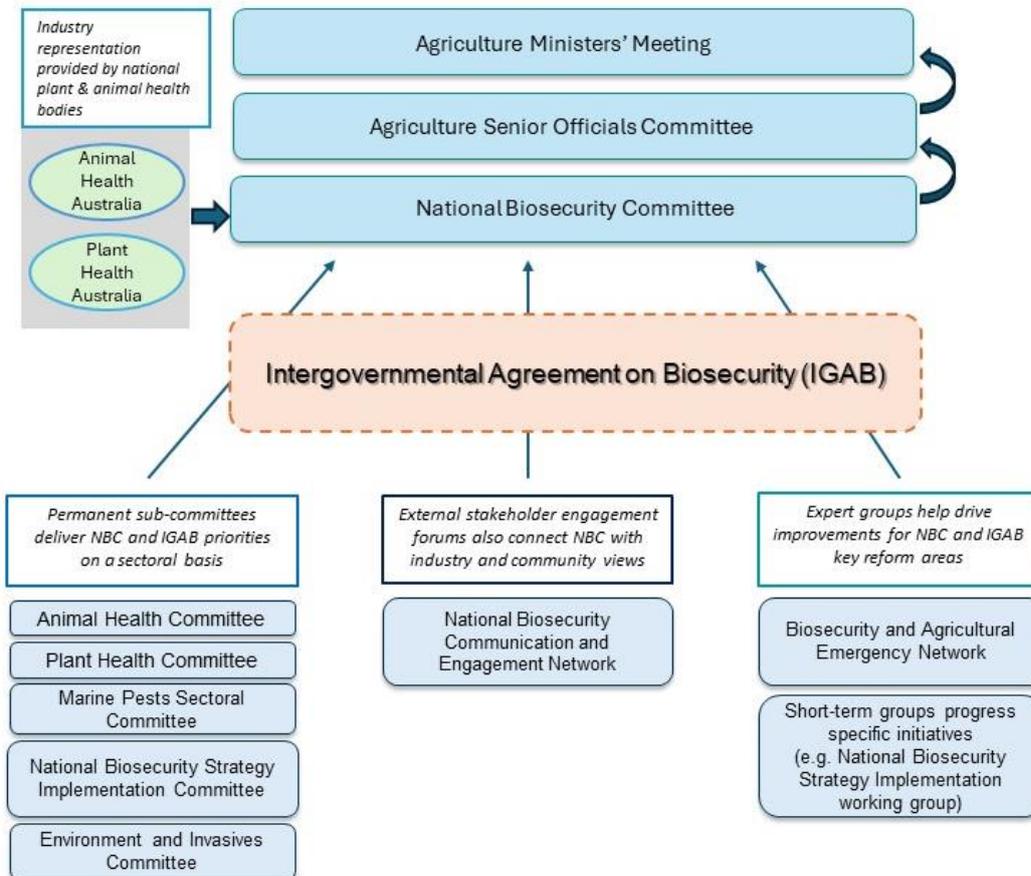
The [IGAB](#) is an agreement between all Australian governments. The objective of this agreement is to strengthen Australia's biosecurity system through enhanced national collaboration among Australian governments. This agreement defines the goal and objectives, and clarifies the roles, responsibilities and governance arrangements, that will guide the Commonwealth and states and territories in supporting the national biosecurity system.

The agreement forms a major element of Australia's biosecurity architecture and establishes for Australian governments, their commitments to strengthen, participate in and lead the national biosecurity system by outlining the agreed goal, objectives, roles and responsibilities and governance arrangements.

Australian governments support a whole-of-government approach to biosecurity, covering areas including trade, agriculture, forestry, fisheries, tourism, the environment, social amenity and human health. This agreement describes the national biosecurity system primarily for animal, plant and environmental pests and diseases in aquatic (freshwater, estuarine and marine) and terrestrial environments and ecosystems, including pest animals, weeds, fungi and diseases naturally transmitted by and between vertebrate and invertebrate animals and humans. This agreement does not apply to major animal-borne diseases of humans such as malaria that are primarily managed by Australian and international health agencies.

