

EXPLANATORY STATEMENT

Issued by Authority of the Deputy Prime Minister and Minister for Agriculture and Water Resources

Biosecurity Charges Imposition (Customs) Act 2015

Biosecurity Charges Imposition (Customs) Regulation 2016

Legislative Authority

The *Quarantine Charges (Imposition–Customs) Act 2014* imposes, as taxes, charges in relation to matters connected with the administration of *the Quarantine Act 1908*, so far as those charges are duties of customs, and provides other provisions for related purposes. On 16 June 2016, the *Quarantine Charges (Imposition–Customs) Amendment Act 2015* (the Amendment Act) will amend the *Quarantine Charges (Imposition–Customs) Act 2014* to impose charges in relation to matters connected with the administration of the *Biosecurity Act 2015* (the Biosecurity Act). At this time the Amendment Act will also amend the title of the *Quarantine Charges (Imposition–Customs) Act 2014* to the *Biosecurity Charges Imposition (Customs) Act 2015* (Biosecurity Charges Imposition (Customs) Act).

Section 12 of the Biosecurity Charges Imposition (Customs) Act provides that the Governor-General may make regulations prescribing matters required or permitted by the Act to be prescribed, or necessary or convenient to be prescribed for carrying out or giving effect to this Act.

Subsection 7(1) of the Biosecurity Charges Imposition (Customs) Act provides that a regulation may prescribe a charge in relation to a prescribed matter connected with the administration of the Biosecurity Act. Subsections 7(2) and 7(4) of the Biosecurity Charges Imposition (Customs) Act provide that charges prescribed are imposed as taxes, and only so far as that charges are duties of customs within the meaning of section 55 of the Constitution. Subsection 7(3) of the Biosecurity Charges Imposition (Customs) Act also provides that two or more charges may be prescribed in relation to the same matter, and a single charge may be prescribed in relation to two or more matters.

Subsection 8(1) of the Biosecurity Charges Imposition (Customs) Act provides that a regulation may prescribe a charge under subsection 7(1) by specifying an amount or a method for calculating the amount of the charge. Exemptions from a prescribed charge may also be provided in the regulation under section 10 of the Biosecurity Charges Imposition (Customs) Act.

Subsection 8(2) of the Biosecurity Charges Imposition (Customs) Act requires that before the Governor-General makes a regulation under subsection 7(1) the Act, the Minister must be satisfied that the amount of the charge is set at a level that is designed to recover no more than the Commonwealth's likely costs in connection with the matter.

Purpose

The purpose of the *Biosecurity Charges Imposition (Customs) Regulation 2016* (the Regulation) is to prescribe the charges for certain matters connected with the administration

of the Biosecurity Act and the exemptions from paying those charges. These charges are to recover the costs for providing indirect biosecurity services to benefit the collective users of the biosecurity system, such as risk profiling and surveillance, monitoring compliance, administering and managing approved arrangements, permit applications and biosecurity activities at a post-entry quarantine facility.

The Regulation prescribes charges that are duties of customs within the meaning of section 55 of the Constitution. It operates alongside the *Biosecurity Charges Imposition (General) Regulation 2016* which prescribes charges that are neither duties of customs nor excise within the meaning of section 55 of the Constitution.

Background

Biosecurity is the management of the risk of pests and diseases entering or present in Australian territory and causing harm to animal, plant and human health, the environment and the economy. Biosecurity is managed under the Biosecurity Act and related delegated legislation, which commence on 16 June 2016 to replace the *Quarantine Act 1908* and related delegated legislation. The Department of Agriculture and Water Resources (the department) undertakes biosecurity activities to assess and manage biosecurity risk associated with people, goods and conveyances entering or in Australian territory.

Shifting global demands, growing traveller and trade volumes, increasing imports from a growing number of countries and population expansion all contribute to the complexity of the modern biosecurity environment. In recent years, the department has taken a risk-based approach to biosecurity management, informed by scientific analysis, intelligence and surveillance that enables higher risk goods, travellers and mail to be targeted for intervention. This has allowed the department to better manage biosecurity risk associated with the increasing volumes of trade and travellers across and within the Australian border without compromising biosecurity risk outcomes. It also reduces the cost of delivering frontline biosecurity services and saves time and money for importing businesses with flow-on benefits to the broader economy.

