

Biosecurity (Managing Human Remains) Amendment (Hair, Teeth and Bones) Instrument 2019

I, Professor Brendan Murphy, Director of Human Biosecurity, make the following instrument.

Dated 12 August 2019

Brendan Murphy

Director of Human Biosecurity

Contents

1 Name 1

2 Commencement 1

3 Authority 1

4 Schedules 1

Schedule 1—Amendments 2

Biosecurity (Managing Human Remains) Instrument 2016 2

1 Name

This instrument is the *Biosecurity (Managing Human Remains) Amendment (Hair, Teeth and Bones) Instrument 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 | The day after this instrument is registered. | 28 August 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Note: This table relates only to the provisions of this instrument as originally made.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 110(2) of 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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 (Managing Human Remains) Instrument 2016

1 Subsection 5(1) (table item 1, column 2, subparagraph (a)(i))

After “subsection (2)”, insert “, or (if applicable) by an official copy of an official embalming certificate”.

2 Subsection 5(1) (table item 3)

Repeal the item, substitute:

|  |  |  |
| --- | --- | --- |
| 3 | Deceased humans’ bodies or parts of deceased humans’ bodies intended to be used for a purpose not covered by table item 1 or 2 (for example, for display or use as curios) | Permission to bring the body or part of the body into Australian territory must be given by a human biosecurity official:  (a) before the body or part of the body is brought into Australian territory; or  (b) at the first landing place or port in Australian territory where the body or part of the body is brought |

3 Subsection 5(1) (table item 4)

Repeal the item.

4 Subsection 5(1) (note 1)

Repeal the note, substitute:

Note 1: Human remains do not include the cremated remains of a deceased human’s body or hair, teeth or bones of a deceased human’s body that have been separated from the deceased human’s body or a part of the deceased human’s body (see the definition of ***human remains*** in section 9 of the Act). There are no requirements under the Act for bringing the cremated remains of a deceased human’s body into Australian territory or managing such remains after bringing them into Australian territory.

Note 2: Hair, teeth or bones of a deceased human’s body that have been separated from the deceased human’s body or a part of the deceased human’s body must not be brought or imported into Australian territory unless conditions specified in determinations made under subsection 174(1) of the Act are complied with.

5 Subsection 5(1) (note 2)

Omit “Note 2”, substitute “Note 3”.

6 Subsection 5(1) (note 3)

Omit “Note 3”, substitute “Note 4”.