



Australian
BORDER FORCE

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Trade and Goods Compliance Advisory Group – Terms of Reference

March 2024

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The Trade and Goods Compliance Advisory Group

Terms of Reference

1. Purpose

- 1.1. The World Trade Organization Agreement on Trade Facilitation mandates the establishment by members of a mechanism to facilitate domestic coordination and implementation of its provisions. The National Committee on Trade Facilitation (NCTF) was established in response and provides a forum for government and industry stakeholders to collaborate, share information and discuss strategic issues that relate to international trade facilitation. The Trade and Goods Compliance Advisory Group (CAG) is a sub-committee of the NCTF.
- 1.2. The purpose of the CAG is to bring together relevant government and industry stakeholders to recommend solutions relating to trade and goods compliance issues. This specifically includes focusing attention on maximising voluntary compliance through co-designing solutions for both existing and emerging issues. The CAG also provides opportunities to discuss trade and customs-related legislation and its implementation. This supports informed government decision-making and strikes a balance between trade facilitation and compliance matters.
- 1.3. The CAG provides a collaboration mechanism for government and industry stakeholders to identify and propose solutions to sector or economy-wide trade and goods compliance issues as well as those relating to customs-related legislation and its implementation. Given the finite time for meetings, the CAG is not a forum to discuss company specific issues.
- 1.4. The CAG is to be chaired by the Commander, Trusted Trader and Trade Compliance Branch, Australian Border Force or their nominated representative.
- 1.5. The CAG operates in accordance with the principles of:
 - providing open and transparent dialogue during meetings and out of session
 - remaining issue and solution focused and contributing and listening constructively
 - externally communicating CAG outcomes consistently with the intent of the advisory group
 - not disclosing the content of CAG meetings prior to the distribution of the meeting minutes, unless otherwise advised by the Chair
 - not further distributing documents which are distributed to CAG members for consultation, unless otherwise advised
 - proposing recommendations and refer them to the NCTF Chair where appropriate

2. Authority

- 2.1. The Chair of the NCTF has established the CAG under the authority of the NCTF Terms of Reference (ToR).
- 2.2. The CAG is not a decision-making body. Recommendations and advice are escalated to senior management of the ABF to enhance the trade and goods compliance framework and effect positive compliance behaviours.

3. Responsibilities

3.1 The primary responsibility of the CAG is to:

- discuss new and amended trade and customs-related legislation and regulations, including proposed Notices by the ABF
- discuss proposed legislative amendments via an exposure draft, in circumstances where this is appropriate and possible given timings of the legislation program
- act as the conduit for industry and the ABF to co-design solutions to address trade and goods compliance issues
- provide industry-informed input to agencies to assist in the implementation of trade and customs-related legislation to better facilitate and streamline trade
- provide feedback to the Department of Home Affairs on its Regulator Performance Framework Self-Assessment Annual Report
- refer matters that are outside of the CAG ToR to the NCTF or other committees as appropriate
- not discuss current operational matters or matters pertaining to individual entities at meetings

3.2. The role of the Chair is to:

- conduct each meeting in accordance with the agenda and organisational requirements to enable participation, discussion and problem-solving
- facilitate open and respectful discussion of the agenda items
- enable participation, discussion and resolution of relevant topics
- endorse minutes
- ensure that outcomes are reported to the NCTF Chair

3.3. The Chair/s has the authority to:

- approve each agenda
- request further work on papers if they do not meet the requirements
- remove papers from the agenda if they are late, deemed to be inappropriate or require further development.

3.4. The role of members is to:

- participate actively and constructively in meetings
- provide input and advice on matters relevant to the CAG's purpose and role
- present their agenda items at the meeting
- provide written and verbal input to reports and studies as requested by the Chair
- provide written feedback on meeting minutes within 10 business days

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4. Membership

4.1. CAG membership comprises:

Chair:

- Commander, Trusted Trader and Trade Compliance Branch, Australian Border Force (or their nominated representative)

Government Members:

- Austrade
- Australian Border Force (ABF)
- Department of Agriculture, Fisheries and Forestry (DAFF)
- Department of Foreign Affairs and Trade (DFAT)
- Department of Industry, Science and Resources (DISR)
- Department of Infrastructure, Transport, Regional Development, Communications and the Arts (DITRDCA)

Industry Members:

