



Biological Control Amendment Act 2016

No. 28, 2016

**An Act to amend the *Biological Control Act 1984*,
and for related purposes**

Note: An electronic version of this Act is available on the Federal Register of Legislation
(<https://www.legislation.gov.au/>)

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No. 28, 2016

An Act to amend the *Biological Control Act 1984*, and for related purposes

[Assented to 23 March 2016]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Biological Control Amendment Act 2016*.

2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with
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column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day this Act receives the Royal Assent.	23 March 2016
2. Schedule 1	A single day to be fixed by Proclamation.	1 January 2017 (F2016N00045)

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendments

Biological Control Act 1984

1 Subsection 2(1) (definition of *kind*)

After “organisms”, insert “, viruses or sub-viral agents”.

2 Subsection 2(1) (at the end of the definition of *organism*)

Add:

; or (c) a virus or a sub-viral agent.

3 Subsection 2(1) (definition of *prescribed live organisms*)

Repeal the definition.

4 Subsection 2(1)

Insert:

prescribed organisms means organisms that are:

- (a) live organisms; or
- (b) viruses or sub-viral agents;

but does not include live vaccines or resistant cultivars.

5 Section 3

Omit “live”, substitute “prescribed”.

6 Subsections 21(1), 22(1) and 26(1)

Omit “live”.

7 Paragraphs 30(1)(b), 31(1)(a) and 34(2)(a)

Omit “live”.

8 Subsection 37(3)

Omit “live”.

9 Declarations of relevant State laws

If:

Schedule 1 Amendments

- (a) a declaration was made under section 9 of the *Biological Control Act 1984* before the commencement of this item; and
- (b) the declaration was in effect immediately before that commencement;

the declaration continues in effect (and may be dealt with), after that commencement, despite the amendments made by this Schedule.

[*Minister's second reading speech made in—
House of Representatives on 25 February 2016
Senate on 16 March 2016*]

(24/16)
