



RIGBY COOKE LAWYERS



**NTCF Global Forum Alliance
Session 2 February 2022**

2 February 2022

Andrew Hudson, Partner

Our people: Your success

Rigby Cooke Lawyers is a full service law firm providing commercial expertise and industry knowledge to private and public sector clients across Australia.

With origins that can be traced back to the 1840s, we have earned our reputation of achieving success for – and with – our clients, by remaining adaptive to change. We do this by understanding each of our clients' businesses and industry, and by staying at the forefront of changes in technology and legislation.

This is because, above all else, we remain true to our mission, *Our People: Your Success*.

Our lawyers are technically excellent in their areas of expertise; and we are outcome-focused and commercially-minded –helping you achieve your goals in the most effective and efficient manner is our key objective.

A unique feature of a firm of our size is the breadth of commercial services we offer. Led by technically skilled legal partners, and supported by intelligent and efficient teams, we have the capacity and capability of a larger firm, but with the organisational structure to remain agile to our clients' evolving needs.

Our team covers:

- Construction & Projects
- Corporate & Commercial
- Customs & Trade
- Health & Aged Care
- Hotels & Accommodation
- Insolvency & Reconstruction
- Intellectual Property
- International Business
- Litigation & Dispute Resolution
- Mergers & Acquisitions
- Migration
- Not-for-Profit
- Planning & Environment
- Property
- Tax & Wealth
- Tourism,, Leisure & Hospitality
- Transport & Logistics
- Wills & Estates
- Workplace Relations

Topics for Today

1. Introduction
2. Examples of private sector engagement through the NCTF
3. Thoughts on the operation of the Australian NCTF
4. Questions and answers

TOPIC 1

Introduction



Andrew Hudson

Profile

- Past Chair, Customs and International Transactions Committee of the Law Council of Australia
- Past Chair of the International Law Section of the Law Institute of Victoria
- Member of IFCBAA Victorian Advisory Committee
- Member of Committee of Management of the Food and Beverage Importers Association (www.fbia.org.au)
- Director of the Export Council of Australia (www.export.org.au/eca/homepage)
- Past Director – Australian Services Round Table (www.servicesaustralia.org.au)
- Member of the Asia Pacific MSME Trade Coalition (**AMTC**), a working committee of the Asia Business Trade Association (**ABTA**)



Website: www.rigbycooke.com.au
Email: ahudson@rigbycooke.com.au
Phone: +61 3 9321 7851
Mobile: +61 418 359 534
Twitter: @AndrewHudsonLaw
LinkedIn: [linkedin.com/in/andrew-hudson-7005528](https://www.linkedin.com/in/andrew-hudson-7005528)

Andrew Hudson

Profile

- Deputy Chair of the International Trade and Business Committee of the International Law Section of the LCA
- Member of the IAG for the TTP, the ADC ITRF, the DoHA NCTF and related working groups as well as DFAT stakeholder groups
- Worked with CBAFF on new Customs and Excise Act 2018
- Chair of the Private Sector Group at the NCTF
- Member of the Customs and International Trade Bar Association (**CITBA**)
- Member of International Law Section of the American Bar Association (**ABA SIL**)
- Vice Chair for the Advisory Body Legal Matters (**ABLM**) within FIATA
- Member of Advisory Groups on LCB Training, GST on LVT and excise regulation
- See recent updates [here](#)



Website: www.rigbycooke.com.au
Email: ahudson@rigbycooke.com.au
Phone: +61 3 9321 7851
Mobile: +61 418 359 534
Twitter: @AndrewHudsonLaw
LinkedIn: [linkedin.com/in/andrew-hudson-7005528](https://www.linkedin.com/in/andrew-hudson-7005528)

Topic 1

Examples of work and policy engagement

- Acted for all those in supply chain including providers of insurance and finance
- Acted for exporters in all major trading partners (US, EU, UK, PRC, Korea (South), Vietnam, India) as well as Australian exporters and importers
- Provided legal services in country in all regions
- Assisted with development of legislation and implementation here and overseas (US, Vietnam, China)
- Made submissions to and appeared before 50+ Parliamentary Committees of Inquiry here and overseas
- Media commentary and presentations at conferences here and overseas
- Policy and dispute engagement with Government and its agencies. This includes the STS, new Cargo Intervention Models, De-Regulation Task Force, review of excise on fuel and alcohol, GST on LVG treatment and review of import and export of TCCU's.

