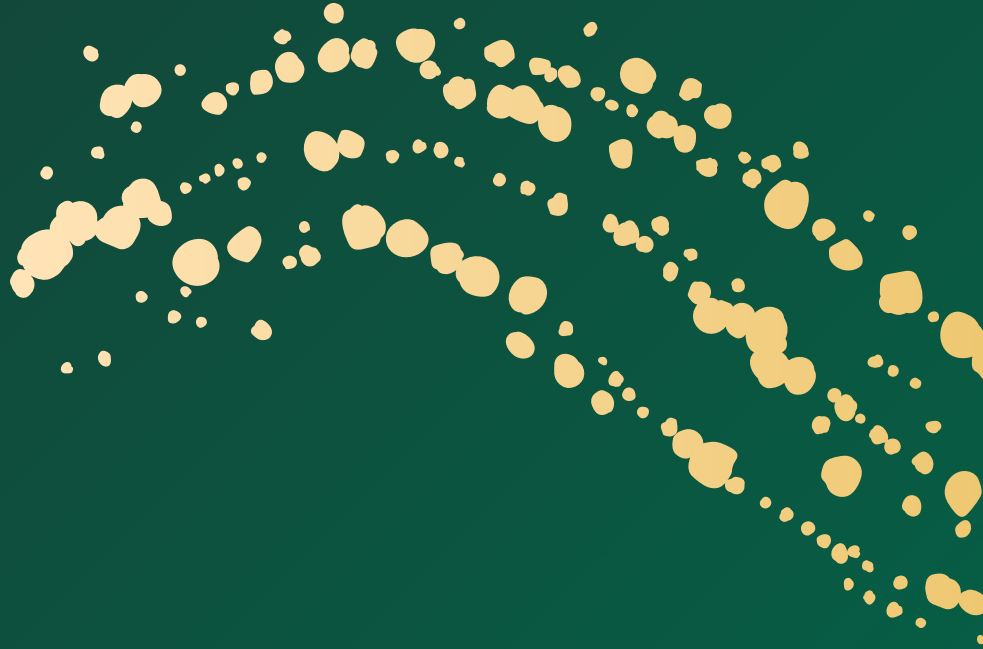




Australian Government
Simplified Trade System
Implementation Taskforce



Simplified Trade System

Consultation paper

June 2023



Introduction

The Simplified Trade System (STS) aims to create a simpler, more effective, inclusive and sustainable cross-border trade environment for Australia, increasing productivity, while strengthening border, biosecurity and community protections. Two-way goods trade was worth over \$1 trillion in 2022, but according to the World Bank, it takes an average of 43 hours to complete documentary and border compliance processes for a typical Australian shipment by sea. Reducing compliance costs and streamlining administration has great potential to drive productivity growth in Australia, put downward pressure on the cost of imported goods, and help Australian trading businesses to remain competitive globally.

The Australian Government is working to simplify rules and processes, improve the user experience for business and maximise the use of modern digital systems and processes. The STS Implementation Taskforce, in partnership with the Australian Border Force (ABF), the Department of Agriculture, Fisheries and Forestry (DAFF) and 30 other Australian Government agencies involved in cross-border trade, are progressing these reforms together. We are taking a national approach and looking to align with cross-border trade reform initiatives underway in states and territories and with our international trading partners.

Australia is committed to free, fair and open trade. A key component of the Australian Government's trade diversification agenda is entering into new and comprehensive free trade agreements. Australia has 18 free trade agreements with 30 countries. To make the most of these agreements, and deliver further productivity benefits beyond tariff reductions, we must ensure that our regulatory and digital systems are streamlined and working as efficiently as possible.

STS reforms are designed to support the goals of trade liberalisation, alignment with appropriate international standards and support regulatory cooperation with our key trading partners. There are also continued opportunities to work through organisations, such as the Asia-Pacific Economic Cooperation (APEC), Indo-Pacific Economic Framework (IPEF) and in plurilateral and mini-lateral groupings to ensure that STS regulatory and digital reforms help bring Australian traders closer to the world.