In 2015-16, the department undertook a redesign of its biosecurity fees and charges cost recovery arrangements to provide ongoing efficient and effective delivery of biosecurity services into the future. The outcome of this redesign was implemented in 2015 under the *Quarantine Charges (Imposition–General) Regulation 2015*, and amendments to the *Quarantine Charges (Imposition–Customs) Regulation 2014*, *Quarantine Service Fees Determination 2005* and the *Quarantine Service Fees (Australia Post) Determination 2010*.

The Regulation, as well as the *Biosecurity Charges Imposition (General) Regulation 2016* prescribe the charges to recover the costs in relation to matters connected with administering the Biosecurity Act. This Regulation facilitates the framework transition for charges imposed under the *Quarantine Charges (Imposition–Customs) Act 2014* to the *Biosecurity Charges Imposition (Customs) Act 2015*, by replacing and replicating the same charges that are prescribed in the *Quarantine Charges (Imposition–Customs) Regulation 2014*.

This Regulation also operates together with provisions in the *Biosecurity Regulation 2016*, which provides for other matters in relation to the payment of charges prescribed in this Regulation. These matters include who is liable to pay a charge, when a charge is due and payable, the liability for a person to pay a late payment fee for an unpaid charge and the

amount of the late payment fee, the liability of a person's agent to pay charges on behalf of that person and the recovery of such charges by the agent.

Impact and Effect

The Regulation enables the department to continue to appropriately recover the costs for providing indirect biosecurity services to users of the biosecurity system. It does not change the impact or effect on industry as it replicates and replaces the charges prescribed in the *Quarantine Charges (Imposition–Customs) Regulation 2014*, such as the amount of the charges, the types of services the charges relate to and exemptions from paying those charges.

Consultation

Extensive consultation with stakeholders during the redesign of the department's cost recovery fees and charges arrangements was undertaken in 2015. This included the release of the draft Cost Recovery Implementation Statement (CRIS) in 2015 for public comment.

Stakeholder feedback was considered and the final CRIS was certified by the Secretary of the department and endorsed by the Minister for Agriculture and Water Resources in 2015. The Minister for Finance agreed to release the final CRIS, which is available on the department's website at www.agriculture.gov.au/fees/cost-recovery/biosecurity-cris (accessed 5 April 2016).

During the 2015–16 implementation of the Biosecurity Act and related charging legislation, the department actively raised awareness among clients, stakeholders and the general public that new legislation commence on 16 June 2016.

The department provided extensive opportunities for clients and stakeholders to become informed about the changes to the legislative framework so that they understood their obligations and the implications of the changes on their business. Stakeholders and clients were consulted and engaged throughout the development of the draft regulations and the delegated legislation, and were encouraged to provide feedback. Fact sheets supporting the release of draft regulations for public consultation were available on the department's website, and were distributed to stakeholders to provide additional clarity.

Where possible a minimum 60-day consultation period was provided to stakeholders. The 60-day period is in recognition of, and in compliance with the Sanitary and Phytosanitary Measures (SPS) Agreement. The SPS agreement procedures recommends that when a measure that may affect trade is proposed by a country, at least 60 days should be allowed for comments from trading partners before a measure comes into force.

The department used a multi-faceted engagement approach, including:

- targeted and voluntary engagement
- forums
- workshops
- information sessions
- industry notifications
- media releases
- industry eLearning
- fact sheets.

On 23 February 2016, the department hosted a Biosecurity Legislation Forum in Canberra targeting peak industry bodies. The forum facilitated two-way communication and feedback and provided industry groups with the opportunity for roundtable discussions about the new legislation. In addition, participants were also invited to provide feedback on content they believed would be most useful for their members at regional Biosecurity Legislation Industry roadshow forums to be held around Australia prior to commencement. The forum was attended by approximately 30 representatives from a range of peak industry bodies including shipping, ports, petroleum, airlines, airports, freight, cargo, science, food and beverage, and animal health.

The Biosecurity Legislation Industry roadshow travelled to eight major city regions in Australia between 14 March and 6 April 2016. Each session provided participants with an overview of the new legislation and explained how the Biosecurity Act and the delegated legislation may affect industry in different regions. The sessions were attended by approximately 700 representatives overall from shipping, ports, petroleum, airlines, airports, freight, cargo, research, education, science, plant and animal health and state, territory and federal governments. Invitations were sent via the department's subscription lists and also to members of consultative committees encouraging them to share with their members.

