



# **Customs (Prohibited Exports) Amendment (COVID-19 Human Biosecurity Emergency) Regulations 2020**

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I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 29 March 2020

David Hurley  
Governor-General

By His Excellency's Command

Peter Dutton  
Minister for Home Affairs

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## 1 Name

This instrument is the *Customs (Prohibited Exports) Amendment (COVID-19 Human Biosecurity Emergency) Regulations 2020*.

## 2 Commencement

- (1) Each provision of this instrument 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 instrument	The day after this instrument is registered.	30 March 2020

Note: This table relates only to the provisions of this instrument as originally made.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

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

## 3 Authority

This instrument is made under the *Customs Act 1901*.

## 4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

## Schedule 1—Amendments

### *Customs (Prohibited Exports) Regulations 1958*

#### 1 Subregulation 2(1)

Insert:

*ABN* has the same meaning as in the *A New Tax System (Australian Business Number) Act 1999*.

#### 2 At the end of Part 3

Add:

### **Division 7—Exportation of goods during COVID-19 human biosecurity emergency period**

#### **13GI Exportation of goods during COVID-19 human biosecurity emergency period**

*When this regulation applies*

- (1) This regulation applies during a human biosecurity emergency period (within the meaning of the *Biosecurity Act 2015*) if the declaration listed human disease (within the meaning of that Act) in relation to the period is human coronavirus with pandemic potential.

Note 1: COVID-19 is the name given by the World Health Organization to the disease.

Note 2: Severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) is the name given by the International Committee on Taxonomy of Viruses to the virus that causes the disease.

*Goods*

- (2) Subject to regulation 13GJ, the exportation from Australia of the following goods is prohibited:
- (a) any of the following equipment that, when worn, is capable of limiting the transmission of organisms to humans:
    - (i) disposable face masks;
    - (ii) disposable gloves;
    - (iii) disposable gowns;
    - (iv) goggles, glasses or eye visors;
  - (b) any of the following disinfectant products:
    - (i) alcohol wipes;
    - (ii) hand sanitizer;
  - (c) goods included in a determination under subregulation (3).
- (3) The Minister may, by legislative instrument, determine goods for the purposes of paragraph (2)(c).

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**13GJ Exportation of goods during COVID-19 human biosecurity emergency period—exceptions***Non-commercial*

- (1) Regulation 13GI does not apply to the exportation of goods on a ship or aircraft by a person if:
  - (a) the person is:
    - (i) a passenger on board the ship or aircraft; or
    - (ii) a member of the crew of the ship or aircraft; and
  - (b) the goods are:
    - (i) accompanied personal or household effects of the person; and
    - (ii) for the personal use of the person.
- (2) Regulation 13GI does not apply to the exportation of goods by a person if:
  - (a) the intended recipient of the goods is a relative of the person; and
  - (b) the goods are for the personal use of the relative; and
  - (c) the exportation is not by post.
- (3) Regulation 13GI does not apply to the exportation of goods by a person if:
  - (a) the person is a humanitarian organisation or agency; and
  - (b) the exportation is not for commercial purposes; and
  - (c) the exportation is not by post.

*Commercial*

- (4) Regulation 13GI does not apply to the exportation of goods by a person if:
  - (a) the person manufactured the goods; and
  - (b) the exportation is not by post.
- (5) Regulation 13GI does not apply to the exportation of goods of a particular type by a person if:
  - (a) the person exports the goods in the ordinary course of the person's business; and
  - (b) the person is registered under the GST Act and has an ABN; and
  - (c) the exportation is not by post.