EXPLANATORY STATEMENT

Issued by the authority of the Minister for Agriculture, Fisheries and Forestry

Quarantine Act 1908

Quarantine Amendment Proclamation 2006 (No. 6)

The Quarantine Proclamation 1998 (‘the Quarantine Proclamation’) provides the legislative basis for controlling the entry of animals, plants and other goods of quarantine concern into Australia, and for controlling the movement of animals, plants or other goods of quarantine interest between different parts of the Australian mainland.

Subsection 13(1) of the Quarantine Act 1908 (‘the Act’) provides, in part, that the Governor-General may, by proclamation, declare or prohibit a range of matters for the purposes of the Act. The range of matters that the Governor-General may prohibit includes the introduction or importation into Australia, Christmas Island or the Cocos Islands of any disease or pest or any substance, article or thing containing or likely to contain any disease or pest; the importation into Australia, Christmas Island or the Cocos Islands of any articles or things likely, in his or her opinion, to introduce, establish or spread any disease or pest; and the importation into Australia, Christmas Island or the Cocos Islands of any animals or plants or any parts of animals or plants. The range of matters which the Governor-General may declare includes ports where particular kinds of imported goods may be landed.

Subsection 13(2) of the Act provides that the power of prohibition under section 13 of the Act extends to authorise prohibition generally, or as otherwise provided by the instrument authorising the prohibition, including prohibition either absolutely or subject to specified conditions or restrictions. Subsection 13(2A) of the Act provides that a proclamation made under subsection 13(1) of the Act may provide that the importation of a thing is prohibited unless a permit for its import is granted by a Director of Quarantine. In addition, subsection 13(2B) of the Act states that an import permit granted pursuant to a proclamation made in accordance with subsection 13(2A) may be granted subject to compliance with any conditions or requirements set out in that permit.

The Quarantine Amendment Proclamation 2006 (No. 6) amends the Proclamation by:
- amending the Readers Guide to the Quarantine Proclamation to reflect amendments made earlier in 2006 by the Quarantine Amendment Proclamation 2006 (No. 3);
- allowing the landing of general goods (animal, plant and other items) at the Coolangatta Airport; and
- to update the conditions under which meat or meat products may be imported from New Zealand without a permit;

No consultation has occurred on this amendment because it is of a minor or machinery nature and do not substantially change the law.

The Quarantine Amendment Proclamation 2006 (No. 6) is a legislative instrument for the purposes of the Legislative Instruments Act 2003.
The *Quarantine Amendment Proclamation 2006 (No. 6)* commences on the day after it is registered on the Federal Register of Legislative Instruments.

Details of the amendments are set out below:

**Section 1** provides that the name of the Proclamation is the *Quarantine Amendment Proclamation 2006 (No. 6)*.

**Section 2** provides that the proposed Proclamation commences on the day after it is registered on the Federal Register of Legislative Instruments.

**Section 3** provides that Schedule 1 amends the *Quarantine Proclamation 1998*.

**Schedule 1 - Amendments**

**Item 1** inserts an entry for Coolangatta Airport within the Readers Guide to reflect changes made in the *Quarantine Amendment Proclamation 2006 (No. 3)*, which allowed cats and dogs from New Zealand only to be landed at Coolangatta Airport.

**Item 2** inserts a new item in table 6A of section 13A of the Quarantine Proclamation. The effect of the new item is to allow imported goods (other than animals or plants) that are personal effects and accompanied passenger baggage, to be landed at Coolangatta Airport.

**Item 3** replaces the current item 31A with a new item 31A in Table 13 of Section 38. The effect of this substitution is to clarify that meat products which are a product of New Zealand and are for the personal use of the person importing the article may be imported without a permit.

**Item 4** replaces the current item 33 with a new item 33 in Table 13 of Section 38. The effect of this substitution is to clarify that meat-based flavoured products from any kind of meat, including from pork or avian meat, may be imported without a permit from any country, including New Zealand provided that it is for the personal consumption of the person wishing to import it and does not contain any discernable pieces of meat.