



Biosecurity Amendment (Extension of Non-prescribed Goods) Regulations 2022

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 01 September 2022

David Hurley
Governor-General

By His Excellency's Command

Murray Watt
Minister for Agriculture, Fisheries and Forestry

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1 Name

This instrument is the *Biosecurity Amendment (Extension of Non-prescribed Goods) Regulations 2022*.

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.	6 September 2022

Note: This table relates only to the provisions of this instrument as originally made.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 *Biosecurity Act 2015*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Biosecurity Regulation 2016

1 After paragraph 22(3)(a)

Insert:

- (aa) the baggage leaves the first point of entry for the purposes of carrying out a biosecurity measure mentioned in subsection 138(1) of the Act in accordance with paragraph 138(1)(b) or (c); or
- (ab) the baggage leaves the first point of entry for the purposes of export from Australian territory in accordance with paragraph 135(2)(a) of the Act; or

2 At the end of subsection 22(3) (before the notes)

Add:

Note 1A: Subsection 138(1) of the Act applies in relation to a biosecurity measure under section 132 (movement), 133 (treatment) or 136 (destruction) of the Act or under a regulation made for the purposes of section 137 of the Act.

3 After paragraph 22(5)(a)

Insert:

- (aa) the goods leave the international mail centre for the purposes of carrying out a biosecurity measure mentioned in subsection 138(1) of the Act in accordance with paragraph 138(1)(b) or (c); or

4 At the end of subsection 22(5) (before the notes)

Add:

Note 1A: Subsection 138(1) of the Act applies in relation to a biosecurity measure under section 132 (movement), 133 (treatment) or 136 (destruction) of the Act or under a regulation made for the purposes of section 137 of the Act.

5 In the appropriate position in Chapter 10

Insert:

122 Amendments made by the *Biosecurity Amendment (Extension of Non-prescribed Goods) Regulations 2022*

The amendments of section 22 made by the *Biosecurity Amendment (Extension of Non-prescribed Goods) Regulations 2022* apply in relation to:

- (a) goods that become subject to biosecurity control on or after the commencement of that instrument; and
- (b) goods that became subject to biosecurity control before the commencement of that instrument but have not been released from biosecurity control as at that commencement.

Note: Goods include baggage (see the definitions of *baggage* and *goods* in sections 9 and 19 of the Act).