



Biosecurity (Human Coronavirus with Pandemic Potential) Amendment (No. 2) Determination 2021

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

Dated 26 October 2021

Greg Hunt
Minister for Health and Aged Care

Contents

1	Name.....	1
2	Commencement	1
3	Authority.....	1
4	Schedules.....	1
	Schedule 1—Amendments	2
	<i>Biosecurity (Entry Requirements—Human Coronavirus with Pandemic Potential) Determination 2020</i>	2
	<i>Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Overseas Travel Ban Emergency Requirements) Determination 2020</i>	2

1 Name

This instrument is the *Biosecurity (Human Coronavirus with Pandemic Potential) Amendment (No. 2) 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	1 November 2021.	1 November 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Note: This table relates only to the provisions of this instrument as originally made.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 subsections 44(2) and 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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Biosecurity (Entry Requirements—Human Coronavirus with Pandemic Potential) Determination 2020

1 Section 4 (definition of Overseas Travel Ban Determination)

Omit “11 August”, substitute “1 November”.

Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Overseas Travel Ban Emergency Requirements) Determination 2020

2 Section 4

Insert:

accepted COVID-19 vaccine means a COVID-19 vaccine:

- (a) that is registered goods within the meaning of the *Therapeutic Goods Act 1989*; or
- (b) that is recognised by the Therapeutic Goods Administration.

3 Section 4

Repeal the following definitions:

- (a) definition of *Australian Border Force*;
- (b) definition of *Australian Border Force employee*.

4 Section 4

Insert:

Home Affairs employee means an APS employee in the Department administered by the Minister administering the *Australian Border Force Act 2015*.

Therapeutic Goods Administration means that part of the Department administered by the Health Secretary known as the Therapeutic Goods Administration.

5 At the end of section 6

Add:

Fully vaccinated persons

- (4) An exemption from the requirements of section 5 applies to a person if:
 - (a) the person has received a course of vaccinations with an accepted COVID-19 vaccine in accordance with a schedule for receiving that vaccine that is accepted by the Therapeutic Goods Administration; and
 - (b) the person received the last vaccination in the course of vaccinations at least 7 days before the day the flight or voyage of the outgoing aircraft or vessel commences; and

-
- (c) the person is carrying evidence of the matters mentioned in paragraphs (a) and (b); and
 - (d) the person shows the evidence mentioned in paragraph (c):
 - (i) to a Home Affairs employee if requested to do so by a Home Affairs employee; or
 - (ii) to a member of the staff of the operator of the aircraft or vessel if requested to do so by a member of the staff of the operator of the aircraft or vessel.

6 Subsection 7(1)

Omit “an Australian Border Force employee”, substitute “a Home Affairs employee”.

7 At the end of section 7

Add:

- (4) Subsection (3) does not apply to an exemption granted to a person who is less than 12 years old on the day the flight or voyage of the outgoing aircraft or vessel is scheduled to commence.
- (5) Subsection (3) does not apply to an exemption granted to a person if:
 - (a) under the *Australian Immunisation Register Act 2015*, relevant identifying information for the person is included in the Australian Immunisation Register because the person has a medical contraindication to COVID-19 vaccines; and
 - (b) the person is carrying evidence of the matter mentioned in paragraph (a); and
 - (c) the person shows the evidence mentioned in paragraph (b) to a Home Affairs employee if requested to do so by a Home Affairs employee.

Note: For paragraph (5)(a), see subparagraph 9(c)(ii) of the *Australian Immunisation Register Act 2015*.