



## Quarantine Amendment Proclamation 1999 (No. 3)

### *Quarantine Act 1908*

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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 8<sup>th</sup> June 1999

  
Governor-General

By His Excellency's Command,

WARREN TRUSS  
Minister for Agriculture, Fisheries and Forestry

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# Quarantine Amendment Proclamation 1999 (No. 3)

made under the

*Quarantine Act 1908*

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## Contents

	Page
1 Name of Proclamation	2
2 Commencement	2
3 Amendment of <i>Quarantine Proclamation 1998</i>	2
<b>Schedule 1 Amendments</b>	<b>3</b>

## Section 1

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**1 Name of Proclamation**

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

**2 Commencement**

This Proclamation commences on gazettal.

**3 Amendment of *Quarantine Proclamation 1998***

Schedule 1 amends the *Quarantine Proclamation 1998*.

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## Schedule 1      Amendments

(section 3)

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

*insert*

*consumer 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;

**[5] Paragraph 28 (2) (d)**

*omit*

ambergris).

*insert*

ambergris); or

**[6] 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.

**[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.

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**[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.

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- (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

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**[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**

(section 22)

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