The NBC is formally established under the IGAB. The NBC provides advice to the Agriculture Senior Officials Committee on national biosecurity, and on progress in implementing the IGAB. NBC membership comprises senior officials from the Australian, state and territory primary industry and/or environment agencies. Animal Health Australia and Plant Health Australia are observers. The NBC is supported by 6 sectoral committees and a biosecurity and agricultural emergency network. These provide policy, technical and scientific advice on matters affecting their sector, covering all pests and disease risks to the terrestrial and aquatic (inland water and marine) animals and plants, and the environment. From time to time, the NBC forms expert groups and short-term task specific groups to provide advice and deliver key initiatives. The governance arrangements, underpinned by the IGAB, for these committees and subcommittees are illustrated at Figure 1.

Figure 1 The IGAB and governance arrangements for the national biosecurity system



Source: Updated from Craik et al. 2016

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The current IGAB requires an independent review of the agreement be initiated within 5 years from commencement. The IGAB stipulates that input for the review be sought from a range of participants in the national biosecurity system, including governments, industries and community members. This discussion paper is part of the early stages of that review requirement.

The agreement:

- sets out commitments for the Australian Government, and state and territory governments
- outlines the agreed national goals and objectives
- clarifies roles, responsibilities, and governance arrangements.

It is signed by:

- the Prime Minister
- premiers
- chief ministers.

The IGAB came into effect on 3 January 2019. It replaces the previous IGAB, which commenced in 2012.

The IGAB is an important part of Australia's biosecurity architecture. Its role is to:

- strengthen Australia's biosecurity system
- enhance national collaboration among Australian governments
- support our biosecurity system to meet current and future challenges.

Although the IGAB is not legally binding, it is an important tool to transparently and explicitly set out the biosecurity principles, procedures, roles, and responsibilities that apply to Commonwealth, state, and territory signatories.

3.3 Scope of the review

This discussion paper seeks to gather information from Australian biosecurity stakeholders regarding the operation and effectiveness of the IGAB. All submissions will be considered and may be relied upon to inform any recommendations. The IGAB review will specifically consider 4 elements.

- 1) The implementation and effectiveness of each section of the current agreement, in particular examining whether any clauses in the agreement inhibit any activity required to prevent, prepare for, detect and mitigate biosecurity risks, and respond to, manage and recover from biosecurity incidents should they occur, or whether any additional elements are required to prevent, prepare for, detect and mitigate biosecurity risks, and respond to, manage and recover from biosecurity incidents should they occur.
- 2) Existing cost sharing arrangements and the potential for implementation of new funding arrangements for cross-jurisdictional biosecurity activities.
- 3) The impacts of COVID-19 on the functioning of the IGAB and if any consequential amendments may be required.

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- 4) Not duplicating efforts from previous and ongoing reviews and assessments of the biosecurity system noting that consideration and implementation of some of the recommendations from these may still be underway.

3.4 Interpreting the scope

The terms of reference ([Appendix A](#)) for this review are quite broad, as such, certain interpretations of the scope have been made to ensure it is limited to the intention of the review, to not duplicate work being conducted elsewhere and to ensure the review is completed within the specified timeframe.

The independent reviewer met with members of the NBC on 18 July 2024 and specifically discussed the element of the scope that refers to existing cost sharing and funding arrangements for cross-jurisdictional biosecurity activities. The independent reviewer and the NBC agreed this was extremely broad and it is unlikely that a fulsome review of these arrangements could be completed within the review timeframe. For these reasons, the independent reviewer and the NBC agreed that this element of the scope be refined to observations around the IGAB funding and cost sharing frameworks, exploration of the current arrangements and potential recommendations for future work in this space.

In addition to that clarification, this review is limited to the IGAB itself and will therefore not consider:

- the capacity and effectiveness of the national biosecurity system
- current or anticipated biosecurity risks to Australia
- any matters related to Commonwealth-only biosecurity funding, such as the Biosecurity Protection Levy
- the National Biosecurity Strategy
- matters to do with biosecurity legislation, either at the Commonwealth or state and territory level
- matters to do with Australia's international obligations relating to biosecurity.