During 2015–16 the department also held meetings and workshops with state/territory governments, other government agencies (including the Department of Health, Department of Defence and the Department of Immigration and Border Protection), as well as with consultative committees, and environmental groups. Letters were sent to government agencies that the department had not already directly engaged with to advise that draft regulations had been released for public comment and to encourage them to make a submission. Regular biosecurity legislation update notifications were distributed to subscribers across five of the department's subscription lists. International trading partners were also notified via the World Trade Organization Sanitary and Phytosanitary notification.

The department received 52 individual submissions in relation to the delegated legislation released for public consultation. Submissions were received from state governments, international governments, industry peak bodies, environmental bodies, agricultural producers, importers, freight companies, airlines and universities.

The consultation undertaken for the Regulation built upon extensive consultation on the Biosecurity Act which began in 2009. During the development process, the department consulted with industry representatives from the cargo, shipping, ports, supply chain and logistics, airline, airport, customs, environment, animal, plant, invasive species, primary production and petroleum/exploration sectors through working groups.

The Office of Best Practice Regulation (OBPR) was consulted in the preparation of the Regulatory Impact Statement (RIS) for the department's redesigned fees and charges cost recovery arrangements (ID: 17726) and for the Biosecurity Bill 2014 (ID: 16609). The OBPR advised on 31 March 2016 that a further RIS is not required for the regulations. The department consulted the Office of Parliamentary Counsel in the drafting of this Regulation.

Details of the Regulation are set out in the [Attachment](#).

The Regulation is a legislative instrument for the purpose of the *Legislation Act 2003*.

The Regulation is compatible with human rights and freedoms recognised or declared under section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*. A full statement of compatibility is set out in Attachment.

Details/ Operation

Details of the *Biosecurity Charges Imposition (Customs) Regulation 2016*

Part 1 – Preliminary

Section 1 – Name

This section provides that the name of the Regulation is the *Biosecurity Charges Imposition (Customs) Regulation 2016*.

Section 2 – Commencement

This section provides for the Regulation to commence at the same time as when section 3 of the *Biosecurity Act 2015* commences. Section 3 of the *Biosecurity Act 2015* commences on 16 June 2016.

Section 3 – Authority

This section provides that the Regulation is made under the *Biosecurity Charges Imposition (Customs) Act 2015*.

Section 4 – Application of this instrument to Norfolk Island

This section provides that this instrument applies on and after 1 July 2016 in relation to biosecurity matters in relation to goods that are, or are intended to be brought or imported into Norfolk Island and conveyances that enter Norfolk Island.

Section 5 – Simplified outline of this instrument

This section sets out the simplified outline of the Regulation. It provides that the Regulation prescribes the charges in relation to certain matters connected with the administration of the *Biosecurity Act 2015* and exemptions from the prescribed charges. It also provides that a prescribed charge is imposed as a tax that is a duty of customs within the meaning of section 55 of the Constitution. It clarifies that to the extent that the charge is neither a duty of customs nor excise, it is prescribed by the *Biosecurity Charges Imposition (General) Regulation 2016*.

Section 6 – Definitions

This section provides the definitions used in the Regulation.

Act

This definition provides that references to ‘Act’ means the *Biosecurity Charges Imposition (Customs) Act 2015*.

aircraft

This definition provides that ‘aircraft’ has the same meaning as in the *Biosecurity Act 2015*.

approved arrangement

This definition provides that ‘approved arrangement’ has the same meaning as in the *Biosecurity Act 2015*.

Australian territory

This definition provides that ‘Australian territory’ has the same meaning as in the *Biosecurity Act 2015*.

baggage

This definition provides that ‘baggage’ has the same meaning as in the *Biosecurity Act 2015*.

biosecurity activities

See section 7 for the meaning of ‘biosecurity activities’.

biosecurity matter

This definition provides that ‘biosecurity matter’ means a matter connected with the administration of the *Biosecurity Act 2015*.

Christmas Island

This definition provides that ‘Christmas Island’ means the Territory of Christmas Island, which is an external territory to which this Regulation applies (see section 4 of the *Biosecurity Charges Imposition (Customs) Act 2015*).

However, an exemption is provided for charges payable in relation to biosecurity matters carried out in, or in relation to goods, conveyances or other things brought or imported into Christmas Island (see section 10).

