Biological Control Amendment Act 2016

No. 28, 2016

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

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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 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Note: This table relates only to the provisions of this Act as originally enacted.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 Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.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:

 (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)