4 Discussion questions

There are 4 sections for specific consideration in the [review's scope](#), and the 3 discussion questions are set out according to the first 3 scope elements.

4.1 Implementation and effectiveness of the IGAB agreement

Australia's national biosecurity system is built on shared responsibility, its success relies on the cooperation, investment and actions by all governments, industry bodies, exporters and importers, farmers, miners, tourists, researchers and the broader community. For government bodies, the sharing of responsibility occurs through a cooperative partnership under the IGAB.

The IGAB has created a framework for governments to coordinate and identify priority areas of reform and action to build a stronger and more effective national biosecurity system. The IGAB was an important step for governments, recognising the value of improving and committing intergovernmental relationships and building on the previous memoranda of understanding between Australia's governments. This review of the IGAB seeks to continue a strong and healthy working partnership and the development of sound national policy principles and frameworks for an effective and well-regarded system.

The increasing demand on Australia's biosecurity system arising from increased travel, changes to agricultural and farming practices and climate change among other things, shines a light on the need to ensure that governments and all others involved in the biosecurity system, are meeting their responsibilities in protecting our country from biosecurity risks.

The IGAB constitutes and authorises the NBC to provide the strategic management and oversight of the national biosecurity system and intergovernmental relationships, and the operation of this agreement.

The 2019 IGAB contains 57 clauses (see Table 1) that stretch across the agreement's goals and objectives, responsibilities of the signatories, governance, biosecurity emergency declaration powers, accountability and enforceability of the agreement.

The independent reviewer will examine the principles, goals and objectives, components and governance arrangements and responsibilities of the intergovernmental agreement and consider whether there are further opportunities to improve the operation of the agreement.

The role of the independent reviewer is to determine where adjustments to the IGAB are needed and make recommendations on possible changes to ensure that the biosecurity system operates effectively, efficiently and with sufficient responsiveness and continues to support market access for Australian products, to minimise primary production costs and to support a healthy economy, environment and community.

Table 1 The 57 clauses of the 2019 IGAB

Part	IGAB clauses	Description
Preliminaries	Clauses 1–7	Descriptive and explanatory clauses outlining the purpose of the agreement.
	Clause 8	Implementation and ongoing management of the agreement.
1 Foundations	Clauses 9–10	Definitions of biosecurity and explanation of Australia’s international obligations.
	Clause 11	Benefits to Australia from its favourable biosecurity status.
	Clauses 12–15, 17–20	Key biosecurity principles, including shared responsibility, not zero risk, allocating resources according to risk, international obligations, and science-based and risk-based approach.
	Clause 16	Governments contribute to the cost of risk management measures in proportion to the public good accruing from them. Other system participants contribute in proportion to the risks created and/or benefits gained.
	Clause 21–22	Goals and objectives of the national biosecurity system including explanatory statements.
	Clause 23	Components of the system – a list of items, some of which come from international obligations (Appropriate Level of Protection (ALOP), lists of pests and diseases, and risk analysis system.
2 Formalities	Clauses 24–26	Parties to the agreement and whole of government arrangements.
	Clauses 27–28	Governance of the agreement including recognising that biosecurity is a shared responsibility, clarifying roles of parties and establishing nationally agreed approaches for working together.
	Clauses 29–30	Constitute and authorise the NBC to provide strategic management and oversight of the national biosecurity system including reporting lines.
3 Commitments of the parties	Clauses 31–32	Roles and responsibilities of all parties and relationships between governments and agriculture sector.
	Clause 33	Setting out core commitments (includes ‘financially resourcing’) of all parties including range of activities committed to.
	Clause 34	Responsibilities of the Commonwealth.
	Clause 35	Responsibilities of states and territories.
	Clauses 36–38	Interstate trade responsibilities such as regulating interstate trade and dispute resolution processes.
	Clause 39	Biosecurity emergency declaration powers—states and territories support the use of the Commonwealth’s power to make emergency declarations.
	Clauses 40–41	Partnerships including cooperative partnerships with biosecurity system participants.
	Clauses 42–43	Accountability and reporting for NBC and Agriculture Senior Officials Committee.
4 Operative provisions	Clauses 44–45	Term of the agreement including when it commences, and that it replaces the previous agreement.
	Clauses 46–47	Variation of agreement.
	Clauses 48–52	Dispute resolution.
	Clauses 53–54	Review of the agreement within 5 years.
	Clauses 55–56	Withdrawal provision if parties may withdraw.
	Clause 57	Enforceability of the agreement; noting it is not a legal document.

