



Biosecurity (Negative Pratique) Instrument 2016

I, Professor Christopher Baggoley, Director of Human Biosecurity, make the following instrument.

Dated 7 June 2016

Christopher Baggoley
Director of Human Biosecurity

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1 Name

This is the *Biosecurity (Negative Pratique) Instrument 2016*.

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	At the same time as section 3 of the <i>Biosecurity Act 2015</i> commences.	

Note: This table relates only to the provisions of this instrument as originally made.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 subsection 49(1) of the *Biosecurity Act 2015*.

4 Definitions

Note: A number of expressions used in this instrument are defined in the Act, including the following:

- (a) incoming aircraft or vessel;
- (b) landing place;
- (c) listed human disease;
- (d) operator;
- (e) port.

In this instrument:

Act means the *Biosecurity Act 2015*.

non-commercial vessel has the same meaning as in the *Biosecurity (Human Health) Regulation 2016*.

pre-arrival report, in relation to an aircraft or vessel, means a report given by the operator of the aircraft or vessel under section 193 of the Act.

Note: The information that must be included in a pre-arrival report, and other requirements in relation to the report, are prescribed by Part 1 of Chapter 3 of the *Biosecurity Regulation 2016*.

prescribed disinsection measures, for an incoming aircraft, means the disinsection measures prescribed for the aircraft for the purposes of section 53 of the Act.

Section 5

Note: See section 7 of the *Biosecurity (Human Health) Regulation 2016*.

5 Classes of incoming aircraft or vessels and requirements that must be complied with for pratique to be granted

- (1) The classes of incoming aircraft or vessels in relation to which pratique is to be granted by a biosecurity officer are specified in column 1 in the following table.

Note: Certain incoming aircraft and vessels are exempt from the pratique requirements in sections 48 and 49 of the Act (see section 6 of the *Biosecurity (Human Health) Regulation 2016*).

- (2) The requirements with which an incoming aircraft or vessel, in a class specified in an item in column 1 in the following table, must comply, for pratique to be granted by a biosecurity officer, are the requirements specified in column 2 of that item.

Classes of incoming aircraft or vessels and requirements that must be complied with for pratique to be granted

Item	Column 1 Classes of incoming aircraft or vessels	Column 2 Requirements that must be complied with
1	Aircraft in relation to which the prescribed disinsection measures were not taken, or will not have been taken, before the aircraft arrives at its first landing place in Australian territory (other than an aircraft in relation to which the prescribed disinsection measures are not required to be taken because of subsection 7(3) of the <i>Biosecurity (Human Health) Regulation 2016</i>)	The operator of the aircraft must, on arrival at the landing place, arrange for the prescribed disinsection measures for the aircraft to be carried out: (a) in a manner, and at a time or within a period, approved by the Director of Human Biosecurity; and (b) under the supervision of a biosecurity officer
2	Aircraft or vessels in relation to which: (a) a pre-arrival report was given in accordance with Part 1 of Chapter 3 of the <i>Biosecurity Regulation 2016</i> that included details about an individual on board who: (i) has, or had during the flight or voyage, signs or symptoms of a listed human disease; or (ii) died during the flight or voyage; or (b) the Director of Human Biosecurity, a human biosecurity officer or a biosecurity official becomes aware have, or had, an individual on board who has entered, or will enter, a landing place or port, and who: (i) has, or had during the flight or voyage, signs or symptoms of a listed human disease; or (ii) has been exposed to a listed human disease; or	The operator of the aircraft or vessel must ensure that individuals do not disembark unless permission to do so has been given by: (a) a chief human biosecurity officer; or (b) a human biosecurity officer; or (c) a biosecurity officer

Classes of incoming aircraft or vessels and requirements that must be complied with for pratique to be granted

Item	Column 1 Classes of incoming aircraft or vessels	Column 2 Requirements that must be complied with
	(iii) died during the flight or voyage	
3	Non-commercial vessels	The operator of the vessel must ensure that individuals do not disembark unless permission to do so has been given by: (a) a chief human biosecurity officer; or (b) a human biosecurity officer; or (c) a biosecurity officer
4	Vessels (other than non-commercial vessels) in relation to which a pre-arrival report was required to be given, but was not given, in accordance with Part 1 of Chapter 3 of the <i>Biosecurity Regulation 2016</i>	The operator of the vessel must ensure that individuals do not disembark unless permission to do so has been given by: (a) a chief human biosecurity officer; or (b) a human biosecurity officer; or (c) a biosecurity officer

Note: A failure to give a pre-arrival report in accordance with Part 1 of Chapter 3 of the *Biosecurity Regulation 2016* may contravene subsection 193(4) of the Act.