

Interim Fruit Fly Council

Terms of Reference

Background

MPI and horticulture industry organisations wish to engage on the development of a fruit fly Operational Agreement (OA) that will establish the partnership arrangements and areas of future readiness and response work to enhance the management of the risks to New Zealand associated with fruit flies.

The parties recognise that to effectively manage these risks, all parts of the biosecurity system need to be effective, including pre-border and border measures.

The Interim Fruit Fly Council (IFFC) will ensure that a fruit fly OA is developed in an effective and timely manner in accordance with agreed strategic outcomes and principles.

Role

The role of the IFFC is to provide strategic leadership and oversee timely development of an OA for fruit flies, which identifies opportunities to enhance the management of fruit fly risks across the biosecurity system and establishes a work programme to develop and test options for achieving this outcome and then implement agreed changes.

Responsibilities

The IFFC will:

1. Establish and agree strategic outcomes for enhanced management of fruit fly risks and lead the development of an OA for fruit flies that will achieve these outcomes.
2. Exchange information between its members and their organisations on the biosecurity system to develop a common understanding of the risk management of fruit flies across the biosecurity system (current state) to inform priority areas of review and potential innovation in the fruit fly OA.
3. Represent the collective interests of all the horticultural industries potentially affected by fruit fly in the development of the OA and ensure that appropriate engagement mechanisms are in place between the IFFC and its stakeholders.
4. Raise awareness of work underway or completed by industry and MPI for reference in the draft fruit fly OA.
5. Establish Technical Working Groups, as necessary, to develop options and recommendations for progressing priority areas of the fruit fly management system for the OA, including:
   - Developing terms of reference
   - Appointing members
   - Outlining the tasks and guiding the work of the Technical Working Groups
   - Disestablishing the working groups when appropriate
6. Resolve any critical issues, and bring together information required by potential Signatories, to enable the fruit fly OA to be completed.
7. Finalise a draft fruit fly OA by 10 September 2014, which is the best programme to meet the agreed OA outcomes that industry and government are likely to agree on.

8. Develop recommendations on the future role of a Fruit Fly Council in the implementation of the OA and ongoing strategic leadership for the effective management of fruit fly risks, for inclusion in the OA.

The IFFC has no governance role apart from directing the development of a programme of work for an OA for fruit flies.

Outcomes and guiding principles

The IFFC will establish the partnership arrangements and areas of future readiness and response work to enhance the management of the risks to New Zealand associated with fruit flies. The overarching outcome sought from the OA is that Signatories work together to reduce impacts to the horticulture sector from fruit fly by:

1. Demonstrating, on an ongoing basis, New Zealand's freedom from fruit flies and detecting any fruit flies early enough to ensure a successful response
2. Successfully managing a detection and/or eradicating any incursion
3. Reducing the impact of an incursion and eradication response on market access

The IFFC provides a forum for strategic engagement across government and industries that would be impacted by fruit fly and can provide guidance from a shared understanding of fruit fly risk management to:

4. Reduce the likelihood of a fruit fly incursion
5. Enhance wider biosecurity readiness and response capability

Principles that will guide the IFFC and its role are in Attachment 1.

Membership

Representatives for the IFFC are from:

- MPI
- Pipfruit NZ
- Kiwifruit Vine Health
- Summerfruit NZ
- New Zealand Wine Growers
- New Zealand Avocado
- Vegetable industries (collective) - Vegetables New Zealand, Tomatoes New Zealand & the New Zealand Buttercup Squash Council
- Small/medium fruit (collective) - Blackcurrants, Blueberries, Boysenberry, Feijoa, Kiwiberry, Persimmon, Strawberry and Tamarillo
- New Zealand Citrus Growers Inc

A representative from the GIA Secretariat and from other organisations can be invited to participate as observers by agreement of the IFFC. This may include the Chair of any Technical Working Groups established by the IFFC.

The IFFC is to have up to 12 members.

MPI may have up to three representatives on the IFFC.

A Chair will be selected from within the IFFC members.

Modus operandi

The IFFC will be established until the OA is in effect. Its future role and function will be reassessed within the work plan of the OA.

IFFC members will be responsible for reporting progress and issues to their own organisations, subject to any identified commercial sensitivities. This will be assisted by the

preparation of a communiqué from each meeting of the IFFC for public release, and periodic progress reports consistent with agreed engagement processes.

The IFFC will:

i. Appoint a Chair from its members, who will lead with impartiality and drive the group to achieve its outcomes
ii. Meet regularly (face-to-face, teleconference or video conference) as required to expedite its work
iii. Develop a work programme of activities to be included in the OA, including outcomes, priorities, dependencies and timelines, as relevant
iv. Prepare a communication and engagement plan and processes to ensure all industries affected by fruit flies are consulted and informed of the work of the IFFC and development of the OA
v. Maximise the use of existing work, knowledge and other available materials, from NZ and overseas
vi. Make decisions through consensus, consistent with the definition of consensus in clause 7.2 of the Deed.

