Biosecurity (First Point of Entry—Avalon Airport) Determination 2019

I, Dean Merrilees, as delegate of the Director of Biosecurity, make the following determination.

Dated 7 June 2019

Dean Merrilees
Assistant Secretary
Compliance Division
Department of Agriculture

Authorised Version F2019L00776 registered 11/06/2019

Authorised Version F2019L00776 registered 11/06/2019

Contents

Part 1—Preliminary **2**

1 Name ... 2
2 Commencement ... 2
3 Authority ... 2
4 Definitions ... 2

Part 2—First point of entry **3**

5 First point of entry—aircraft ... 3
6 First point of entry—goods ... 3

Part 3—Biosecurity entry points **4**

7 Biosecurity entry points—aircraft ... 4
8 Biosecurity entry points—goods ... 4

Part 4—Conditions **5**

9 Conditions—notifying Agriculture Department of changes ... 5

Authorised Version F2019L00776 registered 11/06/2019

Part 1—Preliminary

1 Name

This is the *Biosecurity (First Point of Entry—Avalon Airport) Determination 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	16 June 2019.	16 June 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Note: This table relates only to the provisions of this instrument as originally made.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 subsection 223(1) of the *Biosecurity Act 2015*.

4 Definitions

Note: A number of expressions used in this instrument are defined in section 9 of the Act.

In this instrument:

Act means the *Biosecurity Act 2015*.

aircraft means an aircraft (as defined by section 9 of the Act) that is subject to biosecurity control.

goods means goods (as defined by section 19 of the Act):

(a) that are subject to biosecurity control; or

(b) in relation to which an exposed goods order is in force.

Authorised Version F2019L00776 registered 11/06/2019

Part 2—First point of entry

5 First point of entry—aircraft

Avalon Airport is a first point of entry for aircraft generally.

6 First point of entry—goods

Avalon Airport is a first point of entry for goods other than live horses.

Note: For other matters relating to whether particular goods may be brought into a particular first point of entry, see sections 173 and 174 of the Act (which deal with prohibited goods and conditionally non-prohibited goods) and any determinations made under those sections.

Authorised Version F2019L00776 registered 11/06/2019

Part 3—Biosecurity entry points

7 Biosecurity entry points—aircraft

Note: An aircraft must be brought to a biosecurity entry point at a first point of entry if there is a biosecurity entry point for the aircraft at that first point of entry (see section 238 of the Act). If there are no biosecurity entry points for aircraft at a first point of entry, this requirement does not apply to aircraft landing there. This determination does not designate any area of Avalon Airport as a biosecurity entry point for aircraft.

8 Biosecurity entry points—goods

Each area of Avalon Airport specified in column 2 of an item of the following table is designated as a biosecurity entry point for goods, or goods included in a class of goods, specified in column 1 of the item.

Biosecurity entry points—goods

Item	Column 1 Goods	Column 2 Areas
1	Baggage	Avalon Airport International Terminal

Note 1: If an aircraft has arrived at Avalon Airport and is carrying goods mentioned in the table that are to be unloaded from the aircraft, those goods must be brought to a biosecurity entry point for those goods as soon as practicable (see section 147 of the Act).

Note 2: This determination does not designate biosecurity entry points for other goods for which Avalon Airport is a first point of entry, so the requirement in section 147 of the Act does not apply to the unloading of those other goods.

Authorised Version F2019L00776 registered 11/06/2019

Part 4—Conditions

9 Conditions—notifying Agriculture Department of changes

(1) The determination of Avalon Airport as a first point of entry by this instrument is subject to the conditions in this section.

(2) If the owner (or, if there is more than one owner, an owner) of Avalon Airport becomes aware that there has been, or will be, a change to the business entity operating:

(a) Avalon Airport; or

(b) a biosecurity entry point at Avalon Airport;

the owner (or, if there is more than one owner, an owner) must give the Agriculture Department, in writing, notice of the change as soon as practicable after becoming aware that the change has occurred or will occur.

(3) If the lessee (if any) (or, if there is more than one lessee, a lessee) of Avalon Airport becomes aware that there has been, or will be, a change to the business entity operating:

(a) Avalon Airport; or

(b) a biosecurity entry point at Avalon Airport;

the lessee (or, if there is more than one lessee, a lessee) must give the Agriculture Department, in writing, notice of the change as soon as practicable after becoming aware that the change has occurred or will occur.

(4) If a person or body that is responsible for carrying out operations at Avalon Airport proposes to make a change referred to in subsection (5), the person or body must give the Agriculture Department, in writing, reasonable notice of the proposed change.

(5) For the purposes of subsection (4), the changes are as follows:

(a) a change to the procedures at Avalon Airport providing for biosecurity measures to be taken to manage the level of biosecurity risk associated with operations carried out at Avalon Airport;

(b) a change to the facilities or amenities available at Avalon Airport for biosecurity officials and human biosecurity officers to perform functions or exercise powers under the Act at Avalon Airport;

(c) a change to the procedures at Avalon Airport that may affect the ability of a person who carries out operations at Avalon Airport to identify biosecurity risks associated with those operations;

(d) a change to the procedures at Avalon Airport that may affect the ability for biosecurity officials or human biosecurity officials to be informed of any identified biosecurity risks associated with operations carried out at Avalon Airport;

(e) a change to the procedures at Avalon Airport for managing any other factors that may contribute to, or affect, the level of biosecurity risk associated with operations carried out at Avalon Airport.

Authorised Version F2019L00776 registered 11/06/2019

Authorised Version F2019L00776 registered 11/06/2019