You've talked; we've listened

We've engaged with over **127** businesses and **33** industry associations, undertaken direct user research workshops, and held roundtables, public forums and bilateral engagements. We've also taken on board the feedback received on the [2022 STS Consultation Paper](#). From these engagements, we have built a comprehensive understanding of the end-to-end journey for importing and exporting goods. Common business pain points include:

1. **Opaque and inconsistent processes** – businesses face variable communication response times and uncertainty when seeking support to navigate the supply chain.
2. **Hard to access information** – navigating multiple information sources can be confusing, time consuming and costly.
3. **Complex regulations** – navigating complex regulations is challenging and costly.
4. **Inflexible technologies** – businesses experience inflexible, difficult to use technology experiences across multiple agencies.
5. **Duplicative processes** – businesses need to enter information multiple times and complete manual documentation.
6. **Border delays** – impacting the ability of businesses to plan their operations and predict the arrival of their goods.

What we're doing

We are preparing a set of regulatory, digital and data reforms to make trade rules and processes simpler and easier to comply with. This includes efforts to increase digitisation and data sharing and provide more integrated trade-related services, in a way that ensures Australia maintains strong border, biosecurity and community protections.

This paper sets out reform options, including:

1. The **high-level future vision for cross-border trade policy** – to help situate the proposed reforms.
2. **Regulatory reforms** – enabling paperless trade; aligning border regulations, focusing on fit and proper person (FPP) tests, cutting cross-border trade costs, including exploring the opportunity to develop a future border revenue model; and improving border controls.
3. **Digital reforms** – exploring an Australian Trade Single Window, leveraging the Australian Government's digital identity strategy.
4. **Data reforms** – a Cross-Border Trade Data Sharing Framework as a foundation to a 'tell us once' model.
5. **Streamlined Cargo Intervention Models** – to help address border clearance delays.
6. **Other reforms** – seeks stakeholders views on any other issues that need to be addressed to streamline and simplify Australia's cross-border trade environment.

Have your say

Business is at the centre of the STS agenda and effective business co-design and engagement is critical to its success. As we design these regulatory, digital and data reforms, we welcome your input to shape the future of our cross-border trade environment. Whether you are a small, medium or large business, or industry association, we are keen to hear from you. We are also interested in understanding views from First Nations-led, gender diverse-led, and culturally and linguistically diverse-led businesses on how the Australian Government can make cross-border trade easier, simpler and more inclusive.

Your response to this paper will help guide our areas of focus in developing reforms for a simpler cross-border trade environment; identify benefits to businesses of potential reforms; understand potential challenges and risks to businesses of implementing reforms and how these might be mitigated; and shape future engagement and consultation activities.

We welcome your contributions in response to the questions posed in the paper. We understand your time is valuable, so please respond to the questions most relevant to you. We welcome specific examples relevant to your business, as well as quantitative information that might help us to better understand the scale of the problems and potential opportunities.

You can submit responses to business.engagement@simplifiedtrade.gov.au up until **24 July 2023**. Please note that we will publish your submissions on our website unless you ask us not to. Please let us know in your response if you wish your submission to remain confidential. The STS Implementation Taskforce will collect, handle and disclose your personal information in accordance with our [privacy policy](#). Collection and handling of your personal information are authorised by the *Privacy Act 1988*. If you have any questions or concerns, please contact business.engagement@simplifiedtrade.gov.au.

1. High-level vision for the future of cross-border trade policy

We have developed a whole-of-government vision for the future of cross-border trade. This future state would take iterative and sustained regulatory, digital and data reforms to achieve. This vision is as follows:

A simplified **whole-of-government** approach to cross-border trade processes that will replace existing fragmented and duplicative processes. This will be supported by a **mature information sharing and governance framework** with rigorous protections for information and information sharing, greatly **improving information quality and accuracy**.

