Updating the national voluntary guidelines for landside stevedore charges and expansion to empty container park charges

– FBIA Submission

About Us

The Food and Beverage Importers Association (FBIA) represents and promotes the interests of food importers with governments, authorities, and key industry stakeholders. The association works to minimise the impact of regulations while achieving the government's public policy objectives.

The FBIA is the peak industry association supporting Australian importers of food and beverages in retail ready packs, food service and product as an ingredient for further processing. Members come from across the supply chain including freight and logistics, expanding our coverage.

FBIA represents members from small to medium enterprises to large companies listed on the Australian Stock Exchange who share common interests in food and beverage imports including facilitating imports while observing the obligations imposed by all levels of government.

The FBIA engages extensively with Federal and State Governments including with the consultation and advisory groups conducted by Australia's border agencies, most particularly those conducted by the Australian Border Force (ABF), the Department of Foreign Affairs and Trade (DFAT), the Department of Agriculture, Fisheries and Forestry (DAFF) and the Anti – Dumping Commission.

Further information on activities and management of the FBIA go to the Association's website: www.fbia.org.au .

Introduction

This response is made on behalf of the members of the Food and Beverage Importers Association (Australia) (FBIA).

FBIA welcomes the opportunity to provide comments in response to the Updating the national voluntary guidelines for landside stevedore charges and expansion to empty container park charges.

FBIA appreciates being directly involved in consultation and advisory groups, and believe they represent a key mechanism for industry to engage with government and facilitate trade.

Thank you for your consideration of the comments, issues and views raised in this response.

General Comments

Question 1

What are your views on the proposed changes to align price changes to 1 January each year?

Food and Beverage Importers Association (FBIA) supports aligning price changes to a single annual pricing implementation date on 1 January each year, noting that increases should occur only where clearly justified, not simply because an annual adjustment is permitted.
The proposed change would:

- Improve predictability and administrative efficiency across the supply chain.
- Reduce the impact on freight forwarders and transport operators, who are often required to explain unexpected price increases over which they have no control.
- Reduce uncertainty and contract complications for importers and exporters.

Question 2

Do you foresee any opportunities or challenges for stevedores implementing these changes?

FBIA considers that aligning stevedore price changes to a single annual implementation date would improve predictability, transparency and consultation in the recovery of landside costs. A consistent annual pricing implementation date would reduce disruption from ad hoc adjustments and support more effective planning, budgeting and contract management across the supply chain.

While some flexibility may be sought to introduce charges outside the proposed cycle, any exceptions should be limited, clearly justified and subject to genuine consultation. Consultation should be substantive rather than procedural, particularly given the market power imbalance between stevedores and downstream users.

FBIA acknowledges that stevedores are critical to Australia's trade infrastructure requiring ongoing investment capacity. However, we recommend a pricing guideline that promotes transparency, accountability and fairness as essential.

Question 3

Is the amount of information stevedores are requested to provide appropriate?

FBIA supports the information requirements proposed in the updated Guidelines, recognising that increased transparency is essential to enable meaningful industry engagement.

Stakeholders should be provided with clear information on the rationale for price changes, the cost drivers and service improvements claimed, and the investment or operational basis for charges.

Question 4

Are the timeframes outlined for stevedore price change notification process appropriate?

FBIA considers the proposed notification timeframes—comprising a 60-day Notice of Intention and a 30-day Final Notice—to be appropriate minimum standards, providing industry participants with a reasonable opportunity to assess impacts, provide feedback and adjust commercial arrangements.

FBIA would like to emphasise that these timeframes are effective only where consultation is genuine and stakeholder feedback is meaningfully considered prior to implementation. It cannot be an arbitrary compliance-based exercise.

Question 5

What are your views on the proposed expansion of the National Voluntary Guidelines to empty container parks?

FBIA strongly supports expanding the Guidelines to include Empty Container Parks (ECPs) and other port-interface service providers, noting that landside charges do not operate in isolation at the terminal gate.

Charges imposed by stevedores increasingly flow through, and are often replicated across adjacent nodes in the container supply chain, including:

- container freight stations
- depots
- ECPs
- weighing facilities
- related services that are integral to the end-to-end import and export function.

FBIA therefore considers that any future voluntary guidelines or mandatory code aimed at improving transparency, consultation and pricing discipline must extend beyond stevedores alone, as a narrow focus risks cost shifting rather than addressing structural pricing pressures across the port interface holistically.

