

EXPLANATORY STATEMENT

Biosecurity Act 2015

Biosecurity (Ship Sanitation Certification Scheme - Ports) Declaration 2016

The *Biosecurity Act 2015* (the Act) provides the primary legislative means and a regulatory framework for the Australian Government to manage the risk of pests and diseases from entering Australian territory and causing harm to animal, plant and human health, the environment and the economy. The Act manages biosecurity risks – including the risk of listed human diseases – entering Australian territory, or emerging, establishing themselves, or spreading in Australian territory or a part of Australian territory.

Section 256(1) of the Act specifies that the Director of Human Biosecurity may declare ports at which vessels can be inspected for the purposes of the ship sanitation certification scheme.

The purpose of the instrument is to declare ports at which vessels can be inspected for the purposes of the ship sanitation certification scheme.

The legislative instrument refers to the *Biosecurity (Human Health) Regulation 2016*. This Regulation is available on the Federal Register of Legislation.

The Act specifies that the Director of Human Biosecurity must consult with the Director of Biosecurity, being the Secretary of the Department of Agriculture and Water Resources, before the power to make the instrument may be exercised. During the development of the instrument, the Department of Health consulted the Director of Biosecurity, the Department of Agriculture and Water Resources, as well as the Office of Parliamentary Counsel, and State and Territory health departments.

This instrument commences at the same time as Section 3 of the Act; that is 16 June 2016.

This instrument is a legislative instrument for the purposes of the *Legislation Act 2003*.

Authority: Section 256 of the *Biosecurity Act 2015*

Details of the *Biosecurity (Ship Sanitation Certification Scheme - Ports) Declaration 2016*

1 Name of Determination

Section 1 states that the name of the legislative instrument is *Biosecurity (Ship Sanitation Certification Scheme - Ports) Declaration 2016*

2 Commencement

Section 2 provides that this legislative instrument commences at the same time as Section 3 of the *Biosecurity Act 2015* (the Act). Section 3 of the Act will commence on 16 June 2016.

3 Authority

Section 3 specifies that this instrument is made under the Act.

4 Definitions

Section 4 sets out defined terms used in the legislative instrument. It also notes that a term used in the instrument is defined in the *Biosecurity (Human Health) Regulation 2016*.

5 Ports at which vessels may be inspected for the purposes of the ship sanitation certification scheme

Section 5 lists ports that are declared ports at which vessels may be inspected and issued certification under the ship sanitation certification scheme.