Businesses will have simple access to accurate and easy to understand trade information from an integrated, whole-of-government **“single source of truth”**, with greater visibility of the progress of their goods through the Australian trade regulatory system. Businesses will be able to easily apply for **permits and licences**, satisfy **border control measures**, make **payments for duties and other fees**, and meet other border requirements, through more streamlined and integrated reporting and revenue frameworks that embrace technology and automation, and the use of natural business data to simplify end-to-end reporting processes.

For the Australian Government, a more **holistic approach to compliance and enforcement** considerations across border agencies that can better encourage voluntary compliance, while providing whole-of-government visibility of compliance history for regulators and traders, will lead to improved risk management and trade facilitation outcomes.

Leveraging future reporting and compliance and enforcement frameworks will enable a **whole-of-government approach to trust** that better integrates current levels of assurance and sharing of trust data across the Australian Government, allowing risks to be managed more efficiently and effectively, and bringing benefits for the economy, the environment, and the Australian community.

A whole-of-government approach to **trade services** will reaffirm the Australian Government’s commitment to high-level **service delivery principles** across a range of trade processes, with a **focus on user needs**, while recognising the flexibility that different agencies need based on varying policy goals, risks, users, and other obligations.

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- Q1. Does the high-level vision for the future of cross-border trade align with the needs of business? What would you prioritise or emphasise? Are any components missing?

2. Simpler Rules

Regulation is fundamental to facilitate cross-border trade and ensure strong border, biosecurity and community protections. A review of cross-border trade regulations identified a range of potential regulatory reform opportunities which, while maintaining the integrity of the regulatory systems, will simplify rules and processes for traders.

We are committed to best-practice evaluation and monitoring of the benefits of reforms to the cross-border trade environment, to ensure the intended impacts are realised and inform future policy development. We are identifying clear expected benefits and performance indicators for the reform program and will provide transparency to the cross-border trade business community on progress.

A regulatory reform roadmap

To deliver these regulatory reform opportunities and ensure that reforms likely to have the most impact for business are delivered first, we are developing a regulatory roadmap to scope and prioritise reforms going forward, focusing on whole-of-government:

- **Border controls:** a policy framework to simplify border controls (including import and export permits).
- **Trust and risk:** an approach to how organisations and individuals are trusted to undertake cross-border trade activities, to better integrate current levels of assurance and sharing of trust data across the Australian Government.
- **Service standards:** high-level service delivery principles and evaluation for trade and border services across the Australian Government agencies' trade processes.
- **Reporting:** integrated reporting framework in relation to regulatory, information or documentation submitted by traders and their service providers, which embraces technology and automation to simplify end-to-end reporting processes.
- **Revenue:** a future collection approach to provide businesses with a clearer, simpler way to pay border fees, charges and duties.
- **Compliance and enforcement:** develop a more aligned approach across the Australian Government for compliance and enforcement activities in the trade system.

Q2. Which of these regulatory reforms would deliver the most practical benefits for business? Are there other reforms you would recommend we prioritise?

Reforms must ensure regulation is fit-for-purpose while minimising regulatory burden, encourage voluntary compliance and should be evaluated regularly to ensure ongoing effectiveness. We will draw on best practice regulatory principles in developing the reforms:

1. **Continuous improvement and building trust** – regulators are expected to continuously improve how they do their work, matching regulatory treatments to the risk, so people can trust the system they regulate.
2. **Risk based and data driven** – regulators are expected to identify risks, prioritise and respond to them, and in doing so minimise the impact of the regulations, while still achieving the regulation's objective.
3. **Collaboration and engagement** – regulators are expected to be open to feedback on how they regulate and be clear with the public on why and how they regulate.

There are over 200 cross-border trade regulations across more than 30 Australian Government agencies. We found 32 per cent of regulations have some duplication and 40 per cent have been identified as being complex.

We are also looking at opportunities to make regulatory information more accessible to business and improving guidance to increase the understanding of requirements. We are interested in advice from businesses on approaches to build greater accessibility and understanding of regulatory requirements.

