



# **Biosecurity (Emergency Requirements—Remote Communities) Amendment (No. 2) Determination 2022**

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

Dated 17 February 2022

Greg Hunt  
Minister for Health and Aged Care

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## 1 Name

This instrument is the *Biosecurity (Emergency Requirements—Remote Communities) Amendment (No. 2) Determination 2022*.

## 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	Immediately after this instrument is registered.	3.02 pm (A.C.T) 17 February 2022
2. Schedule 1	Immediately after this instrument is registered.	3.02 pm (A.C.T) 17 February 2022
3. Schedule 2	18 February 2022.	18 February 2022

Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

### ***Biosecurity (Emergency Requirements—Remote Communities) Determination (No. 3) 2022***

#### **1 Section 8**

Omit “17 February”, substitute “3 March”.

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## **Schedule 2—Amendments commencing 18 February 2022**

### ***Biosecurity (Emergency Requirements—Remote Communities) Determination (No. 3) 2022***

#### **1 Section 4**

Insert:

*Aboriginal land* has the same meaning as in the *Aboriginal Land Rights (Northern Territory) Act 1976*.

*Aboriginal Land Act (NT)* means the *Aboriginal Land Act 1978* (NT) as in force on 18 February 2022.

#### **2 Section 4 (definition of *designated area*)**

Omit “a designated location or a designated zone, excluding so much of the designated location or designated zone”, substitute “a designated zone, excluding so much of the designated zone”.

#### **3 Section 4 (at the end of the definition of *designated area*)**

Add:

; or (e) within the boundaries of a national park.

#### **4 Section 4 (definition of *designated location*)**

Repeal the definition.

#### **5 Section 4 (definition of *freehold land*)**

Omit “, other than NT Portion 4069 (Laramba Community Incorporated)”.

#### **6 Section 4**

Insert:

*national park* means a national park established under a law of the Commonwealth or the Northern Territory.

#### **7 Section 4 (paragraph (d) of the definition of *permitted activity*)**

Repeal the paragraph, substitute:

(d) for a person who is employed, or engaged to provide services—attending the person’s workplace in the course of the person’s employment or engagement;

#### **8 Section 4 (paragraph (e) of the definition of *permitted activity*)**

Omit “who is engaged in an essential activity, and”.

#### **9 Section 4 (at the end of the definition of *permitted activity*)**

Add:

; (p) obtaining tertiary education for the person;

(q) visiting a national park.

**10 Paragraph 5(1)(d)**

Omit “1 or”.

**11 Subparagraph 5(1)(e)(v)**

Omit “(5) and (6)”, substitute “(4A), (5), (6), (6A) and (7)”.

**12 After subsection 5(4)**

Insert:

*Person permitted to enter Aboriginal land or use a road in the area*

(4A) This subsection applies to a person entering a designated area if:

- (a) under subsection 4(2) of the Aboriginal Land Act (NT), the person may enter onto Aboriginal land in the area; or
- (b) there is in force, under subsection 5(1) of the Aboriginal Land Act (NT), a permit issued to the person to enter onto and remain on Aboriginal land, or use a road, in the area.

**13 Subsection 5(6)**

Repeal the subsection, substitute:

*Person returning to premises in Gumurr Miwatj after travelling to Nhulunbuy for food, fuel or mail*

(6) This subsection applies to a person entering a designated area if:

- (a) the area is the designated zone described in clause 4 of Schedule 2 (the East Arnhem designated zone); and
- (b) the premises where the person resides is in the ward of Gumurr Miwatj; and
- (c) the person is entering the area to return to those premises; and
- (d) the person left the area to travel to Nhulunbuy in reliance on subsection 7(3) for the permitted activity of obtaining food, fuel or mail; and
- (e) while outside the area, the person took reasonable steps (having regard to the person’s circumstances) to minimise the extent to which anyone else was exposed to the person.

*Person returning to premises in Roper Gulf from permitted entry to Borroloola freehold land*

(6A) This subsection applies to a person entering a designated area if:

- (a) the area is the designated zone described in clause 5 of Schedule 2 (the Roper Gulf designated zone); and
- (b) the premises where the person resides is in the area; and
- (c) the person is entering the area to return to those premises; and
- (d) the person left the area in reliance on subsection 7(5) (permitted entry to Borroloola freehold land); and



- (e) while outside the area, the person took reasonable steps (having regard to the person's circumstances) to minimise the extent to which anyone else was exposed to the person.

#### **14 After paragraph 6(1)(f)**

Insert:

- (fa) subsection 5(4A) (about persons permitted to enter Aboriginal land or use a road in the area); or

#### **15 Paragraph 6(1)(h)**

Repeal the paragraph, substitute:

- (h) subsection 5(6) (about persons returning to premises in Gumurr Miwatj after travelling to Nhulunbuy for food, fuel or mail); or
- (i) subsection 5(6A) (about persons returning to premises in the Roper Gulf designated zone after leaving for permitted entry to Borroloola freehold land).

#### **16 Subparagraph 7(1)(f)(iv)**

Repeal the subparagraph, substitute:

- (iv) at least one of subsections (2), (3), (4) and (5) applies to the person.

#### **17 Paragraph 7(1)(g)**

Repeal the paragraph.

#### **18 Subsection 7(5)**

Repeal the subsection, substitute:

*Person leaving area for permitted entry to Borroloola freehold land*

- (5) This subsection applies to a person leaving the designated zone described in clause 5 of Schedule 2 (the Roper Gulf designated zone) if the person is leaving the area to enter freehold land in Borroloola with the permission of the owner of the freehold land.

#### **19 Schedule 1**

Repeal the Schedule.

#### **20 Part 1 of Schedule 2**

Repeal the Part.

#### **21 Part 2 of Schedule 2 (heading)**

Repeal the heading.

#### **22 Paragraph 4(d) of Schedule 2**

Omit "in the Schedule", substitute "in clause 1 of the Schedule".

#### **23 Part 3 of Schedule 2**

Repeal the Part.

**24 Clause 1 of Schedule 3 (table item 9)**

Repeal the item.

**25 Clause 1 of Schedule 3 (table item 10)**

Omit “described in Part 2 of Schedule 2 or a designated location within such a zone”.

**26 Clause 1 of Schedule 3 (table item 11)**

Repeal the item.