

Migration Amendment (Biosecurity Contraventions and Importation of Objectionable Goods) Regulations 2019

I, General the Honourable Sir Peter Cosgrove AK MC (Ret’d), Governor‑General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 04 April 2019

Peter Cosgrove

Governor‑General

By His Excellency’s Command

David Coleman

Minister for Immigration, Citizenship and Multicultural Affairs

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1 Name

 This instrument is the *Migration Amendment (Biosecurity Contraventions and Importation of Objectionable Goods) Regulations 2019*.

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 | 17 April 2019. | 17 April 2019 |

Note: This table relates only to the provisions of this instrument as originally made.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 *Migration Act 1958.*

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 Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Migration Regulations 1994

1 At the end of subregulation 2.43(1)

Add:

 ; (s) in the case of a holder of:

 (i) a Subclass 600 (Visitor) visa; or

 (ii) a Subclass 601 (Electronic Travel Authority) visa; or

 (iii) a Subclass 651 (eVisitor) visa; or

 (iv) a Subclass 676 (Tourist) visa; or

 (v) a Subclass 771 (Transit) visa;

 who is in Australia and who has not been immigration cleared—that the Minister reasonably believes that the visa holder has contravened subsection 126(2), 128(2), 532(1) or 533(1) of the *Biosecurity Act 2015*;

 (t) in the case of the holder of a temporary visa—that the Minister reasonably believes that the visa holder:

 (i) has imported goods to which regulation 4A of the *Customs (Prohibited Imports) Regulations 1956* applies; and

 (ii) has not been granted a permission under subregulation 4A(2) of those Regulations to import the goods.

2 Paragraph 4013(2)(d) of Schedule 4

Omit “or (ob)”, substitute “, (ob), (s) or (t)”.