



Biosecurity Amendment (Traveller Declarations and Other Measures) Act 2020

No. 99, 2020

**An Act to amend the *Biosecurity Act 2015*, and for
related purposes**

Note: An electronic version of this Act is available on the Federal Register of Legislation
(<https://www.legislation.gov.au/>)

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2 Commencement

- (1) Each provision of this Act 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 Act	1 January 2021.	1 January 2021

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendments

Biosecurity Act 2015

1 At the end of subsection 524(3)

Add “, including, but not limited to, prescribing different periods depending on the kind of goods or class of goods to which an alleged contravention relates”.

2 At the end of section 524

Add:

- (6) Regulations made for the purposes of paragraph (4)(c) may prescribe different numbers of penalty units for different kinds of contraventions of provisions mentioned in subsection 523(1), including, but not limited to, prescribing different numbers of penalty units depending on the kind of goods or class of goods to which an alleged contravention relates.

Regulations may apply Director of Biosecurity determination as in force from time to time

- (7) Despite subsection 14(2) of the *Legislation Act 2003*, regulations made for the purposes of paragraph (2)(b) or (4)(c) of this section may make provision in relation to a matter by applying, adopting or incorporating any matter contained in a determination made by the Director of Biosecurity under subsection 524A(1), as in force from time to time.

3 After section 524

Insert:

524A Director of Biosecurity may determine list of goods for purposes of infringement notices

- (1) The Director of Biosecurity may, in writing, determine a list of goods, or classes of goods, for the purposes of section 524.

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- (2) The Director of Biosecurity may list particular goods or a particular class of goods in a determination under subsection (1) only if the Director is reasonably satisfied that there is a high level of biosecurity risk associated with the goods or the class of goods.
- (3) A determination under subsection (1) must specify the period during which the determination is to be in force. The period must not be longer than 12 months.
- (4) A determination under subsection (1) is a legislative instrument, but section 42 (disallowance) of the *Legislation Act 2003* does not apply to the determination.

Note: For variation and revocation of a determination made under subsection (1), see subsection 33(3) of the *Acts Interpretation Act 1901*.

4 Subsection 542(3) (after table item 26)

Insert:

26AA To determine a list of goods or classes of goods Subsection 524A(1)

*[Minister's second reading speech made in—
House of Representatives on 17 June 2020
Senate on 7 October 2020]*

(88/20)

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