Early observations

The independent reviewer has had preliminary discussions with representatives from state and territory governments. While the independent reviewer considers it too early to draw any conclusions from those discussions, she has made some early observations for further consideration.

- The independent reviewer has heard unanimous agreement that the IGAB is valuable and necessary in setting out the framework that underpins Australia's biosecurity system.
- While the IGAB is not legally binding, the Commonwealth and each state and territory are signatories, which demonstrates a united approach in managing Australia's biosecurity system.
- The key biosecurity principles described in the IGAB are timeless, however some of the mechanisms for implementation seem outdated.
- The writing style of the IGAB could be made more contemporary, in plainer English and be less prescriptive to allow flexibility in delivering on obligations.
- The IGAB establishes the NBC. This review could be an opportunity to look at the ability of the NBC to provide strategic oversight of Australia's biosecurity system, intergovernmental relationships, and the operation of the IGAB.

Guiding question 1: Is the IGAB functioning as intended?

In responding to this question, you are encouraged to reference specific clauses of the IGAB where possible and you may wish to consider and provide comment on:

- Are there specific clauses that impede or promote the successful operation of the IGAB? If so, which clauses?
- How does the IGAB promote collaboration between Commonwealth and state and territory governments?
- Is the 'opt-in, opt-out' nature of the document conducive to a national approach to managing biosecurity?
- Does the document structure of the IGAB allow for easy implementation and is it easy to comprehend?
- Are the governance clauses effective or ineffective? How could these be amended?
- Are the IGAB governance arrangements appropriate?

4.2 Cross-jurisdictional cost sharing and funding arrangements

The overall funding situation for Australia's biosecurity system is complex, and there is no clear picture of total investment in the national system. This is primarily because the range of investments and contributions by key parties is not routinely captured, reviewed, or invested on a national basis.

There are key differences in funding arrangements between federal, and state and territory governments. These differences include the way each state and territory seek access to additional biosecurity funds, the ways those funds are managed, and the amount of funds available.

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The independent reviewer is aware that there is a substantial amount of work underway in terms of sustainable biosecurity funding and the National Biosecurity Strategy – all of which is precluded from the independent reviewer’s consideration as per the [terms of reference](#).

The key biosecurity principles within the IGAB that relate to funding of the system are:

- Clause 15. Biosecurity activities are undertaken according to a cost effective, science-based and risk-managed approach.
- Clause 16. Governments contribute to the cost of risk management measures in proportion to the public good accruing from them. Other system participants contribute in proportion to the risks created and or benefits gained.
- Clause 33d. Each party commits to fulfilling, financially resourcing to maintain an effective biosecurity system and being accountable for their commitments under this agreement and emergency responses deeds and agreements.

While these clauses do not outline what the actual costs, and distribution of costs are, they do outline key considerations such as being cost effective, science and risk based, in proportion to public good and risk proportionate. The independent reviewer also intends to investigate and provide clarity on the definitions of those terms.

The scope of this review asks for examination of existing cost sharing arrangements and the potential for implementation of new funding arrangements for cross-jurisdictional biosecurity activities. A key issue for this discussion paper, is determining whether there are in fact issues with the way the IGAB describes the funding responsibilities for jurisdictions’ own biosecurity activities. In addition, are current funding arrangements in the context of funding national biosecurity activities (as specified within the IGAB) adequate? If there are issues, where those issues stem from and what can be done to improve the situation. The independent reviewer is particularly keen to hear:

- about where you would like to see change in jurisdictional funding arrangements, and how those changes would improve Australia’s biosecurity
- how funding is currently managed across jurisdictions for jurisdictional and national activities.
- how funding arrangements vary across differing biosecurity functions.
- if the arrangements as described in the IGAB appropriate.

