

**Joint Standing Committee on Foreign Affairs, Defence and Trade
(JSCFADT)**

Foreign Affairs Sub-Committee

**Government response to the
JSCFADT report**

Australia's relationship with Malaysia

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Recommendation 1

The Department of Agriculture, Fisheries and Forestry promote in international fora the adoption of a transparent and efficient international Halal standard.

In Australia, Halal red meat production for export is governed by the Australian Government Muslim Slaughter Program (AGMS). The Government and industry considers the AGMS to be both a transparent and efficient Halal standard when included in an establishment's Approved Arrangement.

As Australia's Halal red meat export program, the AGMS is incorporated into the arrangements of all Halal exporting red meat establishments. The AGMS is underpinned by legislation and Australian Government involvement, through the Australian Quarantine and Inspection Service (AQIS). These aspects contribute to the transparency and efficiency of the AGMS and assist in assuring Australia's Halal export markets of the integrity of the system.

AQIS introduced the AGMS program in 1983 to underpin the production of Halal meat and meat products. The AGMS is controlled by legal requirements in the Export Control (Meat and Meat Products) Orders under the Export Control Act 1982, and applies to red meat, edible offal and meat products.

The AGMS program has a number of elements to ensure the integrity of Halal products, including the inspection of establishments by both AQIS and an approved Islamic organisation. Only approved Islamic organisations can certify Halal red meat and meat products for export. AQIS maintains a list of all approved Islamic organisations responsible for the provision of Halal inspection, supervision and certification services for red meat and meat products and the specific countries they are listed for. In addition, Halal red meat for export receives an official Halal meat certificate co-signed by AQIS and a recognised Islamic organisation.

The AGMS is an international Halal standard accepted by the majority of Australia's Halal export markets. Some countries, such as Malaysia, have requirements in addition to the AGMS. The Government considers that these requirements should be addressed on a case by case basis in consultation with industry. In such cases, industry has a commercial choice of whether or not to meet additional requirements in order to export to a particular market.

The AGMS is promoted widely in international markets by both industry and the Department. For example, AQIS promotes the AGMS and its associated legislation to visiting government officials from Australian Halal export markets such as Malaysia, the United Arab Emirates, Indonesia and Brunei.

Australian industry, through the Australian Meat Industry Council (AMIC) and Meat and Livestock Australia, actively promotes the AGMS program, including in international fora. An example is AMIC's recent presentation on the AGMS at the World Halal Forum held 7-8 May 2007 in Malaysia.

Recommendation 2

The Department of Agriculture, Fisheries and Forestry, in consultation with interested parties, provide options to the Minister for developing a single Halal certifying body within Australia. The operations of the certifying body should conform to the principles of transparency and accountability.

The Government and red meat industry does not support this recommendation. It is important that industry has a choice of approved Islamic organisations to facilitate the Halal certification of red meat and meat products under the AGMS program, including those establishments located in regional and remote areas.

In Australia there are a number of Islamic organisations that are approved by AQIS to certify Halal red meat and meat products for export, including in each state. Some Islamic organisations are listed for specific countries, where this is a requirement of the Islamic authority of that importing country.

Having a number of approved Islamic organisations provides the Australian red meat industry with the flexibility and choice to work with a religious certifier it has a constructive working relationship with and that is in proximity to its place of business.

In addition, the development of a single Halal certifying body within Australia risks creating a potentially unfair and uncompetitive monopoly situation and would be inconsistent with the current legislation that underpins the AGMS program.

Recommendation 3

The Department of Immigration and Citizenship review:

- *the reasons for the increase in Malaysian overstayers; and*
- *the reasons for the increase in the number of Malaysian passport holders being refused entry to Australia.*

The Department should report to the Minister, providing strategies, with associated performance targets, for addressing the problem.

The Department has commenced a project to analyse the overstayer cohort to better target prevention and enforcement strategies. These strategies will focus on those offshore agents and onshore labour suppliers who support the entry of illegal workers to Australia, including Malaysian nationals. The Employer Sanctions legislation which commenced on 19 August 2007 makes it an offence to knowingly or recklessly employ or refer a person without authority to work in Australia. This is expected to deter the employment of people without work rights and act as a significant disincentive for a person to overstay their visa.

The Department regularly reviews compliance with Australian immigration law, with the aim of preventing and deterring breaches. The Department reports to the Minister, and to the Parliament through the Annual Report, on performance in this area.