

Customs (Prohibited Exports) Amendment (COVID‑19 Human Biosecurity Emergency) Regulations 2020

I, General the Honourable David Hurley AC DSC (Retd), Governor‑General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 29 March 2020

David Hurley

Governor‑General

By His Excellency’s Command

Peter Dutton

Minister for Home Affairs

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1 Name

 This instrument is the *Customs (Prohibited Exports) Amendment (COVID-19 Human Biosecurity Emergency) Regulations 2020*.

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 | The day after this instrument is registered. | 30 March 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Note: This table relates only to the provisions of this instrument as originally made.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 the *Customs Act 1901.*

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 Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Customs (Prohibited Exports) Regulations 1958

1 Subregulation 2(1)

Insert:

***ABN*** has the same meaning as in the *A New Tax System (Australian Business Number) Act 1999*.

2 At the end of Part 3

Add:

Division 7—Exportation of goods during COVID‑19 human biosecurity emergency period

13GI Exportation of goods during COVID‑19 human biosecurity emergency period

When this regulation applies

 (1) This regulation applies during a human biosecurity emergency period (within the meaning of the *Biosecurity Act 2015*) if the declaration listed human disease (within the meaning of that Act) in relation to the period is human coronavirus with pandemic potential.

Note 1: COVID‑19 is the name given by the World Health Organization to the disease.

Note 2: Severe acute respiratory syndrome coronavirus 2 (SARS‑CoV‑2) is the name given by the International Committee on Taxonomy of Viruses to the virus that causes the disease.

Goods

 (2) Subject to regulation 13GJ, the exportation from Australia of the following goods is prohibited:

 (a) any of the following equipment that, when worn, is capable of limiting the transmission of organisms to humans:

 (i) disposable face masks;

 (ii) disposable gloves;

 (iii) disposable gowns;

 (iv) goggles, glasses or eye visors;

 (b) any of the following disinfectant products:

 (i) alcohol wipes;

 (ii) hand sanitizer;

 (c) goods included in a determination under subregulation (3).

 (3) The Minister may, by legislative instrument, determine goods for the purposes of paragraph (2)(c).

13GJ Exportation of goods during COVID‑19 human biosecurity emergency period—exceptions

Non‑commercial

 (1) Regulation 13GI does not apply to the exportation of goods on a ship or aircraft by a person if:

 (a) the person is:

 (i) a passenger on board the ship or aircraft; or

 (ii) a member of the crew of the ship or aircraft; and

 (b) the goods are:

 (i) accompanied personal or household effects of the person; and

 (ii) for the personal use of the person.

 (2) Regulation 13GI does not apply to the exportation of goods by a person if:

 (a) the intended recipient of the goods is a relative of the person; and

 (b) the goods are for the personal use of the relative; and

 (c) the exportation is not by post.

 (3) Regulation 13GI does not apply to the exportation of goods by a person if:

 (a) the person is a humanitarian organisation or agency; and

 (b) the exportation is not for commercial purposes; and

 (c) the exportation is not by post.

Commercial

 (4) Regulation 13GI does not apply to the exportation of goods by a person if:

 (a) the person manufactured the goods; and

 (b) the exportation is not by post.

 (5) Regulation 13GI does not apply to the exportation of goods of a particular type by a person if:

 (a) the person exports the goods in the ordinary course of the person’s business; and

 (b) the person is registered under the GST Act and has an ABN; and

 (c) the exportation is not by post.