Q3. What is your experience in understanding cross-border trade regulation? How accessible do you find this information? How can better guidance on regulatory requirements be provided?

Q4. What duplication in cross-border regulation have you experienced? What are the opportunities to streamline?

We are drawing on international best practice for cross-border trade reforms, including international standards for paperless trade and the application of model laws. We are seeking the experience of individuals and businesses in cross-border trade regulation internationally to identify approaches that could simplify trade processes in Australia.

- Q5. What international best practices or models could be adopted or adapted to improve the cross-border trade regulatory environment?

2.1. Enabling paperless trade

We found 36 per cent of regulations mandate the use of paper and/or other outdated technologies and do not allow for flexibility in how they are implemented by users.

There are inconsistencies in cross-border trade on where digital or paper copies of trade documentation are accepted. We are keen to work with industry to look at what reform options and digital solutions would make best use of paperless trade, while meeting the needs of industry and trading partners.

The United Nations Commission on International Trade Law has prepared the Model Law on Electronic Transferable Records (MLETR). The MLETR provides a legal framework to confirm the functional equivalence of electronic transferable records specifically, to address the issues arising from the proprietary rights attached to these documents. The MLETR allows transference of electronic transferable records and supports the digital solutions. The International Chamber of Commerce is actively promoting the adoption of MLETR.

Allowing transference of electronic transferable records could create efficiencies for business and provide opportunity to further our digital interactions with trading partners, such as Singapore which has adopted the MLETR, and the United Kingdom which is in the process of doing so.

- Q6. What is your experience with paper-based and electronic records in how you interact in cross-border trade with the Australian Government?
- Q7. How many paper-based documents would you transfer between your business and Australian Government in cross-border trade interactions per year? On average, how much time do these processes take?
- Q8. Are there other approaches, instead of MLETR, that would support the adoption of digital solutions and/or transference of electronic records in cross-border trade interactions with the Australian Government?
- Q9. What factors should the Australian Government consider if it were to adopt the MLETR? Are there inter-jurisdictional considerations that should be considered by the Australian Government in looking into whether to implement the MLETR domestically?

2.2. Align border regulations, initially focusing on Fit and Proper Person (FPP) tests

Fit and Proper Person (FPP) tests are designed to assess individual or business suitability and competency to perform a certain action. They act as an ongoing filter to keep people who are not considered to be fit and proper from working in trusted or high-risk roles in the cross-border trade environment. FPP tests are associated with the operation of depots, warehouses, and approved arrangements, as well as some permit processes.

Business has told us that complying with FPP test requirements in the current system is unnecessarily burdensome. Currently, FPP tests are required at 45 administrative decision points in the trade environment, administered independently by DAFF, ABF and the Australian Taxation Office (ATO). Current FPP tests assess the same criteria but to different standards (i.e. requiring different amounts of information). Applicants must repeatedly supply the same information to different agencies and comply with the unique processes and requirements

of each. This results in inefficiency in the trade environment and harms Australia's global competitiveness.

FPP reforms are a practical case for aligning processes between the ABF, DAFF and the ATO. The benefits of aligning FPP tests across agencies include:

- reducing administrative burden on businesses;
- enabling better border risk mitigation across participating Australian Government agencies;
- aligning policy frameworks and supporting legislation (i.e. FPP test requirements across government agencies) across the trade environment; and
- establishing the policy foundation to advance a 'tell-us-once' experience for business. This would enable FPP testing on a monitoring basis in response to change in circumstance triggers, rather than one or multiple single-point-in-time tests. This would reduce the frequency and amount of information business needs to provide to the Australian Government and enable use of the same and best-of-type information sources.

This reform is guided by the principle that aligning trade processes across Australian Government agencies will reduce the administrative burden on business; increase competition by minimising barriers to trade; and streamline the collection of information to support FPP test requirements, thereby better enabling agencies to treat border risks.