Cocos (Keeling) Islands

This definition provides that ‘Cocos (Keeling) Islands’ means the Territory of Cocos (Keeling) Islands, which is an external territory to which this Regulation applies (see section 4 of the *Biosecurity Charges Imposition (Customs) Act 2015*).

However, an exemption is provided for charges payable in relation to biosecurity matters carried out in, or in relation to goods, conveyances or other things brought or imported into Cocos (Keeling) Islands (see section 10).

consignee

This definition provides that ‘consignee’ in relation to goods brought into Australian territory from outside Australian territory means the person who is the ultimate recipient of the goods, whether or not the person ordered or paid for the goods.

The term ‘consignee’ is used in relation to the term ‘consignment’ (see section 8).

consignment

This clarifies that ‘consignment’ has a meaning affected by section 8.

Director of Biosecurity

This definition provides that ‘Director of Biosecurity’ has the same meaning as in the *Biosecurity Act 2015*.

disability assistance dog

This definition provides that ‘disability assistance dog’ means a dog that has been professionally trained to assist a person with a disability and is accompanying a person with such a disability. It also provides that the person with disability who is accompanied by a disability assistance dog must have a certificate from a medical specialist practitioner in a specialty relevant to the disability, stating that the person required the assistance of such a dog.

goods

This definition provides that ‘goods’ has the same meaning as in the *Biosecurity Act 2015*.

husbandry services

This definition provides that ‘husbandry services’ in relation to an animal, eggs or a plant that is in a post-entry quarantine facility means activities relating to the care and maintenance of the animal, eggs or plant. For example, these may include transport, housing, daily monitoring, feeding, cleaning of facilities and administration of medication.

import declaration

This definition provides that ‘import declaration’ has the same meaning as in the *Customs Act 1901*.

port

This definition provides that ‘port’ has the same meaning as in the *Biosecurity Act 2015*.

post-entry quarantine facility

This definition provides that ‘post-entry quarantine facility’ has the same meaning as in the *Biosecurity Regulation 2016*.

protected zone

This definition provides that ‘protected zone’ has the same meaning as in the *Biosecurity Act 2015*.

protected zone vessel

This definition provides that ‘protected zone vessel’ has the same meaning as in the *Biosecurity Act 2015*.

Torres Strait permanent biosecurity monitoring zone

This definition provides that ‘Torres Strait permanent biosecurity monitoring zone’ has the same meaning as in the *Biosecurity Regulation 2016*.

vessel

This definition provides that ‘vessel’ has the same meaning as in the *Biosecurity Act 2015*.

Section 7 – Meaning of biosecurity activities

This section provides that ‘biosecurity activities’ means activities to manage biosecurity risks associated with specified goods, premises or other things. It also clarifies that ‘biosecurity activities’ in relation to an animal, eggs or a plant does not include husbandry services in relation to the animal, eggs or plant.

Section 8 – Meaning of consignment

This section provides that under the Regulation, one or more animals or eggs are not a consignment unless they are all consigned by the same person to the same consignee and they all arrive at a post-entry quarantine facility on the same day. It also clarifies that a single animal or egg may constitute a consignment of animals or eggs.

Part 2 – Charges

Section 9 – Charges for biosecurity matters

This section sets out the charges payable in relation to certain matters connected with the administration of the Biosecurity Act. The table lists the charge prescribed in relation to a biosecurity matter in column 1 and the corresponding amount set out or calculated for the charge in column 2. The table includes charges:

- for risk profiling, surveillance, monitoring compliance and administration of other biosecurity matters in relation to goods that are the subject of an import declaration and that have been brought into Australia on an aircraft or vessel (items 1 and 2);
- in relation to an application for a permit under section 177 of the Biosecurity Act authorising goods to be brought or imported into Australian territory (item 3);
- for the administration and management of biosecurity activities in relation to an animal, a consignment of bees or a plant or plants in a post-entry quarantine facility (items 4,5, 6 and 11);
- for the reservation of a place in a post-entry quarantine facility for either a consignment of live birds or birds' eggs for hatching, and administration and management of biosecurity activities in relation to the consignment (items 7 and 9);
- for confirmation of a reservation of a place in a post-entry quarantine facility for either a consignment of live birds or birds' eggs for hatching, and administration and management of biosecurity activities in relation to the consignments (items 8 and 10);
- in relation to an application for approval of a proposed arrangement under section 405 of the Biosecurity Act (item 12);
- for the development of a proposed arrangement that is approved under section 406 of the Biosecurity Act and management of the approved arrangement (item 13);
- for risk profiling, surveillance, monitoring compliance and administration of other biosecurity matters in relation to the first mooring of a vessel at a port in Australian territory after the vessel enters Australian territory (item 14).

