

Biosecurity (Human Health) Amendment (Information Management) Regulations 2023

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 25 May 2023

David Hurley

Governor‑General

By His Excellency’s Command

Mark Butler

Minister for Health and Aged Care

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1 Name

 This instrument is the *Biosecurity (Human Health) Amendment (Information Management) Regulations 2023*.

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 later of:(a) the day after this instrument is registered; and(b) the day on which Schedule 3 to the *Biosecurity Amendment (Strengthening Biosecurity) Act 2022* commences. | 6 June 2023(paragraph (a) applies) |

Note: This table relates only to the provisions of this instrument as originally made.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 *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 Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 (Human Health) Regulation 2016

1 Section 4 (paragraph (h) of the note)

Repeal the paragraph.

2 Section 20

Repeal the section, substitute:

20 Disclosure of information

 (1) A person may disclose information referred to in subsection (2) if:

 (a) the disclosure is in the course of or for the purposes of:

 (i) performing functions or duties, or exercising powers, under this Part; or

 (ii) assisting another person to perform functions or duties, or exercise powers, under this Part; and

 (b) the disclosure is to any of the following:

 (i) a Commonwealth body;

 (ii) a State or Territory body;

 (iii) a biosecurity industry participant;

 (iv) an overseas competent authority.

 (2) The information that may be disclosed under subsection (1) is as follows:

 (a) evidence of a sanitation health risk associated with a vessel found during a ship sanitation certification inspection of the vessel;

 (b) details of a ship sanitation certificate in force for a vessel;

 (c) details of a vessel for which a ship sanitation certificate is not in force;

 (d) any other information relating to the information referred to in paragraph (a), (b) or (c).

 (3) This section does not limit Division 3 of Part 2 of Chapter 11 of the Act.

3 At the end of the instrument

Add:

Part 6—Application, saving and transitional provisions

21 Amendments made by the *Biosecurity (Human Health) Amendment (Information Management) Regulations 2023*

 Section 20, as amended by the *Biosecurity (Human Health) Amendment (Information Management) Regulations 2023*, applies in relation to the disclosure of information on or after the commencement of this section, whether the information was obtained before, on or after that commencement.