- Australian Chamber of Commerce & Industry
- Australian Industry Group
- Axima Pty Ltd
- Business Council of Australia
- Conference of Asia Pacific Express Carriers
- Customs Agency Service Pty Ltd
- Customs Trade Advisory Group
- DHL Global Forwarding
- Expedient Software
- Export Council of Australia
- Freight & Trade Alliance
- Food and Beverage Importers Association
- International Forwarders & Customs Brokers Association of Australia
- International Network of Customs Universities
- Kuehne & Nagel
- Law Council of Australia
- Maersk Logistics & Services
- Manufacturer's Trade Alliance
- National Farmers Federation
- Ports Australia
- Qantas
- Shipping Australia Limited

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- The Boeing Company
- Tradewin

4.2. CAG membership is open to the following stakeholders:

- members of the NCTF
- nominated Australian Trusted Traders (ATT) (note: to manage membership size, not all ATTs will be CAG members)
- representatives from other government agencies
- other representatives from organisations involved in importing/exporting goods

4.3. CAG membership for other recommended organisations is at the Chair's discretion. Industry organisations and/or peak bodies who are not members of the NCTF may be invited to submit an expression of interest for membership to the Chair.

4.4 Industry membership consists of association and non-association memberships.

4.5. Association memberships are for recognised industry bodies/associations who, by formal arrangement, collectively represent individual industry entities – these bodies/associations maintain an ongoing membership with the CAG.

4.6. Non-association memberships are for individual industry entities who are not formally represented by a relevant industry body or association. Non-association memberships of the CAG will not exceed more than ten representatives, and have a non-ongoing membership period of two years.

5. Quorum

There is no quorum for the meetings. However, depending on how many members have agreed to attend a meeting, virtually or in person, the Chair has the discretion to defer or cancel a meeting.

6. Meetings

6.1. The CAG will meet biannually at a minimum. Meetings may occur more frequently, as required and agreed by the Chair.

6.2. Meetings will be conducted in Canberra, Sydney, Melbourne, or by teleconference, as decided by the Chair.

6.3. Members' proxies may attend meetings with prior approval by the Secretariat. Observers may attend meetings at the Chair's invitation to provide expertise on particular subject matters.

6.4. Subject matter experts (non-members) may be invited by the Chair to provide specialist advice or subject matter expertise to support the Chair in consideration of a particular agenda item.

6.5. All costs relating to attending CAG meetings will be borne by members.

6.6. Out-of-session considerations and extraordinary meetings may proceed with the agreement of the Chair.

6.7. Industry Engagement Section within Industry and Border Systems will provide secretariat services to CAG. All enquiries and issues pertaining to membership will be managed by the Secretariat. The Secretariat will communicate relevant information to CAG members and provide updates on ongoing issues. It will issue meeting invitations and manage meeting logistics, including providing administrative support during meetings.

6.8. Meeting papers, reports and work packages will be distributed by e-mail no later than 10 business days prior to each scheduled meeting. Minutes and action items from the meeting will be distributed to

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members no later than 10 business days after the scheduled meeting. The Secretariat can be contacted by email at industry.engagement@abf.gov.au.

7. Review of the Terms of Reference

7.1. The ToR may be amended at other times when deemed necessary by the Chairs.

7.2. Any substantive amendments to the ToR are to be submitted to the CAG for consideration prior to seeking final endorsement through the Chair.

8. Document Control

All amendments and variations to the terms of reference that are substantial changes to the content or intent are included in the document control table below. All substantial changes will be circulated to all members for comments and endorsement prior to approval by the chair (or delegate) at the next meeting.

Document control:

Version Number	Date of issue	Brief description of change	Endorsement	Approver
V0.1	December 2022	New ToR, merger of CAG and LWG	SD L. Ellenberg	CMDR B. Cox
V0.2	January 2023	Revised membership	A/g SD J. Abbey	CMDR B. Cox
V0.3	March 2023	Content of ToR amended and revised membership	A/g SD J. Abbey	CMDR B. Cox
V0.4	April 2023	Revised membership	A/g SD J. Abbey	CMDR B. Cox
V0.5	September 2023	Content of ToR amended and revised	A/g SD J. Abbey	CMDR A. Rajah-Clarke
V0.6	March 2024	ToR endorsed by Members on 27 March 2024	A/g SD J. Abbey	A/g CMDR P. Barfoot
V0.7	June 2024	Revised membership – Qantas added	A/g Dir. M.Kershaw	CMDR A. Rajah-Clarke

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