

EXPLANATORY STATEMENT

Biosecurity Act 2015

Biosecurity (Listed Human Diseases) Determination 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 42(2) of the Act specifies that the Director of Human Biosecurity may determine, in writing, human diseases to be classed as listed human diseases that are communicable and cause significant harm to human health.

The purpose of the instrument is to set human diseases as listed human diseases, allowing biosecurity measures to be imposed if applicable.

The Act specifies at section 42(2) that the Director of Human Biosecurity must consult with the Director of Biosecurity, being the Secretary of the Department of Agriculture, and chief health officers for each State and Territory 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; State and Territory health departments, including all chief health officers; and communicable disease experts.

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 42 of the *Biosecurity Act 2015*

Details of the *Biosecurity (Listed Human Diseases) Determination 2016*

1 Name of Determination

Section 1 states that the name of the legislative instrument is *Biosecurity (Listed Human Diseases) Determination 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 Listed human diseases

Section 4 lists human diseases that are classified as listed human diseases. These diseases may require certain biosecurity measures be implemented to manage risks to human health. The diseases are:

- human influenza with pandemic potential;
- Middle East respiratory syndrome;
- plague;
- severe acute respiratory syndrome;
- smallpox;
- viral haemorrhagic fevers; and
- yellow fever.