



National Health Security Amendment Regulations 2009 (No. 1)¹

Select Legislative Instrument 2009 No. 373

I, QUENTIN BRYCE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *National Health Security Act 2007*.

Dated 14 December 2009

QUENTIN BRYCE
Governor-General

By Her Excellency's Command

NICOLA ROXON
Minister for Health and Ageing

1 Name of Regulations

These Regulations are the *National Health Security Amendment Regulations 2009 (No. 1)*.

2 Commencement

These Regulations commence on the commencement of Part 4 of Schedule 1 to the *National Health Security Amendment Act 2009*.

3 Amendment of *National Health Security Regulations 2008*

Schedule 1 amends the *National Health Security Regulations 2008*.

Schedule 1 Amendments

(regulation 3)

[1] Paragraph 3.17 (1) (c)

omit

clause 6.5

insert

clause 6.2

[2] Paragraph 3.18 (1) (d)

omit

clause 6.5

insert

clause 6.2

[3] Paragraph 3.19 (1) (d)

omit

clause 6.4

insert

clause 6.2

[4] Regulation 3.43, note

omit

clause 6.5

insert

clause 6.2

[5] After regulation 3.45

insert

3.45A Events that must be reported to police

For section 48A of the Act, the following events are prescribed:

- (a) unauthorised access to a security-sensitive biological agent, within the meaning of regulation 3.15;
- (b) the event mentioned in paragraph 3.18 (1) (d);
- (c) the event mentioned in paragraph 3.19 (1) (d);
- (d) the event mentioned in subregulation 3.20 (1);
- (e) the event mentioned in regulation 3.21;
- (f) the event mentioned in regulation 3.22;
- (g) the event mentioned in subregulation 3.23 (1);
- (h) the event mentioned in subregulation 3.23 (2);
- (i) the event mentioned in regulation 3.24.

3.45B Period for reporting reportable events to police

For subsection 48A (3) of the Act, the period is the period ending 24 hours after the registered entity became aware that the reportable event had occurred.

[6] After regulation 3.50

insert

3.51 Periodic nil reporting

- (1) For subparagraph 48 (1) (i) (i) of the Act, the following periods are prescribed:
 - (a) for a registered entity handling tier 1 agents — each period mentioned in subregulation 3.48 (1);
 - (b) for a registered entity handling tier 2 agents — the period is the period mentioned in subregulation 3.49 (1).
- (2) For subparagraph 48 (1) (i) (ii) of the Act, the reportable events are the events mentioned in subregulations 3.27 (1) and (2).
- (3) The due date for a report to which this regulation applies is:
 - (a) for a registered entity handling tier 1 agents — the dates mentioned in subregulation 3.48 (2); and
 - (b) for a registered entity handling tier 2 agents — the date mentioned in subregulation 3.49 (2).

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.