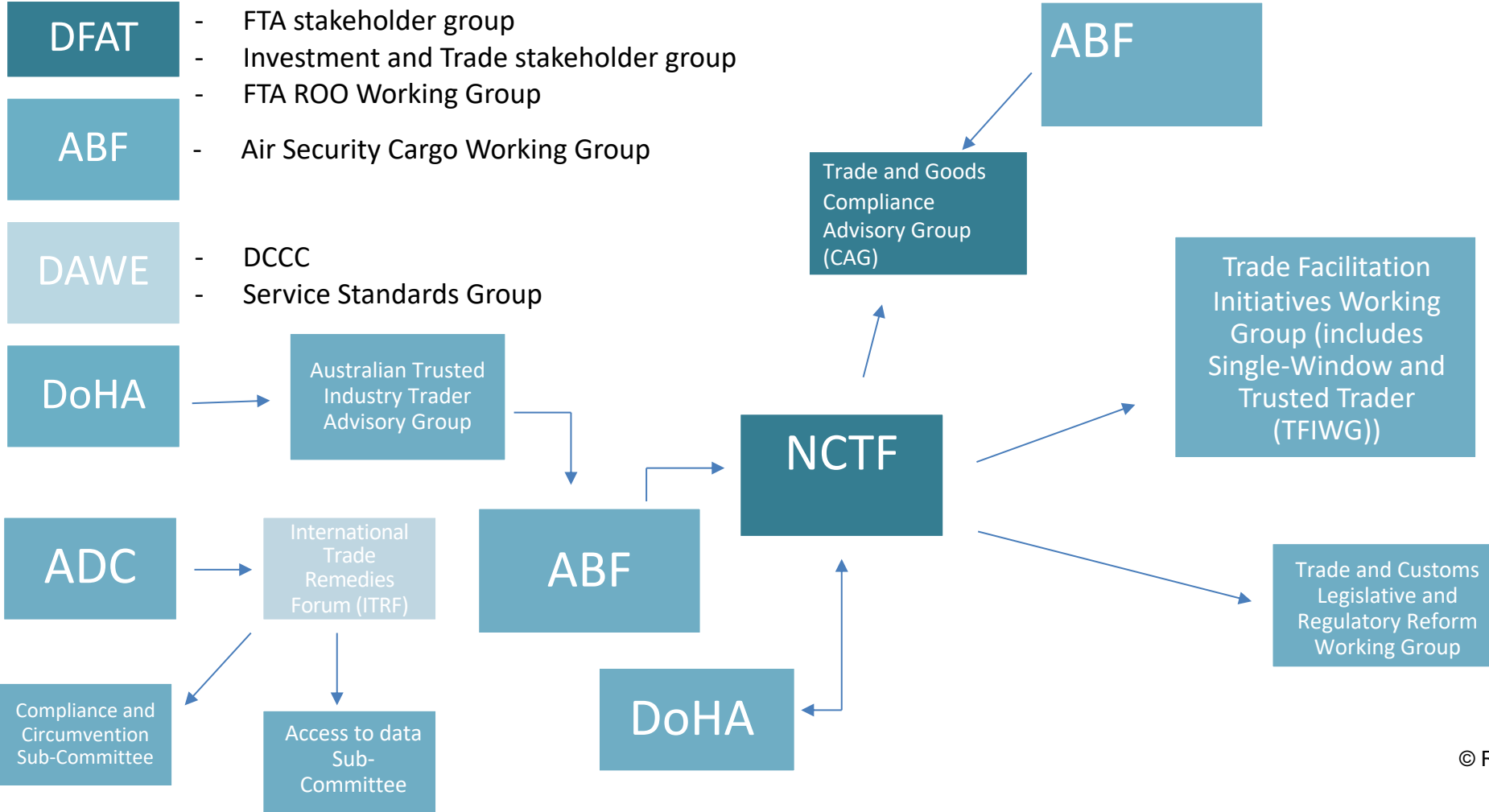
Topic 1

Dealt with civil and criminal disputes about

- International provision of services
- Grain (Canada to India)
- Hides and skins
- Salmon
- Cheese
- Canned mushrooms
- Asbestos
- Steel of all types
- ARW
- Power transformers
- Tyres in containers in Vietnam
- Customs duty, tax, GST
- Dumping and subsidies
- Export controls and sanctions (including Iraq and Iran)
- Cider
- Prawns

Topic 1

NCTF and some of the other industry engagement bodies



TOPIC 2

Examples of private sector engagement
through the NCTF



Topic 2

Examples of private sector engagement through the NCTF

- Study on Australia's NCTF https://researchoutput.csu.edu.au/ws/portalfiles/portal/21550032/21143965_final_report.pdf
- Engagement on Australia's "Trade Modernisation" including the Simplified Trade Taskforce of Austrade at <https://www.austrade.gov.au/simplified-trade-system/home>, the review of excise on alcohol, tobacco and fuel conducted by the ATO, the de – regulation agenda being conducted by the Prime Minister and Cabinet at <https://deregulation.pmc.gov.au/>, the "Regulatory Sandbox" of the ABF at <https://www.rigbycooke.com.au/legislation-proposed-for-the-construction-of-the-abfs-regulatory-sandbox/>, the Productivity Commission inquiry into "Nuisance Tariffs" at <https://www.pc.gov.au/research/current/nuisance-tariffs>.

Topic 2

Examples of private sector engagement through the NCTF

- Engagement with the Productivity Commission Inquiry into Australian's Maritime Logistics Group at <https://www.pc.gov.au/inquiries/current/maritime-logistics#issues>
- Work conducted through the ABF Compliance Advisory Group into issues such as compliance for import and export reporting
- Work on anti – dumping legislative and procedural reform through the ITRF
- Urgent work on facilitating trade on COVID-19 treatments, and protective equipment including arrangements for the IFAM

TOPIC 3

Thoughts on the operation of the Australian
NCTF



Topic 3

Thoughts on the operation of the Australia NCTF

- Importance of ongoing engagement of the Private Sector Group – need to ensure their commitment is recognised and valued
- Importance of political support regardless of political persuasion of government
- Problems caused by “churn” of Chair and Government membership of the NCTF compromises corporate memory and advancement of issues proposed by the private sector.
- Inconsistent meetings of the NCTF and its sub – committees and advisory groups
- Need to co – ordinate the NCTF and other “trade facilitation” reforms being conducted by other agencies. NCTF should be “senior” review body on trade facilitation
- Need to include representatives of insurance and finance industries on the NCTF
- Need to include representatives of State Governments on the NCTF who are also engaged with “trade facilitation” work (for example monitoring of actions and charges of Stevedores and Empty Container Parks)

Questions & Answers



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