



# **Biosecurity Legislation (Prohibited and Conditionally Non-prohibited Goods) Amendment (Alternative Conditions—Cut Flowers) Determination 2018**

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We, Daryl Quinlivan, Director of Biosecurity, and Professor Brendan Murphy, Director of Human Biosecurity, make the following determination.

Dated 22 February 2018

Daryl Quinlivan  
Director of Biosecurity

Brendan Murphy  
Director of Human Biosecurity

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## 1 Name

This instrument is the *Biosecurity Legislation (Prohibited and Conditionally Non-prohibited Goods) Amendment (Alternative Conditions—Cut Flowers) Determination 2018*.

## 2 Commencement

- (1) Each provision of this instrument 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. The whole of this instrument	Immediately after the commencement of Schedule 2 to the <i>Biosecurity Legislation (Prohibited and Conditionally Non-prohibited Goods) Amendment (Alternative Conditions) Determination 2017</i> .	1 March 2018

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

## 3 Authority

This instrument is made under subsection 174(1) of the *Biosecurity Act 2015*.

## 4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

## Schedule 1—Amendments

### *Biosecurity (Prohibited and Conditionally Non-prohibited Goods—Christmas Island) Determination 2016*

#### 1 Subsection 5(1)

Insert:

***listed fresh cut flowers or foliage (Christmas Island and Cocos (Keeling) Islands)*** means fresh cut flowers or foliage (or a part of a flower or foliage) of a species that is listed in the List of Species of Fresh Cut Flowers and Foliage with Alternative Conditions for Import (Christmas Island and Cocos (Keeling) Islands) prepared by the Director of Biosecurity and published on the Agriculture Department’s website, as existing on 1 March 2018.

Note: Flowers or foliage (or a part of a flower or foliage) of a particular species are listed in the List of Species of Fresh Cut Flowers and Foliage with Alternative Conditions for Import (Christmas Island and Cocos (Keeling) Islands) if the Director of Biosecurity is satisfied that the level of biosecurity risk associated with fresh cut flowers or foliage (or a part of a flower or foliage) of that species can be managed to an acceptable level.

#### 2 Subsection 5(1) (definition of *listed fresh cut flowers or foliage (external Territories)*)

Repeal the definition.

#### 3 Section 20 (table)

Repeal the table, substitute:

<b>Alternative conditions—fresh cut flowers and foliage for decorative purposes</b>		
<b>Item</b>	<b>Column 1 Goods</b>	<b>Column 2 Alternative conditions</b>
1	Fresh cut flowers and foliage	The goods: (a) are brought or imported from a part of Australian territory; or (b) are listed fresh cut flowers or foliage (Christmas Island and Cocos (Keeling) Islands), and: (i) are accompanied by evidence stating the botanical name (including genus and species) of the goods; or (ii) are in a quantity of not more than 6 small boxes, bouquets or equivalent, are for personal use, and are brought in as baggage
2	<i>Lilium</i> spp. cut flowers	The goods: (a) were grown and produced in Taiwan; and (b) are commercial hybrid varieties and are free from stem bulbils; and (c) are accompanied by: (i) a phytosanitary certificate stating the matters specified in paragraphs (a) and (b); and (ii) evidence stating the botanical name (including genus and species) of the goods

***Biosecurity (Prohibited and Conditionally Non-prohibited Goods—  
Cocos (Keeling) Islands) Determination 2016***

**4 Subsection 5(1)**

Insert:

***listed fresh cut flowers or foliage (Christmas Island and Cocos (Keeling) Islands)*** means fresh cut flowers or foliage (or a part of a flower or foliage) of a species that is listed in the List of Species of Fresh Cut Flowers and Foliage with Alternative Conditions for Import (Christmas Island and Cocos (Keeling) Islands) prepared by the Director of Biosecurity and published on the Agriculture Department's website, as existing on 1 March 2018.

Note: Flowers or foliage (or a part of a flower or foliage) of a particular species are listed in the List of Species of Fresh Cut Flowers and Foliage with Alternative Conditions for Import (Christmas Island and Cocos (Keeling) Islands) if the Director of Biosecurity is satisfied that the level of biosecurity risk associated with fresh cut flowers or foliage (or a part of a flower or foliage) of that species can be managed to an acceptable level.

**5 Subsection 5(1) (definition of *listed fresh cut flowers or foliage (external Territories)*)**

Repeal the definition.

**6 Section 21 (table)**

Repeal the table, substitute:

**Alternative conditions—fresh cut flowers and foliage for decorative purposes**

<b>Item</b>	<b>Column 1 Goods</b>	<b>Column 2 Alternative conditions</b>
1	Fresh cut flowers and foliage	The goods: (a) are brought or imported from a part of Australian territory; or (b) are listed fresh cut flowers or foliage (Christmas Island and Cocos (Keeling) Islands), and: (i) are accompanied by evidence stating the botanical name (including genus and species) of the goods; or (ii) are in a quantity of not more than 6 small boxes, bouquets or equivalent, are for personal use, and are brought in as baggage
2	<i>Lilium</i> spp. cut flowers	The goods: (a) were grown and produced in Taiwan; and (b) are commercial hybrid varieties and are free from stem bulbils; and (c) are accompanied by: (i) a phytosanitary certificate stating the matters specified in paragraphs (a) and (b); and (ii) evidence stating the botanical name (including genus and species) of the goods

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Norfolk Island) Determination 2016***

**7 Subsection 5(1) (definition of *listed fresh cut flowers or foliage* (external Territories))**

Repeal the definition.

**8 Subsection 5(1)**

Insert:

***listed fresh cut flowers or foliage (Norfolk Island)*** means fresh cut flowers or foliage (or a part of a flower or foliage) of a species that is listed in the List of Species of Fresh Cut Flowers and Foliage with Alternative Conditions for Import (Norfolk Island) prepared by the Director of Biosecurity and published on the Agriculture Department's website, as existing on 1 March 2018.

Note: Flowers or foliage (or a part of a flower or foliage) of a particular species are listed in the List of Species of Fresh Cut Flowers and Foliage with Alternative Conditions for Import (Norfolk Island) if the Director of Biosecurity is satisfied that the level of biosecurity risk associated with fresh cut flowers or foliage (or a part of a flower or foliage) of that species can be managed to an acceptable level.

**9 Section 20A (table item 1, column 2, paragraph (b))**

Omit "(external Territories)", substitute "(Norfolk Island)".