



# **Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Emergency Requirements—High Risk Country Travel Pause) Determination 2021**

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

Dated 30 April 2021

Greg Hunt  
Minister for Health and Aged Care

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## Part 1—Preliminary

### 1 Name

This instrument is the *Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Emergency Requirements—High Risk Country Travel Pause) Determination 2021*.

### 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	3 May 2021.	3 May 2021

Note: This table relates only to the provisions of this instrument as originally made.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 Definitions

Note: A number of expressions used in this instrument are defined in the Act, including the following:

- (a) Australian territory;
- (b) landing place;
- (c) passenger.

In this instrument:

*Act* means the *Biosecurity Act 2015*.

*Australian Defence Force* has the same meaning as in the *Defence Act 1903*.

*member* has the same meaning as in the *Defence Act 1903*.

*relevant international flight* means a flight:

- (a) that commences outside Australian territory and is intended to arrive at a landing place in Australian territory; and

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- (b) for which the scheduled departure time is at or after 12.01 am on 3 May 2021 in the place where the flight commences; and
- (c) that is not an Australian Government facilitated flight; and
- (d) that is not an emergency medical evacuation flight.

**5 Repeal**

This instrument is repealed at the start of 15 May 2021.

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## Part 2—Requirements

### 6 Requirement not to enter Australian territory

A person who is a passenger of an aircraft on a relevant international flight must not enter Australian territory at a landing place if the person had been in India within 14 days before the day the flight was scheduled to commence, unless an exemption set out in section 7 applies to the person.

Note: A person who fails to comply with a requirement that applies to the person under this instrument may commit an offence (see section 479 of the Act). For generally available defences to offences, see Part 2.3 of the *Criminal Code*.

### 7 Exemptions

An exemption from the requirement in section 6 applies to the following persons:

- (a) a member of the crew of an aircraft or vessel;
- (b) a worker associated with the safety or maintenance of an aircraft or vessel;
- (c) a person engaged in the day-to-day conduct of inbound and outbound freight;
- (d) a person (including a member of the Australian Defence Force) who is travelling on official government business on an Australian official or diplomatic passport;
- (e) a person who is an immediate family member of a person mentioned in paragraph (d);
- (f) a diplomatic, consular or other foreign official accredited to Australia;
- (g) a person:
  - (i) who is an immediate family member of a person mentioned in paragraph (f); and
  - (ii) who holds a Subclass 995 (Diplomatic (Temporary)) visa;
- (h) a member of an Australian Medical Assistance Team (AUSMAT).