Q10. Please describe your experience of the varying levels of administrative burden placed on your business in order to provide the information required to satisfy FPP tests.

Q11. What digital or other opportunities exist to streamline collection of all your requisite FPP information, and would they enable you to integrate possible future FPP monitoring requirements into your business' own fraud and risk management process?

Q12. Would you support your FPP test information being shared between relevant agencies and, if so, would there be any concerns or risks you'd want to see mitigated?

2.3. Reducing the cost of engaging in cross-border trade

Charges are applied through various mechanisms in cross-border trade and administrative burden creates additional compliance costs for traders to meet requirements. As a first step, we are seeking to identify opportunities to reduce administrative costs of the cross-border trade system for traders. An example is the opportunity to review tariff concession arrangements (conducted by the Department of Industry, Science and Resources (DISR)). The review is considering options to simplify cross-border trade processes as they relate to the tariff concession system.

An early reform already identified and implemented by DISR was to remove the requirement for business to reapply for Certain Input to Manufacture determinations every two years. Effective 1 January 2023, applications for a tariff concession under the Certain Input to Manufacture program became ongoing.

Q13. How can we reduce the cost of cross-border trade administration?

Q14. How can information on the tariff concession system be more accessible and what are the opportunities to simplify the tariff concession system?

2.4. Trade border controls

Trade border controls are measures taken by the Australian Government to monitor and regulate the movement of goods into and out of Australia. They are intended to ensure Australia's trade reputation and the security and safety of the community, environment and

economy are maintained. Border controls include import and export controls before, at, and after the border. These controls include import and export permits, certificates, licences related to goods, as well as conditions, and other actions that must be satisfied for the importation or exportation of goods.

There is currently no consistent framework with over 30 agencies with policy or administrative responsibility for border controls. Each agency currently involved in border controls has its own processes, with various underpinning Acts and regulations, administered through separate systems. This can result in an unpredictable experience for traders and contribute to prolonged assessment times—especially for traders who deal with multiple types of border controls.

The ABF conducted a border permits review in 2019. The outcomes of this review are being used to inform a whole-of-government border controls policy framework. This will support development of a consistent approach to creating, administering and reviewing border controls that are scalable, targeted and proportionate to the identified risks related to the movement of goods across the Australian border.

Future border controls should be designed to allow ease of importing and exporting for low-risk traders and supply chain participants, while maintaining strong controls and strengthening the rigour of border controls. They should also ensure traders do not have to provide the same information multiple times.

Extending the review of permits will aim to identify permits that pose a greater regulatory burden than the risk being mitigated.

Q15. Are there any border controls that you consider have a high regulatory burden on your business?

Q16. How many border controls would your business typically interact with? Please identify the impact of border controls on your business.

Q17. Are there any specific border controls that could be streamlined?

3. Modern Digital Systems and Processes

The STS reforms are intended to enable the adoption of modern, whole-of-government digital systems and processes, including:

- **Information accessibility and guidance:** making trade information and guidance accessible to business.
- **Trust and risk:** trust that better integrates current levels of assurance and sharing of trust data across the Australian Government.
- **Identity:** apply digital identity that aligns to the whole-of-government digital identity strategy.

3.1. Trade Single Window (TSW)

Rapid advancement of technology has the potential to revolutionise international trade, offering new opportunities and presenting unique challenges. Governments around the world are modernising their trade single windows as a means of simplifying business interaction with government agencies involved in cross-border trade services and regulation. Australia needs to keep pace with major international trading partners to ensure we remain competitive in the global trade environment.

Processing and regulating cross-border trade is complex and requires significant digital capability. In Australia there are more than 145 ICT systems used in cross-border trade with 75 per cent of them using aging technologies. Less than 20 per cent run on modern cloud platforms, and only 20 per cent of interfaces use modern methods such as web services and Application Programming Interfaces (APIs). Additionally, there are 20 separate user portals

across the trade system, and many require businesses to re-enter the same information. Complexity, manual processes and a lack of transparency are significant pain points identified by businesses interacting with the trade system.

