Australian Postal Corporation Amendment Regulations 2008 (No. 1)'

Select Legislative Instrument 2008 No. 25

I, PHILIP MICHAEL JEFFERY, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the Australian Postal Corporation Act 1989.

Dated 20 March 2008

By His Excellency’s Command

P. M. JEFFERY
Governor-General

STEPHEN CONROY
Minister for Broadband, Communications and the Digital Economy
1 Name of Regulations

These Regulations are the *Australian Postal Corporation Amendment Regulations 2008 (No. 1)*.

2 Commencement

These Regulations commence on the commencement of Schedule 1 to the *Australian Postal Corporation Amendment (Quarantine Inspection and Other Measures) Act 2007*.

3 Amendment of *Australian Postal Corporation Regulations 1996*

Schedule 1 amends the *Australian Postal Corporation Regulations 1996*.

**Schedule 1 Amendments**

(regulation 3)

[1] Regulation 3D

*substitute*

3D Record of articles — places where kept

For subsection 90T (8) and paragraph 90T (9) (a) of the Act, the places at which the record is to be established and maintained are each International Mail Centre within the meaning given by subsection 77F (1) of the *Customs Act 1901*.

[2] Paragraph 3F (b)

*substitute*

(b) providing information to Australia Post under section 91 of the Act; or
(c) the collection of statistical data.

[3] Part 2, after Division 1

(insert)

Division 1A Articles that may consist of or contain quarantine material

3G Record of articles — particulars of articles

Particulars of an article mentioned in paragraph 90U (9) (a) of the Act that are to be set out in the record must include the following:

(a) the name and address of the addressee on the article;
(b) if the name and address of the sender appears on the article — the name and address of the sender;
(c) the product type (for example, Ordinary, Express, eParcel, Registered, Insured);
(d) any unique identification number on the article;
(e) a description of the quarantine material.

3H Record of articles — particulars of examination

Particulars of the nature of the examination of an article and its contents mentioned in paragraph 90U (9) (b) of the Act that are to be set out in the record must include the following:

(a) the name and classification of the authorised examiner who removes the article from the normal course of carriage and opens the article in the presence of a quarantine inspection officer, under subsection 90U (4) of the Act;
(b) the name and classification of the quarantine inspection officer to whom the authorised examiner gives the article, and in whose presence the authorised examiner examines the article, under subsection 90U (5) of the Act;
(c) if any technology or tools are used to examine the article and its contents — details of the technology or tools used;
(d) if the article or contents are referred to an agency other than an entity for which the quarantine inspection officer exercises quarantine powers or performs quarantine functions — details of the referral, including:
   (i) the name and classification of the quarantine inspection officer who refers the article; and
   (ii) the name of the agency to which the article is referred; and
   (iii) the name and classification of the officer in that agency to whom the article is referred;
(e) if pilferage of, or damage to, the article or its contents is discovered on examination — details of the pilferage or damage.

3I Record of articles — indication of how article is dealt with

In accordance with paragraph 90U (9) (c) of the Act, the record must set out, for an article examined by a quarantine inspection officer, whether the article and its contents were, following the examination, dealt with according to the relevant law of the prescribed State/Territory, or of the Commonwealth, or returned to the normal course of carriage.

3J Prescribed person or body

For subsection 90U (9) of the Act, the following are prescribed:
(a) the Department of Agriculture and Food of Western Australia;
(b) the Department of Primary Industries and Water of Tasmania;
(c) the Department of Primary Industry, Fisheries and Mines of the Northern Territory.
3K Record of articles — places where kept

For subsection 90U (9) and paragraph 90U (10) (a) of the Act, for a prescribed person or body mentioned in an item in the table, the places at which a record is to be established and maintained are the places mentioned in the item.

<table>
<thead>
<tr>
<th>Item</th>
<th>Prescribed person or body</th>
<th>Place or places where a record is to be established and maintained</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Department of Agriculture and Food of Western Australia</td>
<td>(a) Quarantine Western Australia, Department of Agriculture and Food, 9 Fricker Road, PERTH INTERNATIONAL AIRPORT; or (b) Department of Agriculture and Food, 3 Baron-Hay Court, SOUTH PERTH</td>
</tr>
<tr>
<td>2</td>
<td>Department of Primary Industries and Water of Tasmania</td>
<td>(a) Quarantine Office, First Floor, Launceston Airport Terminal Building, Evandale Road, WESTERN JUNCTION; or (b) Quarantine Centre, Macquarie Wharf No.1, Hunter Street, HOBART</td>
</tr>
<tr>
<td>3</td>
<td>Department of Primary Industry, Fisheries and Mines of the Northern Territory</td>
<td>Department of Primary Industry, Fisheries and Mines, Berrimah Farm, DARWIN</td>
</tr>
</tbody>
</table>

3L Record of articles — how kept

For subsection 90U (9) and paragraph 90U (10) (b) of the Act, the record is to be kept:

(a) electronically on a computer system; or
(b) manually.

3M Record of articles — use of information

(1) For subsection 90U (9) and paragraph 90U (10) (c) of the Act, information contained in the record can be used for:

(a) the administration or enforcement of a Commonwealth, State or Territory law relating to quarantine (however described); or
(b) providing information to Australia Post under section 91 of the Act; or
(c) the collection of statistical data.

(2) For subsection 90U (9) and paragraph 90U (10) (c) of the Act, if:
(a) Australia Post asks for the information to be provided to allow Australia Post to track the location of articles removed from, or in, the normal course of carriage; and
(b) the quarantine inspection agency agrees to the request; information contained in the record can be made available to Australia Post for that purpose.

3N Prescribed State/Territory

For the definition of prescribed State/Territory in section 90E of the Act, the following are prescribed:

(a) Western Australia;
(b) Tasmania;
(c) Northern Territory.

Note