Early observations

The independent reviewer has observed synergies in feedback from early consultation meetings with state and territory governments in terms of the current funding and cost sharing arrangements for Australia’s biosecurity system. Noting that reviewing the emergency response deeds and agreements is outside the scope of this review, the independent reviewer is focusing on the 3 clauses of the IGAB that specify cost sharing and funding in relation to jurisdictional responsibilities, clauses 15, 16 and 33d. Some early observations in this space include:

- Funding is tight across the board, with the biosecurity system under significant stress as incursions and responses are growing in number and complexity.

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- There are gaps in the funding framework. There are deeds and agreements for cost sharing to fund emergency responses, but other activities such as preparedness, surveillance, or containment are not subject to these deeds and agreements and are managed on an ad-hoc basis.
- There is an increase in incidents involving pests that affect multiple sectors including animals, plants, the environment and sometimes humans. Existing deeds were not written with these situations in mind, and more off-deed arrangements are being used to fund responses.
- Response decision making needs to be completed earlier, with less focus on funding and more focus on the economic, and socio-economic impacts. The independent reviewer has heard that delayed decision making on how to respond to an incursion, significantly increases the cost of the response.
- There is a need for a better prioritisation framework for biosecurity activities and better allocation of funding for areas that arguably face greater incursion risk of serious diseases.
- Limited funding in Australia's biosecurity system significantly impedes government's ability to effectively implement the obligations under the IGAB.

Guiding question 2. What changes, if any, could be made to the current cost sharing and funding arrangements for cross-jurisdictional activities outlined in the IGAB?

In responding to this question, you are encouraged to reference specific clauses of the IGAB where possible and you may wish to consider and provide comment on:

- how signatories to the agreement meet the funding arrangements outlined in the IGAB
- changes that could be made to the funding arrangements outlined in IGAB
- should the details of cost sharing arrangements be included in the IGAB
- how the cost sharing and funding arrangements are determined and met.

4.3 COVID-19 and the IGAB

COVID-19 had a profound impact on the Australian economy since arriving in Australia in January 2020. Measures to reduce the spread (e.g. social distancing, travel and commercial trading restrictions, and stay-at-home orders) had varying economic impacts.

Specific to biosecurity related activities, changes in communication methods and restricted ability to travel for our on-the-ground biosecurity officers, meant there were indeed effects on how government was able to manage biosecurity surveillance and incursion responses throughout the pandemic.

The independent reviewer is keen to understand how COVID-19 may have affected the operation and effectiveness of this agreement, if at all, and if any consequential amendments should be considered to the IGAB or if any futureproofing is required in preparation for similar circumstances.

Early observations

It is somewhat unusual to consider ‘positive’ impacts of the COVID-19 outbreak. However, the independent reviewer has heard similar messages from state and territory governments on how the pandemic changed the biosecurity landscape:

- COVID-19 showed that the country can work together and adapt to achieve results. The pandemic highlighted the magnitude of impact on Australia and shone a spotlight on the importance of biosecurity.
- Introduction of more advanced technology and remote working arrangements streamlined some biosecurity processes through increased participation, virtual work environments, and faster dissemination of information.

Along with the positive, the following negatives were raised:

- Initial restrictions on staff movements greatly impacted on-the-ground biosecurity activities, with some jurisdictions reporting the need to apply for up to 300 permits a day to allow their officers to undertake their duties. Other jurisdictions noted reduced ability for staff to be ‘shared’ across borders.
- COVID-19 ‘clouded’ other biosecurity emergencies, resulting in delayed reaction times or poor prioritisation of responses.
- Emergency-fatigue was mentioned by several state and territory government representatives. This resulted in any biosecurity news becoming overwhelming or ultimately ignored due to the significant increase in communications.

Guiding question 3. How did COVID-19 affect the functioning of the IGAB?

