



Quarantine Amendment Proclamation 1999 (No. 2)

Quarantine Act 1908

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 22nd Sept 1999


Governor-General

By His Excellency's Command,


WARREN TRUSS
Minister for Agriculture, Fisheries and Forestry



Quarantine Amendment Proclamation 1999 (No. 2)

made under the

Quarantine Act 1908

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Section 1

1 Name of Proclamation

This Proclamation is the *Quarantine Amendment Proclamation 1999 (No. 2)*.

2 Commencement

This Proclamation commences as follows:

- (a) on gazettal — sections 1 to 3 and Schedule 1;
- (b) on 1 December 1999 — Schedule 2.

3 Amendment of *Quarantine Proclamation 1998*

Schedules 1 and 2 amend the *Quarantine Proclamation 1998*.

Schedule 1 Amendments commencing on gazettal

(section 3)

[1] After subsection 38 (3), before the table

insert

(3A) For the table, *meat* and *meat product* have the same meanings as in section 39.

[2] Section 43, heading

substitute

**43 Importation of fish of family Salmonidae or
Plecoglossidae**

[3] Subsection 43 (1)

omit

family Salmonidae,

insert

family Salmonidae or Plecoglossidae,

[4] Subsection 43 (2)

omit

family Salmonidae

insert

family Salmonidae or Plecoglossidae

[5] Paragraph 43 (3) (a)*omit*

that family; or

insert

those families; or

[6] Paragraph 43 (3) (b)*omit*

smoked salmon:

insert

smoked fish of those families:

[7] Subsection 43 (4)*omit*

salmon products

insert

products of fish of those families

[8] Subsection 43 (5)*omit*

that family

insert

those families

[9] Section 53, heading

substitute

**53 Importation of fish of family Salmonidae or
Plecoglossidae**

[10] Subsection 53 (1)

omit

family Salmonidae,

insert

family Salmonidae or Plecoglossidae,

[11] Subsection 53 (2)

omit

family Salmonidae

insert

family Salmonidae or Plecoglossidae

[12] Paragraph 53 (3) (a)

omit

that family; or

insert

those families; or

[13] Paragraph 53 (3) (b)*omit*

smoked salmon:

insert

smoked fish of those families:

[14] Subsection 53 (4)*omit*

salmon products

insert

products of fish of those families

[15] Subsection 53 (5)*omit*

that family

insert

those families

Schedule 2 Amendments commencing on 1 December 1999

(section 3)

[1] Section 3, definition of *fish*

substitute

fish means an elasmobranch or a teleost.

[2] After subsection 31 (2)

insert

Note Table 11A follows subs 29 (2).

[3] Subsection 37 (1)

omit

[4] Subsections 37 (2), (3) and (4)

renumber as subsections (1), (2) and (3)

[5] Subsections 37 (2) and (3), as renumbered by item [4]

omit

subsection (2)

insert

subsection (1)

[6] After subsection 38 (3A), before the table*insert*

(3B) For the table:

Competent Authority means a body recognised as the Competent Authority for a country by a Director of Quarantine under section 38A; and

exclusive economic zone has the meaning given in subsection 3 (1) of the *Seas and Submerged Lands Act 1973*.

(3C) For item 25C in the table, a **consumer ready product** is a product that is processed to reduce the probability that the importation of the product will lead to the introduction or spread of a disease or pest to an acceptably low level.

[7] Table 13, item 15*substitute*

15 Elasmobranch fish, dried (other than fish meal), if free from insects, soil and other debris

Note For the importation of fish and crustacean meal, see s 44 and 54.

[8] Table 13, item 16*substitute*

16 Elasmobranch fish, processed, (including fish fingers, fish cakes and fish balls, but excluding fish meal), if containing less than 10% egg content and fit for human consumption

Note For the importation of fish and crustacean meal, see s 44 and 54.

[9] Table 13, item 25*substitute*

- 25 Dead elasmobranch fish or fish parts, other than dried fish, fish meal, and processed fish, if non-viable and clean

Note For the importation of fish and crustacean meal, see s 44 and 54.

[10] Table 13, after item 25*insert*

- 25A Teleost fish, other than fish of the family Salmonidae or Plecoglossidae, if:
- (a) the fish was caught in the New Zealand exclusive economic zone or in adjacent international waters by fishers approved or registered under controls administered by an authority of the government of New Zealand; and
 - (b) the fish is accompanied by a certificate from the Competent Authority for New Zealand certifying that the fish was caught in the New Zealand exclusive economic zone or adjacent international waters

Note For the importation of fish and particular products of fish of the family Salmonidae or Plecoglossidae, see s 43 and 53.

- 25B Teleost fish, other than fish of the family Salmonidae or Plecoglossidae or teleost fish mentioned in item 25A, if the consignment is accompanied by a health certificate from the Competent Authority of the exporting country stating that the fish:
- (a) was processed in premises approved by and under the control of the Competent Authority; and
 - (b) is eviscerated; and
 - (c) was inspected under the supervision of the Competent Authority; and
 - (d) is free from visible lesions associated with infectious diseases; and

- (c) has had its head and gills removed and its internal and external surfaces thoroughly washed

Note For the importation of fish and particular products of fish of the family Salmonidae or Plecoglossidae, see s 43 and 53.

- 25C Teleost fish products, other than products of fish of the family Salmonidae or Plecoglossidae, if wholly or partly of teleost origin, intended for human consumption and 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 subs 38 (3C).

Note 3 Examples of consumer ready teleost fish products are:

- (a) cutlets, including the central bone and external skin but excluding fins, and of a maximum weight of 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, and of a maximum weight of 450 grams
- (d) eviscerated, headless, 'pan-size' fish of a maximum weight of 450 grams
- (e) a product that is processed further than the stage described in para (a) to (d).

[11] After section 38

insert

38A Competent Authorities

- (1) A Director of Quarantine may declare, in writing, that a body of a country is recognised as the Competent Authority for a country if the body is responsible for export certification for goods exported from that country.
- (2) A Director of Quarantine may revoke, in writing, a declaration made under subsection (1) for a body of a country if the body ceases to be responsible for export certification for goods exported from that country.

[12] Subsection 47 (1)

substitute

- (1) The importation into the Cocos Islands of a live animal by a person is prohibited unless a Director of Quarantine has granted the person a permit to import it into the Cocos Islands.

Note For what a Director of Quarantine must consider when deciding whether to grant such a permit, see Pt 8.

[13] Subsection 47 (2)

omit

[14] Subsections 47 (3) and (4)

renumber as subsections 47 (2) and (3)

[15] Subsections 47 (2) and (3), as renumbered by item [14]

omit

subsection (2)

insert

subsection (1)

[16] Subsection 47 (5)

omit

[17] Schedule 6, note

omit