We are taking a whole-of-government, whole-of-trade approach in addressing these issues. We are considering the following principles to drive a better user experience for traders:

- Advancing ‘tell us once’ digital trade capabilities, including by rationalising disparate sources of information, and improving data sharing to reduce instances of manual input of data,
- Digitisation and automation of manual and paper-based processes,
- Use of data to inform policy design and enhance service delivery,
- Using modern interfaces and decommissioning legacy systems to enhance cyber resilience, and
- Reuse of existing whole-of-government platforms.

International examples suggest that a modernised TSW could save trading businesses time and money through more integrated and digitalised services. These will include: finding trade information, registering to trade, applying for licences, certificates, and permits, providing declarations and communicating with Government. Digital enhancements will reduce paper in the supply chain and enable greater transparency and visibility of goods and consignments as they cross the border. This will reduce delays and improve productivity.

A modernised TSW may also connect with international trading partners who are all investing in modern trade systems and simplified processes. Engagements with international trading partners, including New Zealand, Singapore, the Netherlands, the United Kingdom and the United States provide examples of best practice experiences and solutions implemented internationally, although each country has implemented their TSW equivalent differently.

Global experience shows that regular, iterative improvements that deliver ongoing benefits to business, and enable industry to transition to new processes and systems without adverse impacts, is the best approach.

Q18. What global best-practice examples of digital improvements might be relevant in the Australian context?

Q19. What are the priority improvements from a whole-of-government digital services perspective you would see delivering early benefits to business?

3.2. Entity management and digital identity

Correctly identifying businesses, their employees and other authorised representatives is an essential component of creating a simple and secure cross-border trade environment. Digital identification offers significant benefits in the management and streamlining of identity verification. Digital identities will allow businesses and individuals to verify their identity securely and efficiently, reducing duplication, while keeping personal data secure.

Current trade-related processes require businesses to submit identity information to the Australian Government multiple times. This costs traders’ money and time and is a significant pain point for business. The Australian government currently employs whole-of-government digital identity capabilities to provide digital identity functionality that enables users for tax and social services. These digital services allow individuals to provide identity documentation once, and to utilise this identity across for different purposes.

Q20. Do you or your business currently use services like myGovID for digital identification?

Q21. How might use of digital identification in cross-border trade interactions impact your business?

4. Cross-Border Trade Data Sharing

Data underpins all cross-border trade transactions. However, data sharing across the 32 Australian Government agencies involved in cross-border trade can be limited by legislative, systems and cultural constraints. These constraints may result in inefficient, duplicative data collection. For example, FPP tests are administered independently across a number of agencies meaning applicants provide similar information multiple times. If this data, where appropriate, was shared between agencies, this would reduce the time and cost for business.

We have developed a Cross-Border Trade Data Sharing Framework (the Framework). The Framework (Attachment A) sets out the principles, processes and governance requirements for a whole-of-government approach to cross-border trade data sharing. It is expected to guide long term improvements to trade-related data exchanges, ensuring that data is efficiently collected and used by the Australian Government, while maintaining its quality, integrity and privacy. It builds on Australian Government policy, including the Intergovernmental Agreement on Data Sharing, Australian Data Strategy and the *Data Availability and Transparency Act 2022*, as well as international best practice experiences.

The Framework is the precursor for the next stage of work on data sharing, which could include the development of data standards, sharing agreements and enabling legislation. All of these will drive improvements in discoverability, accessibility and interoperability, enabling greater data reuse and system integration.

Q22. Does the Framework reflect your views of how the Australian Government should approach improvements to the collection and use of cross-border trade data?

Q23. Are there benefits or concerns with the sharing of data collected by trade agencies beyond government to facilitate trade (e.g. with foreign governments or third parties that facilitate trade, such as financiers)?

