



Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Emergency Requirements for Remote Communities) Amendment (No. 3) Determination 2020

I, Greg Hunt, Minister for Health, make the following determination.

Dated 23 May 2020

Greg Hunt
Minister for Health

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1 Name

This instrument is the *Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Emergency Requirements for Remote Communities) Amendment (No. 3) Determination 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. Sections 1 to 4 and anything in this instrument not elsewhere covered by this table	The day after this instrument is registered.	24 May 2020
2. Schedule 1	The day after this instrument is registered.	24 May 2020
3. Schedule 2	5 June 2020.	5 June 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Note: This table relates only to the provisions of this instrument as originally made.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 477(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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 commencing day after registration

Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Emergency Requirements for Remote Communities) Determination 2020

1 Subsection 4(1)

Insert:

cruise ship means a vessel that:

- (a) has sleeping facilities for 100 or more passengers; and
- (b) is usually used to provide a service of sea transportation, being a service that:
 - (i) is provided in return for a fee payable by persons using the service; and
 - (ii) is available to the general public.

2 Subsection 4(1) (at the end of the definition of *essential activity*)

Add:

- ; (l) doing any of the following things, in the area in a manner that is agreed with a human biosecurity officer so as to reduce as far as practicable the extent to which other persons in the area are exposed to the persons doing the things, in connection with an election for a member of a legislature whose electorate includes some or all of the area:
 - (i) enrolling voters;
 - (ii) canvassing votes;
 - (iii) putting up or taking down signs relating to the election;
 - (iv) providing facilities for voting;
 - (v) voting;
 - (vi) scrutinising votes.

3 Subparagraph 5(1)(ba)(v)

Omit “or biosecurity”, substitute “, biosecurity or requirements on the export of food or agricultural commodities”.

4 At the end of subsection 5(1)

Add:

- ; or (d) none of paragraphs (a) to (c), but all of the following, apply to the person entering the area:
 - (i) the person is entering the area on board a vessel, other than a cruise ship, as the person in charge of the vessel or a member of the crew of the vessel;
 - (ii) immediately before the entry, the person does not have any of the signs or symptoms of human coronavirus with pandemic potential;

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- (iii) in the 14 days immediately before the entry, the person has not been exposed, without adequate personal protective precautions, to human coronavirus with pandemic potential;
 - (iv) the person is not entering the area wholly or partly for the purpose of engaging in an activity in the area that is prohibited by or under an Australian law;
 - (v) the person's entry to the area is not prohibited by or under an Australian law (other than this section).

5 Paragraph 5(5)(c)

Repeal the paragraph, substitute:

- (c) either:
 - (i) the journey does not involve a person in the area (other than a person travelling with the entrant) being exposed to the entrant or a person travelling with the entrant; or
 - (ii) the journey is to or from a resources industry fixed structure (within the meaning of the *Sea Installations Act 1987*), or a resources industry mobile unit (within the meaning of that Act), that is outside the area, and exposure of a person (other than a person travelling with the entrant) in the area to the entrant is managed in a manner approved by a human biosecurity officer.

6 After section 6

Insert:

7 Persons entering designated areas on board vessels to stay on board

- (1) This section applies to a person who enters a designated area on board a vessel in reliance on paragraph 5(1)(d) (about crew of vessels other than cruise ships who are not covered by any of paragraphs 5(1)(a) to (c)).
- (2) While the vessel is in the designated area, the person must:
 - (a) remain on board the vessel unless:
 - (i) the person is escaping an immediate threat to the person's life; or
 - (ii) the person is removed from the vessel to be given urgent medical treatment; and
 - (b) take adequate precautions to reduce the risk of another person on board the vessel, who is neither the person in charge of the vessel nor a member of the crew of the vessel, being exposed to human coronavirus with pandemic potential.
- (3) If the person leaves the vessel while it is in the designated area, the person must take reasonable steps (having regard to the person's circumstances and reason for leaving the vessel) to minimise the extent to which anyone else in the area is exposed to the person.

7 Paragraph 3(1)(a) of Schedule 1

Repeal the paragraph.

8 Subclause 4(5) of Schedule 1

Omit “Portion 3701”, substitute “Portions 2641, 3629, 3701 and 4802”.

9 Subclause 4(6) of Schedule 1

Omit “2439, 3729 and 4472”, substitute “783, 1539, 1553, 1744, 1918, 1922, 2439, 3729, 3735, 4114, 4439, 4440, 4448 and 4472”.

10 After paragraph 4(7)(a) of Schedule 1

Insert:

- (aa) each area that:
 - (i) is surrounded by one or more of the NT Portions mentioned in paragraph (a); or
 - (ii) separates parts of one of the NT Portions mentioned in paragraph (a);and

Schedule 2—Amendments commencing 5 June 2020

Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Emergency Requirements for Remote Communities) Determination 2020

1 Subsection 4(1) (definition of *NT Land Rights Act*)

Repeal the definition.

2 Subsection 4(1) (paragraph (a) of the definition of *relevant decision-maker*)

Omit “, Territory”.

3 Subsection 4(2)

Omit “or Territory”.

4 Subparagraph 5(1)(ba)(ii)

Omit “or Territory”.

5 Clause 4 of Schedule 1

Repeal the clause.

6 Clause 1 of Schedule 2 (table items 4A to 18)

Repeal the items.