Quarantine Amendment
Proclamation 1999 (No. 3)

Quarantine Act 1908

I, WILLIAM PATRICK DEANE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make this Proclamation under sections 5, 12, 13 and 14 of the Quarantine Act 1908.

Signed and sealed with the Great Seal of Australia on 8th June 1999

Governor-General

By His Excellency's Command,

WARREN TRUSS
Minister for Agriculture, Fisheries and Forestry
Quarantine Amendment Proclamation 1999 (No. 3)

made under the

Quarantine Act 1908

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Schedule 1  Amendments  3
Section 1

1 Name of Proclamation
This Proclamation is the *Quarantine Amendment Proclamation 1999 (No. 3)*.

2 Commencement
This Proclamation commences on gazettel.

3 Amendment of *Quarantine Proclamation 1998*
Schedule 1 amends the *Quarantine Proclamation 1998*.
Schedule 1  Amendments
(section 3)

[1]  Section 3, before definition of Director of Quarantine

insert

customer ready product means a processed product
for which the risk that importation would lead to the
introduction, establishment or spread of a disease or
pest is acceptably low.

[2]  Section 22

omit

described

insert

mentioned

[3]  Subsection 28 (1), at the foot

insert

Note For the meaning of prohibited biological material, see the
definition of that term in s 27 and table 11.

[4]  Paragraph 28 (2) (a)

omit

38;

insert

29, 38, 39, 40, 41, 42, 43, 44 or 46;
Paragraph 28 (2) (d)

omit

ambergris).

insert

ambergris); or

After paragraph 28 (2) (d)

insert

(e) an article that:

(i) in its normal use, is generally meant for human therapeutic use; and

(ii) is imported by post into Australia by a person who intends to use it for their own personal therapeutic use; and

(iii) if imported, would not result in the quantity of the article imported (by post or otherwise) by the person during any 3 month period exceeding the quantity of 3 months’ supply for that use; and

(iv) is in a form that indicates it has been processed to prevent it being infected or contaminated by a quarantinable disease; and

(v) is not prohibited from being imported under Part 7.

Subsection 30 (1), note

substitute

Note For the meaning of prohibited biological material, see the definition of that term in s 27 and table 11.
[8] **Paragraph 30 (2) (a)**

*omit*

38;

*insert*

31, 48, 49, 50, 51, 52, 53 or 54;

[9] **Paragraph 30 (2) (d)**

*omit*

ambergris).

*insert*

ambergris); or

[10] **After paragraph 30 (2) (d)**

*insert*

(e) an article that:

(i) in its normal use, is generally meant for human therapeutic use; and

(ii) is imported by post into the Cocos Islands by a person who intends to use it for their own personal therapeutic use; and

(iii) if imported, would not result in the quantity of the article imported (by post or otherwise) by the person during any 3 month period exceeding the quantity of 3 months’ supply for that use; and

(iv) is in a form that indicates it has been processed to prevent it being infected or contaminated by a quarantinable disease; and

(v) is not prohibited from being imported under Part 7.
[11] **Section 33**

*substitute*

33 **Importation of articles likely to introduce pests or diseases**

(1) The importation into Australia of an article likely to introduce a pest or disease is prohibited.

(2) However, subsection (1) is not taken to prohibit the importation of a teleost fish product if importation of the product is permitted under section 38 and item 25C of table 13.

(3) Also, subsection (1) is not taken to prohibit the importation by a person of an article if a Director of Quarantine has granted the person a permit to import the article into Australia.

*Note 1* For what a Director of Quarantine must consider when deciding whether to grant such a permit, see Part 8.

*Note 2* For the meaning of *article likely to introduce a pest or disease*, see table 12.

[12] **Section 34**

*substitute*

34 **Importation of articles likely to introduce pests or diseases**

(1) The importation into the Cocos Islands of an article likely to introduce a pest or disease is prohibited.

(2) However, subsection (1) is not taken to prohibit the importation of a teleost fish product if importation of the product is permitted under section 48 and item 25C of table 13.
(3) Also, subsection (1) is not taken to prohibit the importation by a person of an article if a Director of Quarantine has granted the person a permit to import the article into the Cocos Islands.

Note 1. For what a Director of Quarantine must consider when deciding whether to grant such a permit, see Pt 8.

Note 2. For the meaning of article likely to introduce a pest or disease, see table 12.

[13] Subsection 38 (3C)

omit

[14] Table 13, item 25C

substitute

25C Teleost fish product, other than a product of fish of the family Salmonidae or Plecoglossidae, if the product is:
(a) wholly or partly of teleost origin; and
(b) a consumer ready product

Note 1. For the importation of fish and particular products of fish of the family Salmonidae or Plecoglossidae, see s 43 and 53.

Note 2. Consumer ready product is defined in s 3.