In responding to this question, you are encouraged to reference specific clauses of the IGAB where possible and you may wish to consider and provide comment on:

- any suggested amendments to clauses
- how the IGAB could be futureproofed from pandemics such as COVID-19
- observations you made on the functioning of the IGAB during the COVID-19 pandemic.

4.4 Previous and ongoing reviews

The need to constantly adapt to the evolution of managing Australia’s biosecurity means that there will forever be a need to review, amend and reflect on our biosecurity system and its governance.

The [Terms of Reference](#) for the 2024 review of the IGAB specifically preclude the independent reviewer from duplicating the efforts and assessments of other reviews, many of which are ongoing or have recommendations in the process of being implemented.

There are numerous activities underway and recently completed which impact on, or refer to, the IGAB including senate inquiries, independent reviews and Inspector-General of Biosecurity reviews. Table 2 summarises these activities for awareness of potential duplicative reviews and provides the basis for the independent reviewer’s decision not to consider matters contained within them.

Table 2 Summary table of related biosecurity reviews

Review	Scope of review
The Beale Report	<i>One biosecurity: a working partnership</i> (the Beale Report, Beale et al. 2008) recommended moving from the concept of 'quarantine' to that of 'biosecurity', adopting a risk management approach, prioritising partnerships with non-government stakeholders and the development of a National Agreement on Biosecurity, a new Biosecurity Act and a new statutory office of Inspector-General of Biosecurity.
The Matthews Review	<i>A review of Australia's preparedness for the threat of foot-and-mouth disease</i> (Matthews 2011) led to a dedicated FMD Taskforce (active 2012 to 2014) and development of a National FMD Action Plan.
The Craik Review	The Craik review (2017) looked at the operation of the national biosecurity system as underpinned by the original 2012 Intergovernmental Agreement on Biosecurity (IGAB). The Craik review recognised that biosecurity threats are increasing rapidly, recommended a series of major reforms with a 5-to-10-year timeframe, and led to the 2019 IGAB between Australian governments.
Senate committee inquiry	This senate committee inquiry assessed the <i>Adequacy of Australia's biosecurity measures and response preparedness, in particular with respect to foot and mouth disease (FMD) and varroa mite</i> (Rural and Regional Affairs and Transport References Committee 2022). It also considered response to, and implementation of previous reports into biosecurity and any related matters.
Biosecurity imports levy (container levy)	A biosecurity imports levy was recommended by both the 2017 Craik review and the 2019 senate committee inquiry. The levy was unsuccessful and abandoned by government in 2020.
National Biosecurity Strategy	The <i>National Biosecurity Strategy</i> (DAFF 2022) provides a collective vision for Australia's future biosecurity system, a biosecurity system that protects Australia's way of life. The strategy, which is endorsed by all agriculture ministers, was released on 9 August 2022. An NBS implementation plan has been released and an Action Plan is undergoing consultation and finalisation. The National Biosecurity Strategy builds on existing work to provide a strategic direction for Australia's biosecurity system.
Commonwealth Biosecurity 2030	<i>Commonwealth Biosecurity 2030</i> (DAWE 2021) is DAFF's strategic roadmap for protecting Australia's environment, economy and way of life. The <i>Commonwealth Biosecurity 2030: Action Plan 2023</i> (DAFF 2023) is the second action plan produced under the Commonwealth Biosecurity 2030 strategy. This plan provides the priority actions to be undertaken in 2023 to further strengthen Australia's risk-based biosecurity system. It also reports against 2022 priority actions outlined in the first annual action plan. Further work is underway to develop the 2030 Roadmap.
Inspector-General of Biosecurity planned reviews	<p>Environmental biosecurity: management and policy implementation. This review will examine DAFF's effectiveness in addressing high-risk environmental biosecurity concerns and the implementation of the Chief Environmental Biosecurity Office.</p> <p>Import risk analyses: This review will examine the management and application of the biosecurity import risk analysis process.</p> <p>Maturity of the department's biosecurity regulatory system: This review will assess the progress of the department's strategies to improve its biosecurity regulatory maturity.</p>

5 Make a submission

This review gives stakeholders in Australia's biosecurity system an opportunity to comment on the operation and effectiveness of the IGAB within the remit of the scope, as outlined in [Section 3.3](#).