The amount of the charges prescribed in this section are set at a level that is designed to recover no more than the Commonwealth's likely costs in connection with the matter. This section carries over the same charges prescribed in the *Quarantine Charges (Imposition–Customs) Regulation 2014* and aligns the terminology with those used in the Biosecurity Act, for example, by changing 'quarantine matter' to 'biosecurity matter', and 'Director of Quarantine' to 'Director of Biosecurity'. There are no changes made to the amount of charges or types of services the charges relate to, other than to reflect that approved arrangements under the Biosecurity Act replace both the quarantine approved premises and compliance agreement under the *Quarantine Act 1908*.

The note to this section makes clear that a person may be exempt from liability to pay the charge prescribed by item 12 or 13 in the table of this section, in accordance with section 10.

Section 10 – Exemptions from charges

This section provides for the exemptions to pay a charge prescribed by section 9 in relation to a biosecurity matter.

Paragraphs 10(1)(a), (b) and (c) provide that a charge in relation to a biosecurity matter will not be payable if it relates to goods brought or imported into Australian territory for either:

- the official use of a diplomatic mission in Australian territory
- the personal use of a diplomatic agent of the mission
- the personal use of a member of the diplomatic agent's family if the person forms part of the diplomatic agent's household and is not an Australian citizen
- the personal use of a member of the administrative or technical staff of a diplomatic mission at the time of first placement, if the staff member is neither an Australian citizen nor permanently resident in Australia
- the personal use of a member of the staff member's family at the time of first placement, if the person forms part of the staff member's household and is neither an Australian citizen nor permanently resident in Australia.

Paragraphs 10(1)(a) to (c) are modelled on the exemptions provided in Article 36 and items 1 and 2 of Article 37 of the Vienna Convention on Diplomatic Relations, which are given force of law by section 7 of the *Diplomatic Privileges and Immunities Act 1967*.

Paragraph 10(1)(d) provides that conveyances or equipment used by the defence force of a foreign country that is engaged in a combined military activity will be exempt from charges if the Australian Defence Force has informed the Director of Biosecurity of the operation. This confirms that the Australian Defence Force must notify the Director of Biosecurity of the joint military operation for the exemption to apply

In addition, paragraphs 10(1)(e), (f) and (g) provide that the following will also be exempt from charges:

- the importation or bringing into Australian territory of a disability assistance dog
- the examination of baggage that is brought or imported into Australian territory on the same aircraft or vessel as the owner of or the person who brought or imported the baggage
- the screening or inspection of mail that arrives in Australian territory.

Paragraph 10(1)(e) exempts the charges ordinarily payable in relation to the importation of or bringing dogs into Australian territory, so that persons with disabilities who require the assistance of a disability assistance dog are not charged for services provided in relation to that dog at the time of its importation. The exemption is provided in recognition of the fact that disability assistance dogs enable persons with disabilities to travel and function independently. The exemption is designed to reduce the expense associated with the importation of disability assistance dogs by persons requiring their assistance but it is not intended to reduce the integrity of biosecurity services provided in relation to those dogs.

Subsection 10(2) provides an exemption from charging for biosecurity matters in relation to goods that are, or are intended to be brought or imported into Norfolk Island, Christmas Island or Cocos (Keeling) Islands. These include biosecurity matters in relation to goods that are subject of an import permit, administration and management of biosecurity activities in relation to goods in a post-entry quarantine facility and reservation and confirmation of a reservation of a place in a post-entry quarantine facility for goods.

Subsection 10(2) also provides an exemption from biosecurity charges for conveyances in Norfolk Island, Christmas Island or Cocos (Keeling) Islands. Further exemptions are provided for biosecurity matters relating to an application for approval of a proposed arrangement and the development of a proposed arrangement under the Biosecurity Act, and the management of the approved arrangement, to carry out activities to manage biosecurity risks associated with goods, premises or other things in Norfolk Island, Christmas Island or Cocos (Keeling) Islands.

This reflects the government's policy to exempt charges for biosecurity matters carried out in, or in relation to goods, conveyances or other things brought or imported into Norfolk Island, Christmas Island or the Cocos (Keeling) Islands. The note clarifies that these exemptions will apply in relation to Norfolk Island from 1 July 2016 onwards (section 4 provides for the application of this instrument to Norfolk Island).

