

Frequently Asked Questions

Why is there a need for a new standard?

The aim of revising an import health standard is to ensure it is current, feasible and fair. In the case of the Places of First Arrival standard addition, the revised standard will ensure the effective and efficient management of biosecurity pests and contamination associated with all places of first arrival (airports and seaports) with the opportunity for industry parties to develop systems for managing biosecurity risks and to provide MAFBNZ with appropriate options when non-compliance is found. The **Places of First Arrival Standard** for Air and Seaports were separately implemented in 2003 and assessed in September 2007 for compliance. A number of anomalies were identified in the assessment that required a review of the standard to:

- align port and airport requirements,
- formalise Transitional Facilities,
- clarify the status of multiple ports,
- clarify the facility compliance for low volume places of first arrival as compared with high volume,
- approve a process of reestablishment where ports were not operational 12 months after;
- provide a formalised assessment process for biosecurity inspectors to implement the standard and a checklist to assist operators to comply;
- provide a process, aligned with customs, to approve temporary or adhoc arrivals; and
- encourage equivalent systems.

What does the new standard replace?

The standard has been developed to replace the standards:

Requirements for Places of First Arrival (Seaports)
Requirements for Places of First Arrival (Airports)
Arrival of Aircraft and
Requirements for Vessels arriving in NZ.

What will it look like?

The import health standard format is different from the standards it replaces in that it is being developed to be used as two documents - the standard and an associated guidance document (similar to the new vehicles and sea container standards). The standard intends to clearly specify the clearance outcomes that must be met. The guidance document provides information and options about meeting the standard and what actions MAFBNZ will undertake to verify compliance with the standard.

Note: The guidance document is not legally binding but provides direction as to the expectations and options about how to meet the standard (as stated in the Biosecurity Act and other supporting legislation). It is intended that the guidance document will be read independently of the standard.

What are the major changes and what do they mean to port operators?

- *MAFBNZ will confirm with port operators the specific requirements and responsibilities for facilities and arrangements specific to the types of risk good imported through that particular port.*

All places of first arrival are **currently required**, under the Biosecurity Act, to have **regular MAFBNZ audits** to confirm compliance. This has only occurred on an adhoc basis in the past but will be set to occur on a **yearly basis**.

To meet this requirement, MAFBNZ are implementing the use of an **assessment tool checklist** to confirm that the required facilities and arrangements are in place at a particular port. This initial assessment will be the template from which yearly MAFBNZ assessments will be measured. Ports will be able to use the tool for **self assessment** to help meet the yearly MAFBNZ assessments in an effective and cost efficient manner. The **cost to operators** for the yearly assessments will be **consistent with current MAFBNZ costs** for a transitional facility audit. If yearly assessments are consistently met, **ports have the ability to move to assessments every 18 months, saving significant costs**.

- *Confirmation of General Transitional Facilities for holding all off-loaded cargo prior to biosecurity release.*

MAFBNZ legal has confirmed the requirement for **all PoFA's to have a general transitional facility formally approved for the holding of uncleared off-loaded cargo**. This process will ensure the legal holding of uncleared cargo at a PoFA.

The process for ports to meet this requirement is simple and straight forward. Firstly MAFBNZ and the port company will decide whether there is currently a transitional facility in place that is fit for such a purpose. If not, they will agree on the location and size of the transitional facility, and then the port operator will follow the process of having **the facility and the operator approved** under MAFBNZ's **Standard for General Transitional Facilities for Uncleared Goods**. There is a standard **compliance cost** for port companies to be approved to this standard, where ports do not already have an approved facility and operator for this purpose.

- *Each PoFA will need to be approved as a separate entity rather than having one operator with multiple PoFA's.*

There are a very small number of affected ports, and they are being helped through the process of becoming approved as part of the review.

- *Clarification of the assessment process, re-establishment, amendment, compliance processes.*

Part of the review is to provide clear and concise information on MAFBNZ's and port operators' roles and responsibilities under the standard.

- *Information requirements for operators will be provided in a guidance document as well as clearly linked in MAFBNZ's public web information.*

Part of the review is providing guidance information to help stakeholders and the general public understand the process under the standard.

Quick Answers

1. What are the benefits to Operators

- The process of maintaining and/or re-establishment of places of first arrival approvals are clearly defined and easy for operators to follow.
- Assessment tools will assist operators to maintain approval status and avoid non-compliances.

2. Why are assessments required?

- To check that biosecurity standards are being maintained.

3. What are the benefits to Operators?

- Clarity, and
- A streamlined process to change a port risk profile or notify a change in arrangements.

4. What is the impact to Operators?

- The requirement to formalise a Transitional Facility at each PoFA.
- Separate approvals will be required for multiple ports currently under a single approval .
- Compliance costs associated with implementing an assessment process.
- Re-establishment costs should a sea/air port not be operational 1 year after gazetting (notification to public of approval).

5. What is the impact to new or intending Operators?

- Formalisation of facility arrangements and processes in the approval process
- An assessment process can be used, instead of going through a re-approval process, should the place of first arrival not be operational..
- Mandatory facilities are noted as a Transitional Facility whilst other facilities are dependent on the type of approved biosecurity risk entering the place of first arrival.

6. When and how will the new standard be implemented?

It is planned that port operators will continue to use the current standards (below) until a particular port/airport has its first formal assessment using the new assessment format developed along with the new standard. Initial assessments to start in October 2010, to align with other MAFBNZ audit processes.

7. Who do I contact if I have any further queries?

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