5.1 Have your say

The independent reviewer invites governments, industry, business and the community to respond to the questions within this discussion paper and contribute any other suggestions for improving the operation and effectiveness of the IGAB.

To provide your comments to the independent reviewer:

- read [the IGAB](#), review the issues outlined in this discussion paper and offer your views and possible options to resolve them
- attach a written submission or take the survey via the DAFF Have Your Say consultation hub.

Submissions must be:

- in writing
- supported by relevant information and evidence.

You are not required to provide answers to any or all of the guiding questions and you may also wish to raise IGAB-related issues that have not been identified in the discussion paper. Written submissions will be accepted from any interested parties over the 4-week consultation period following the release of this discussion paper. The deadline for submissions is 5.00pm (AEDT) Thursday 12 September 2024. Late submissions may not be accepted.

To learn more and lodge your submission, see the [IGAB Review Have Your Say](#). If you require assistance with accessing the discussion paper, email igabreview2024@aff.gov.au.

5.2 Next steps

The independent reviewer will consider all submissions provided in this Have Your Say process in addition to views expressed during consultation meetings. All feedback and evidence provided in the 4-week consultation period will be considered, and aspects of submissions may be adopted in the final report and reflected in any recommendations that are made.

Throughout the review, additional targeted consultation may consist of discussion sessions with key stakeholders and other interested parties, either in person or via Microsoft Teams, allowing for the opportunity to provide further written submissions. These sessions and submissions will give the independent reviewer the opportunity to gather information which may be used in her deliberations about opportunities to improve the operation of the agreement.

The independent reviewer's response to the consultations and submissions will be consolidated into a final report and a set of recommendations will be released to agriculture ministers for their consideration by 22 January 2025.

5.3 Contacts

For further information about how you can have your say on areas for improvement to the IGAB, email igabreview2024@aff.gov.au.

Appendix A

Terms of reference for the review of the Intergovernmental Agreement on Biosecurity

Preamble

The 2019 Intergovernmental Agreement on Biosecurity (IGAB) is an agreement between the Commonwealth of Australia, and state and territory governments to strengthen the biosecurity system. The agreement recognises that biosecurity is a shared responsibility between all governments, industry, natural resource managers, custodians or users, and aims to strengthen these partnerships.

The IGAB establishes nationally agreed approaches to prevent, prepare for, detect and mitigate biosecurity risks, and respond to, manage and recover from biosecurity incidents should they occur. The review will examine the principles, goals and objectives, components and governance arrangements and responsibilities of the intergovernmental agreement and consider whether there are further opportunities to improve the operation of the agreement.

This review will report to Commonwealth, state and territory Ministers responsible for biosecurity matters on findings and any recommendations for improvement. The review will determine where adjustments to the IGAB are needed to ensure that the biosecurity system operates effectively, efficiently and with sufficient responsiveness and continues to support market access for Australian products, to minimise primary production costs and to support a healthy economy, environment and community.

Scope

The IGAB review will consider and provide recommendations on:

- 1) the implementation and effectiveness of each section of the current agreement, in particular examining whether any clauses in the Agreement inhibit any activity required to prevent, prepare for, detect and mitigate biosecurity risks, and respond to, manage and recover from biosecurity incidents should they occur, or whether any additional elements are required to prevent, prepare for, detect and mitigate biosecurity risks, and respond to, manage and recover from biosecurity incidents should they occur.
- 2) existing cost sharing arrangements and the potential for implementation of new funding arrangements for cross-jurisdictional biosecurity activities.
- 3) the impacts of Covid on the functioning of the IGAB and if any consequential amendments may be required.
- 4) not duplicate efforts from previous and ongoing reviews and assessments of the biosecurity system noting that consideration and implementation of some of the recommendations from these may still be underway.