Resources and budget

Costs associated with participation on the IFFC and Technical Working Groups (e.g., time, travel, accommodation) will be met by the member organisation.

Wherever possible, member organisations will provide in-kind contributions (e.g., staff time) to complete any work assigned by the IFFC in order to keep costs down.

There is no starting budget. However, the IFFC can establish a budget at any time, if required, by agreeing budget requirements and contributions from member organisations. It will not commit to any expenditure without the express agreement of all representatives.

Any costs, additional to participation costs, will be shared equitably between IFFC member organisations, and MPI will fund a minimum of 50% of agreed costs.

OA development approach

The fruit fly OA will capture core elements of the current system and these will form the basis for specific work activity, which is focussed on formalising the government and industry partnership for the effective management of fruit fly risks and integrating Deed commitments for joint decision-making and cost-sharing.

The OA will include a schedule that fully documents the current system, including costings, as the basis for sign off on this as the initial approach until the improvements/changes needed by both industry and MPI are agreed and implemented.

This brief summary of the current systems for managing fruit fly risks will define detection and response strategies. A work programme will identify priority areas to be reviewed and agreement reached as to changes with the future programme within agreed timeframes. This will also be attached to the OA as a schedule. Further schedules will be added for specific joint activities when they have been agreed. The governance arrangements for the OA will be defined in the agreement.

This approach provides time for industries to pursue mandate in parallel with the development of OA and may inform engagement with organisation members regarding benefits and costs of signing the Deed.

The OA provides a vehicle for identifying and supporting innovation from a shared knowledge and understanding of existing process. It will enable the partnership to test potential innovation and efficiency to ensure confidence and efficacy of the system is maintained. This is an important factor for ensuring market access is maintained while flexibility and efficiency of fruit fly risk management systems is fostered.

OA development timeline

Action	Date	Responsibility
First meeting of the Interim Fruit Fly Council, Wellington	26 March 2014	IFFC members
Terms of Reference revised from discussions and circulated to members as a further draft for agreement	Mid-April	GIA Secretariat
Project plan developed, including schedules and costings Technical Working Groups established as required	Early May to mid-August	IFFC members
Draft OA agreed by the IFFC	Early September	IFFC members
Draft OA considered by potential Signatories		Industry Boards and Ministry for Primary Industries
Final OA available for signing	Early 2015	IFFC members

Interim Fruit Fly Council guiding principles

1. **Achieving consistency with the principles in section 2.2 of the GIA Deed**.
2. **Focus on outcomes** – Signatories agree the outcomes to be achieved, share accountability for achieving those outcomes (including quality assurance), make strategic decisions jointly, and agree how costs will be shared.
3. **Focus on results and value** – delivery is as efficient and effective as possible, systems and capability are fit for purpose, there is minimal bureaucracy, and all of these culminate in results (achievement of outcomes).
4. **Responsibilities and expectations to be clear** - areas of responsibility and expectations of each party (including the roles to be played and the standard of services to be delivered) are clear and agreed up front wherever possible.
5. **Decisions to be underpinned by sound science and risk assessment** – decisions are be based on sound science and expert risk assessment, with priorities for readiness work based on modelling the most likely scenario.
6. **Biosecurity systems approach to fruit fly risk management** – all points of intervention need to be evaluated to ensure the overall biosecurity system arrangements for fruit fly are effective, and fruit fly readiness and response decisions should take into account how risk can best be managed across the biosecurity system.
7. **Focus on creating incentives to drive good biosecurity behaviour** – the incentives are strong for each Signatory to improve its own fruit fly biosecurity, and there is alignment with MPI's Biosecurity Funding Principles; the latter establish that that those required to pay for a biosecurity service should be able to do at least one of the following:
    i. Change their behaviour to reduce the costs of the service or the risks that give rise to the need for it over time;
    ii. Assess whether the true benefits of the service at its current levels outweigh its costs on an on-going basis, and thereby influence its on-going provision; and/or
    iii. Influence whether the service at its current levels is being provided in the most cost effective manner.
8. **Drive for innovation** – innovation is encouraged and fostered, to enable better outcomes and greater value for money to be achieved over time.
9. **Allow for flexibility –** there is sufficient flexibility to cope with differences between Signatories, including differing levels of capability and capacity.
10. **Focus on building commitment** – at the end of the day the OA (and approach to fruit fly management under this) needs to have the confidence and commitment of signatories, and maintain or grow confidence in New Zealand's fruit fly biosecurity arrangements.
11. **Enable effective transition** – timely transitions to new arrangements are carefully planned and managed, with current arrangements the default until new arrangements are agreed and a transition plan is implemented.

12. **Using what exists and achieving leverage** –existing resources and capability are used where possible (i.e. where these are, or can be developed to be, fit for purpose), parties are able to work to their strengths, and investment in fruit fly is leveraged as far as possible to address other biosecurity risks [noting that generic systems, tools and capability provide a foundation for effective response to fruit fly and other pests and diseases, provided these allow for flexibility and innovation – as above]