



# **Biosecurity (Prohibited and Conditionally Non-prohibited Goods) Amendment (Biosecurity Preparedness Plans) Determination 2019**

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

Dated 3 December 2019

Daryl Quinlivan  
Director of Biosecurity

Brendan Murphy  
Director of Human Biosecurity

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## 1 Name

This instrument is the *Biosecurity (Prohibited and Conditionally Non-prohibited Goods) Amendment (Biosecurity Preparedness Plans) Determination 2019*.

## 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	1 January 2020.	1 January 2020

Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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) Determination 2016*

#### 1 Section 5

Insert:

*import declaration* has the same meaning as in the *Customs Act 1901*.

*List of Biosecurity Preparedness Plans* means the List with that name prepared by the Director of Biosecurity and published on the Agriculture Department's website, as existing from time to time.

#### 2 After section 11

Insert:

##### 11A Biosecurity preparedness plans

Goods that are included in a class of goods to which this Division applies, and that are the subject of an import declaration, must not be brought or imported into Australian territory unless, at the time the declaration is made, a plan to manage the biosecurity risks associated with bringing or importing goods of that class (or goods including goods of that class) into Australian territory is:

- (a) listed in the List of Biosecurity Preparedness Plans; and
- (b) ordinarily accessible through the Agriculture Department's website.

#### 3 Before section 38

Insert:

##### 37A Biosecurity preparedness plans

Goods that are included in a class of goods to which a section of this Division applies, and that are the subject of an import declaration, must not be brought or imported into Australian territory unless, at the time the declaration is made, a plan to manage the biosecurity risks associated with bringing or importing goods of that class (or goods including goods of that class) into Australian territory is:

- (a) listed in the List of Biosecurity Preparedness Plans; and
- (b) ordinarily accessible through the Agriculture Department's website.

#### 4 Before section 48A

Insert:

##### 48AA Biosecurity preparedness plans

- (1) Goods that are included in a class of goods to which a section of this Division applies, and that are the subject of an import declaration, must not be brought or imported into Australian territory unless, at the time the declaration is made, a plan to manage the biosecurity risks associated with bringing or importing goods of that class (or goods including goods of that class) into Australian territory is:

- 
- (a) listed in the List of Biosecurity Preparedness Plans; and
  - (b) ordinarily accessible through the Agriculture Department's website.
- (2) The condition in subsection (1), and the conditions in section 48A, are in addition to any conditions that must be complied with under Division 1 or 2.

### **5 Subsection 48A(3)**

Repeal the subsection.

### **6 At the end of Division 2A of Part 2**

Add:

#### **48B Other goods that may carry hitchhiker pests**

- (1) For the purposes of section 48AA, this section applies to the class of goods that are listed in the List of Goods That May Carry Hitchhiker Pests prepared by the Director of Biosecurity and published on the Agriculture Department's website, as existing from time to time.
- (2) However, the class of goods to which this section applies does not include goods that consist of corrosive or toxic chemicals (or chemicals that are both corrosive and toxic), natural gas or petroleum products if the goods are brought or imported into Australian territory in liquid form, in a bulk vessel and not contained in packaging or other material.

### **7 At the end of the instrument**

Add:

## **Part 3—Application, saving and transitional provisions**

### **50 Amendments made by the *Biosecurity (Prohibited and Conditionally Non-prohibited Goods) Amendment (Biosecurity Preparedness Plans) Determination 2019***

The amendments of this instrument made by Schedule 1 to the *Biosecurity (Prohibited and Conditionally Non-prohibited Goods) Amendment (Biosecurity Preparedness Plans) Determination 2019* apply in relation to goods that are the subject of an import declaration made on or after 1 January 2020.