5. Streamlining the Cargo Intervention Model

Businesses have identified the time and cost of delays when goods arrive at the border as a pain point. Border agencies, including the ABF and DAFF, acknowledge concerns, and are working to address these issues in order to maximise the benefits of a coordinated approach to border regulation, business processes, use of technology and digital services, and contribute to the STS reforms.

Both agencies are exploring new models for intervention in air and sea cargo, leveraging contemporary technology, automation and business processes embedded in the supply chain. This includes ways to better align and coordinate respective efforts at the border with a view to offering efficiencies to business through reduced inspection delays and greater transparency regarding clearance outcomes. This work is also leveraging our strong relationships with international partners to adopt a best practice model.

We will fundamentally re-engineer where, who and how we operate at the border, to intervene in cargo early, embed our business processes and detection technology in the supply chain, increase our capacity to inspect more cargo at speed and scale leveraging advanced detection technology and automated threat detection and we will align government processes and technology.

Reforming and modernising the cargo intervention model is an investment in economic productivity. This aligns with the primary focus of the STS reforms – to create a simpler, more efficient, integrated and digitalised trade environment, which will deliver tangible benefits for Australian businesses and the economy.

It will be important to co-design any new intervention model with industry, to allow for new business processes and technology to be embedded in the supply chain, including within industry premises, providing benefits for industry while also enabling faster, more accurate and scalable border intervention operations.

Q24. What benefits might Australian businesses see from a streamlined cargo intervention model? What data can you share with us about your experience with the current model?

Q25. What opportunities do you see for industry collaboration and involvement in co-design of the cargo intervention model?

6. Other

We are keen to hear about any other issues you would like to raise in the context of streamlining and simplifying Australia's cross-border trade environment.

Business experience is at the centre of the STS agenda. To ensure that a modern cross border trade environment meets the needs of stakeholders, reforms are being co designed with Australian businesses. We will continue to engage with business through existing government forums, workshops, roundtables, conferences, direct meetings with businesses, and seek views through targeted consultation.

Information on upcoming events and outcomes will be published on the STS website.

For more information

Visit www.simplifiedtrade.gov.au

Email info@simplifiedtrade.gov.au

LinkedIn: www.linkedin.com/company/simplified-trade-system-implementation-taskforce

Attachment A

Cross-Border Trade Data Sharing Framework

Context and Purpose

Data underpins all cross-border trade transactions, including compliance and commercial requirements. The efficient exchange of data is critical to support Australia's competitiveness in global markets while ensuring strong border, community and biosecurity protections. The safe and secure sharing of cross-border trade data will help simplify Australia's cross-border trade environment and increase the efficiency and effectiveness of government administration. The Cross-Border Trade Data Sharing Framework (the Framework) sets out the principles, processes and governance requirements for an enduring whole-of-government approach to cross-border trade data sharing. This approach will ensure that trade data is efficiently collected and used by government, while maintaining its quality, integrity and privacy protections, to support:

- Increasing efficiency for businesses providing information to government
- Improving the service experience for businesses when interacting with government
- Streamlining compliance activities
- Increasing efficiency for movement of goods across the border.

Definitions

The term 'data' is used in a general sense and reflects the terminology used in legislation with regards to the use, recording and disclosure of information. This material uses the term 'data' to encompass material that may also be referred to as 'information' in certain contexts. It does not intend to draw a distinction between these terms.

The Framework Scope

The Framework is intended to be adaptable to different legislative, technology, and data contexts, and encourages a 'whole-of-system' approach to data exchange, integration and interoperability to enable an efficient cross-border trade environment.

The Framework builds on Australian Government policy, including the Intergovernmental Agreement on Data Sharing, Australian Data Strategy and the *Data Availability and Transparency Act 2022*, and international best practice to increase the sharing of cross-border trade data underpinned by strong safeguards and consistent, efficient processes.

The Framework covers data collected and generated by government for trade revenue, compliance and regulation purposes, including:

- Undertaking border operations
- Informing government policy making
- Improving regulatory and service delivery outcomes
- Identification and Fit and Proper Person assessments
- Compliance and risk assessment
- Enforcing regulatory requirements.