Subsection 10(3) exempts the charge in relation to an application for a permit under section 177 of the Biosecurity Act to bring in goods covered by items 9 to 11 of the table in section 5 of the *Biosecurity (Movements between Parts of Australian Territory) Declaration 2016*. This includes the movement of goods from the Protected Zone to the Torres Strait permanent biosecurity monitoring zone, and from either the Protected Zone or the Torres Strait permanent biosecurity monitoring zone to another part of Australian territory. Permits are required for some goods undertaking these movements to enable the management of unique biosecurity risks in the Torres Strait. It is the department's policy that the charges in relation to these permit applications be exempted because charges are not generally imposed in relation to the movement of goods within Australian territory.

Subsection 10(4) exempts the charge in relation to the first mooring of a vessel at a port in Australian territory after having undertaken a movement covered by item 10 or 11 of the table in section 5 of the *Biosecurity (Movements between Parts of Australian Territory) Declaration 2016*. This includes the movements of vessels from either the Protected Zone or the Torres Strait permanent biosecurity monitoring zone to another part of Australian territory. Charges in relation to mooring of these vessels is exempted because charges are not generally imposed in relation to the movement of vessels within Australian territory.

Subsection 10(5) exempts the charge in relation to the first mooring of a protected zone vessel. These protected zone vessels are exempt from charges in order to facilitate free movement of traditional inhabitants within the Protected Zone in line with the *Torres Strait Treaty*.

Subsection 10(6) provides that a person is not liable to pay the charge prescribed by item 12 of the table in section 9 of this Regulation, in relation to an application for approval of a proposed arrangement under section 405 of the Biosecurity Act, if the person is either covered by an approved arrangement or a party to a compliance agreement in force under section 35A of the *Imported Food Control Act 1992*.

Subsection 10(7) also provides that a person is not liable to pay the charge prescribed by item 13 of the table in section 9 for a financial year, or a part of a financial year, in relation to an approved arrangement if the person has paid any of the following:

- the charge prescribed by item 13 of the table in section 9 of this Regulation for that financial year, or that part of the financial, in relation to another approved arrangement

- the charge prescribed by item 13 of the table in section 9 of the *Biosecurity Charges Imposition (General) Regulation 2016* for that financial year, or that part of the financial year, in relation to another approved arrangement
- the charge prescribed by item 2 of the table in section 6 of the *Imported Food Charges (Imposition–Customs) Regulation 2015* for that financial year or that part of the financial year
- the charge prescribed by item 2 of the table in section 6 of the *Imported Food Charges (Imposition–General) Regulation 2015* for that financial year or that part of the financial year.

The exemptions in subsections 10(6) and (7) are in recognition that the cost to the department to develop and manage approved arrangements is at the entity level rather than in relation to each approval. In circumstances where a person is already covered by an approved arrangement or is a party to a compliance agreement under the *Imported Food Control Act 1992*, the department does not incur additional costs when considering subsequent applications from that person for another proposed arrangement under the Biosecurity Act or to enter into a compliance agreement under the *Imported Food Control Act 1992*.

This section carries over the same exemptions provided in the *Quarantine Charges (Imposition–Customs) Regulation 2014*. Exemptions from liability to pay charges provide that charges are only imposed when it is appropriate to do so.

Statement of Compatibility with Human Rights

Prepared in accordance with Part 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*

Quarantine Charges Imposition (Customs) Regulation 2016

This Legislative Instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

Overview of the Legislative Instrument

This Legislative Instrument prescribes the amount of charges in relation to certain matters connected with the administration of the *Biosecurity Act 2015* and exemptions that may apply in relation to those charges. It replicates and replaces the same charges imposed under the *Quarantine Charges (Imposition–Customs) Regulation 2014*, to support the framework transition for charges imposed under the *Quarantine Charges (Imposition–Customs) Act 2014* to the *Biosecurity Charges Imposition (Customs) Act 2015*.

Human rights implications

This Legislative Instrument does not engage any of the applicable rights or freedoms.

Conclusion

This Legislative Instrument is compatible with human rights as it does not raise any human rights issues.

The Hon. Barnaby Joyce MP
Deputy Prime Minister and Minister for Agriculture and Water Resources