The review will be led by an independent reviewer and supported by a secretariat team established within the Australian Government Department of Agriculture, Fisheries and Forestry. The National Biosecurity Committee (NBC) will be the primary steering committee for the review and decisions will be made by the Agriculture Ministers Meeting (AMM) via consideration by Agriculture Senior Officials Committee (AGSOC) members. The reviewer will provide a final report, including recommendations, to Ministers, within 8 months of appointment.

Consultation

As required under IGAB Clause 53, during the review process input will be sought from a range of participants in the national biosecurity system. Consultation will extend to governments, industries (including agricultural and environmental), and community members.

Background

The inaugural IGAB between the Commonwealth and all state and territory governments (except Tasmania) commenced in 2012. In 2015, responsible ministers agreed to initiate a review of the national biosecurity system and its underpinning IGAB. This review, completed in 2017, made 42 recommendations aimed at strengthening Australia's biosecurity system over the following 5 to 10 years, and resulted in the second IGAB being endorsed by First Ministers in 2019.

In the second (current) IGAB, clause 53 requires that Parties must, within 5 years from commencement, and every 5 years afterwards (or earlier if considered necessary) initiate an independent review of the implementation and effectiveness of the IGAB. To fulfil this requirement, the review needs to be initiated before 3 January 2024.

In March 2023, the NBC agreed to the approach for the proposed IGAB review that avoided duplicating or adding unnecessarily to the existing national reform agenda.

Glossary

Term	Definition
Appropriate Level of Protection (ALOP)	The level of protection deemed appropriate by a country establishing a sanitary or phytosanitary measure to protect human, animal or plant life or health within its territory (WTO 1995).
ALOP for Australia	The ALOP for Australia is a high level of sanitary and phytosanitary protection aimed at managing and reducing biosecurity risks to a very low level, but not to zero.
Biosecurity risks	The prevention of the entry, establishment or spread of unwanted pests and infectious disease agents to protect human, animal or plant health or life, and the environment.
Biosecurity system	Australia's national biosecurity system encompasses and fully integrates import and export activities, services and functions into, within, and from Australia and covers the spectrum of pest and disease threats to Australia's environment, production and people.
Craik Review	The review undertaken by a panel chaired by Dr Wendy Craik looked at the operation of the national biosecurity system as underpinned by the original 2012 Intergovernmental Agreement on Biosecurity (IGAB).
Cost effective	The delivery of optimal outcomes or benefits at the lowest possible cost. A measure of how well resources are aligned to the result achieved.
Disease	The presence of a pathogenic agent in a host and/or the clinical manifestation of infection that has had an impact (that is, significant negative consequences) or poses a likely threat of an impact. It includes microorganisms, disease agents, infectious agents and parasites (IGAB 2019).
Efficient	Achieving optimum outcomes with minimum wasted expense or effort.
Effective	Successfully producing a desired or intended result.
Established pest or disease	Perpetuation, for the foreseeable future, of a pest within an area after entry (FAO 2022).
Exotic pests and diseases	Pests and diseases affecting plants or animals (and possibly including humans) that do not normally occur in a particular country (IGAB 2019).
Incursion	An isolated population of a pest or disease recently detected in an area, not known to be established, but expected to survive for the immediate future (Source: adapted from FAO 2022).
Intergovernmental Agreement on Biosecurity (IGAB)	An agreement between the Commonwealth and state and territory governments. The agreement aims to strengthen the working partnerships between governments, improve the national biosecurity system and minimise the impact of pests and diseases on Australia's economy, environment and the community.
Pest	Any species, strain or biotype of the Kingdoms Animalia (excluding human beings), Plantae, Fungi, Monera or Protista that has had an impact (that is, a significant negative consequences), or poses a likely threat to having an impact (IGAB 2019).
Risk-based	The proper assessment of risk and subsequent determination of a proportionate response.
Science-based	The making of a decision that takes scientific methods and/or results into account.
Shared responsibility	A core concept underpinning Australia's national biosecurity system whereby all stakeholders including Australian governments, industry and the broader community have important roles and responsibilities in the management of biosecurity risks in Australia.

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