Question 6

Do you foresee any opportunities or challenges in implementing the guidelines for empty container park charges?

Extending the Guidelines to ECPs provides an opportunity to address industry concerns regarding notification fees, access charges, limited consultation and inconsistent practices across operators. While FBIA recognises the diversity of ECP business models and market influence across ports, it considers that a consistent national approach is essential, with ECP operators subject to the same baseline expectations for advance notice, pricing transparency and genuine consultation.

Question 7

Is the amount of information empty container parks are requested to provide appropriate?

FBIA supports the proposed disclosure requirements for ECP operators, noting that ECP-related charges are an increasingly significant and often unavoidable component of container logistics costs. In this context, the proposed requirements, including disclosure of current and proposed charges, clear explanations of pricing changes, and the service or investment outcomes claimed represent a reasonable and proportionate minimum standard to support transparency and meaningful consultation.

FBIA considers that these requirements will assist freight forwarders, customs brokers, transport operators and cargo owners to better assess the impacts of proposed changes, provide informed feedback, and more clearly explain cost drivers to importers and exporters. Improved information sharing would enhance consistency across jurisdictions and reduce the risk of unexpected or unclear cost increases flowing through the supply chain.

Question 8

Are the timeframes outlined for empty container price change notification process appropriate?

FBIA considers the proposed ECP notification timeframes to be appropriate. Given that ECP charges can have immediate operational and commercial impacts across transport and logistics networks, minimum notice periods are essential to avoid sharp cost imposition and to support effective supply chain planning.

Question 9

Are these definitions unambiguous and aligned with your understanding of the terms?

FBIA supports the inclusion of clear and consistent definitions in the Guidelines to promote uniform application across ports and jurisdictions. Without agreed definitions, stevedores, empty container parks and regulators may interpret key concepts differently, undermining transparency and resulting in uneven implementation across Australia.

FBIA recommends that definitions should be practical to reflect how container logistics operates in practice. Landside charges and port-interface costs are often imposed through interconnected service providers within the port precinct, and narrowly drafted definitions risk cost shifting to affiliated operators without improved transparency.

Question 10

Are there any other terms which should be defined in the final guidelines?

Freight forwarders, licensed customs brokers, transport operators and cargo owners interact with a broad network of port-interface service providers whose charges are often operationally unavoidable and commercially non-negotiable, with effects comparable to terminal access charges.

FBIA suggests that defining additional terms to ensure the Guidelines reflect how port-interface charges are imposed in practice, including Consolidation Freight Stations (CFS), where less than container load (LCL) cargo handling fees are commonly passed through to SME importers and exporters, and depot access or booking platform charges imposed through mandatory booking or notification systems used across terminals, depots and empty container parks.

FBIA also notes that other operationally imposed service fees, such as container weighing or PONDUS-related charges, while not strictly regulatory in nature, are often unavoidable in practice and may warrant consideration.

Question 11

Do you have any further concerns or issues with the proposed updated National Voluntary Guidelines?

Without consistent adoption, monitoring and accountability, voluntary frameworks risk becoming symbolic rather than effective.

FBIA remains concerned that competitive and commercial constraints have been insufficient to prevent the persistent escalation of landside charges, reinforcing the need for a pathway that improves transparency, consultation and accountability while maintaining the operational and investment capacity of terminal operators.

FBIA strongly supports meaningful, industry-wide consultation convened by government, bringing together stevedores, port authorities, shipping lines, cargo owners, freight forwarders, customs brokers, transport operators and regulators. Consultation should be substantive rather than procedural and aimed at developing a shared understanding of cost drivers, service expectations, infrastructure constraints and pricing pressures across the port interface.

We support the development of a strengthened voluntary code governing landside pricing, consultation processes and service standards, extending beyond stevedores to capture the broader range of port-interface charges affecting supply chain users.

FBIA considers that if voluntary measures fail to deliver fair, transparent and effective outcomes within a reasonable timeframe, a clear pathway to more formal regulatory intervention must remain available, and landside pricing reform should be treated as a national supply chain priority.

FBIA considers that consultation across the supply chain should be conducted in good faith, with a focus on promoting transparency and fairness to support the broader economy.

Thank you for your consideration of FBIA's comments. FBIA welcomes further opportunities to contribute.

Yours sincerely

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