Data types covered by the Framework, where sharing is permitted under law and regulations, can include:

- Identifiable data collected for regulatory purposes, including identification, compliance, and permit and licensing
- Identifiable and de-identified data resulting from trade processes (e.g. identification, compliance and risk assessments)
- Identifiable unstructured data, including multi-media and x-rays
- De-identified and aggregate data to inform policy, program and service delivery
- De-identified data for statistics and research
- Reference data, metadata and information that supports data reuse, integration and harmonisation.

Although the Framework was developed with a focus on government agency data sharing, the guiding principles and process and governance requirements are designed to be extended for broader use. This could include data sharing from government to business or between the Australian Government and international trade partners to support efficient trade and effective border operations. Inclusion of these uses and operating requirements are expected to be considered as the Framework matures and needs evolve.

Framework Principles and Risk Criteria

The Framework establishes the principles and limitations for sharing cross-border trade data between Australian Government agencies to support the goals of streamlined trade data collection by government and maximising the utility of trade data assets through reuse.

The Framework is underpinned by six guiding principles:

1. **Lawful use** - Data sharing has a legal basis, with due diligence undertaken and legal and policy requirements upheld. Appropriate ethical standards will be applied when sharing data.
2. **'Collect once, use many times'** – Trade related data assets will be discoverable, accessible and interoperable with the aim of maximising the utility of data through appropriate reuse.
3. **High quality, reliable data** – High quality, reliable data is critical to enable effective strategic and operational decision making and action.
4. **Standardised and described data** – Conformation to common standards, definitions and metadata enables data interoperability and cost-effective discovery, access and reuse.
5. **Assurance** – Appropriate privacy and security protections are used for individual and commercial confidentiality and national security to ensure trust in data sharing.
6. **Controlled access** – Access to data must be for a legitimate purpose and appropriately managed to ensure recipients are authorised to receive data. Any decision to decline access to data must be clearly articulated, well-substantiated and communicated to the requester.

The Framework establishes the expectation that Australian Government agencies will share cross-border trade data with each other 'by default', unless one of the following risk criteria, which are aligned with the 'Five Safes' internationally recognised data sharing risk management model, are met:

- **A legitimate and lawful purpose to use this data asset cannot be identified** – Only data that supports a lawful and legitimate function should be shared. Legal and ethical assessments on the proposed use of the requested data will be undertaken prior to providing access to a data asset. This includes confirmation that the data asset can be used to support a defined statutory function of the receiving agency.
- **There are applicable legal barriers restricting disclosure of the data asset** – Data that is restricted by legislation from being shared, or received, will not be shared. The identification of legislative barriers to data sharing, such as applicable secrecy provisions, notice requirements, disclosure and secondary use limitations under the *Privacy Act 1988* or state and territory-based privacy legislation, or other agency-specific legislation will be undertaken prior to data sharing.
- **The classification of the data asset is inappropriate to share with the requestor** – Data cannot be shared that is classified above the level that the requestor can appropriately handle, based on the requestor's tools, platforms and people involved in data transit and storage. Data assets must be classified in line with Australian Government information classification standards, so that the classification of data assets is well-understood.
- **The requestor's environment is not appropriately managed to protect the data asset** – For a requestor to access a data asset there will need to be assurance that appropriate information governance and cybersecurity controls are in place to protect the asset.

Governance and Processes

Operation and maintenance of the Framework will require appropriate governance and processes to ensure that data sharing continues to support the cross-border trade system. These arrangements will be designed to be responsive to the evolving needs of businesses, government and external influences, including legislative and technology changes.

Governance arrangements and processes will be used to define accountabilities, roles and responsibilities for data sharing. This will ensure that risks are appropriately managed, transparency is maintained, improvements to quality and discoverability are realised and data sharing is actively pursued.

This Framework work will be reviewed annually and any significant changes to the Framework will need Ministerial approval.