Note 3. The following are examples of consumer ready products of teleost fish:
(a) cutlets, including the central bone and external skin but excluding fins, each cutlet weighing no more than 450 grams;
(b) skinless fillets, excluding the belly flap and all bones except the pin bones;
(c) skin-on fillets, excluding the belly flap and all bones except the pin bones, each fillet weighing no more than 450 grams;
(d) eviscerated, headless, ‘pan-size’ fish, each fish weighing no more than 450 grams;
(e) a product that is processed further than a stage described in para (a) to (d).
[15] **After subsection 38 (5)**

*insert*

(5A) Also, subsection (1) is not taken to prohibit the importation into Australia of a teleost fish product, other than a product of fish of the family Salmonidae or Plecoglossidae, that:

(a) is wholly or partly of teleost origin; and

(b) is accompanied into Australia by the person importing it; and

(c) is imported in an amount up to 5 kilograms; and

(d) is eviscerated or processed further than evisceration.

[16] **Paragraph 43 (3) (b)**

*substitute*

(b) a consumer ready product (except roe or caviar) of fish of those families:

(i) commercially prepared and packaged; and

(ii) if it is accompanied into Australia by the person importing it — in an amount up to 5 kilograms; and

(iii) if it is not accompanied into Australia by the person importing it — in an amount up to 450 grams; or

[17] **Subsection 43 (3), at the foot**

*insert*

Note 1 *Consumer ready product* is defined in s 3.

Note 2 The following are examples of consumer ready products of fish of the family Salmonidae and Plecoglossidae:

(a) cutlets, including the central bone and external skin but excluding fins, each cutlet weighing no more than 450 grams;

(b) skinless fillets, excluding the belly flap and all bones except the pin bones;
(c) skin-on fillets, excluding the belly flap and all bones except the pin bones, each fillet weighing no more than 450 grams;
(d) eviscerated, headless, 'pan-size' fish, each fish weighing at least 200 grams but not more than 450 grams;
(e) a product that is processed further than a stage described in para (a) to (d).

[18] Section 44, note

substitute

Note 1 For what a Director of Quarantine must consider when deciding whether to grant such a permit, see Pt 8.

Note 2 Section number 45 intentionally not used.

[19] After subsection 48 (4)

insert

(4A) Also, subsection (1) is not taken to prohibit the importation into the Cocos Islands of a teleost fish product, other than a product of fish of the family Salmonidae or Plecoglossidae, that:
(a) is wholly or partly of teleost origin; and
(b) is accompanied into the Cocos Islands by the person importing it; and
(c) is imported in an amount up to 5 kilograms; and
(d) is eviscerated or processed further than evisceration.
[20] **Paragraph 53 (3) (b)**

_substitute_

(b) a consumer ready product (except roe or caviar) of fish of those families:

(i) commercially prepared and packaged; and

(ii) if it is accompanied into the Cocos Islands by the person importing it — in an amount up to 5 kilograms; and

(iii) if it is not accompanied into the Cocos Islands by the person importing it — in an amount up to 450 grams; or

[21] **Subsection 53 (3), at the foot**

_insert_

Note 1 _Consumer ready product_ is defined in s 3.

Note 2 The following are examples of consumer ready products of fish of the family Salmonidae and Plecoglossidae:

(a) cutlets, including the central bone and external skin but excluding fins, each cutlet weighing no more than 450 grams;

(b) skinless fillets, excluding the belly flap and all bones except the pin bones;

(c) skin-on fillets, excluding the belly flap and all bones except the pin bones, each fillet weighing no more than 450 grams;

(d) eviscerated, headless, 'pan-size' fish, each fish weighing at least 200 grams but not more than 450 grams;

(e) a product that is processed further than a stage described in para (a) to (d).

[22] **Section 57, definition of plant product, paragraph (a)**

_omit_

; or

_insert_

; and
[23] Section 62

substitute

62 Importation of living plants

(1) The importation into Australia of a living plant is prohibited.

(2) However, subsection (1) is not taken to prohibit the importation of Orchidaceae tissue culture that:
   (a) is accompanied into Australia by the person importing it; and
   (b) is growing in an aseptic non-animal based medium in a closed rigid container that is transparent enough for its contents to be clearly seen; and
   (c) is well-established in that medium and container.

(3) Also, subsection (1) is not taken to prohibit the importation by a person of a living plant if a Director of Quarantine has granted the person a permit to import it into Australia.

Note For what a Director of Quarantine must consider when deciding whether to grant such a permit, see Pt 8.

[24] Subsection 66 (1)

omit

is prohibited of the following:

insert

of the following is prohibited:
[25] After subsection 66 (1)

insert

(1A) However, subsection (1) is not taken to prohibit the importation of Orchidaceae tissue culture that:

(a) is accompanied into the Cocos Islands by the person importing it; and

(b) is growing in an aseptic non-animal based medium in a closed rigid container that is transparent enough for its contents to be clearly seen; and

(c) is well-established in that medium and container.

[26] Subsection 66 (2)

omit

However,

insert

Also,

[27] Schedule 2

substitute

Schedule 2

Proclaimed places

(seection 22)

| Angola     | Democratic Republic of the Congo | Guinea |
| Benin      | Liberia                          |       |
| Bolivia    | Nigeria                          |       |
| Brazil     | Peru                             |       |
| Burkina Faso | French Guiana                         | Sierra Leone |
| Cameroon   | Gabon                            | Sudan |
| Colombia   | Gambia                           | Venezuela |
|            | Ghana                            |       |