



Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Emergency Requirements—Retail Outlets at International Airports) Determination 2020

I, Greg Hunt, Minister for Health, make the following determination.

Dated 28 March 2020

Greg Hunt
Minister for Health

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1 Name

This instrument is the *Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Emergency Requirements—Retail Outlets at International Airports) Determination 2020*.

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 11:59 pm (by legal time in the Australian Capital Territory) on the day this instrument is registered.	29 March 2020

Note: This table relates only to the provisions of this instrument as originally made.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 477(1) of the *Biosecurity Act 2015*.

4 Definitions

In this instrument:

designated international airport means any of the following international airports (within the meaning of the *Air Navigation Act 1920*):

- (a) Adelaide Airport;
- (b) Avalon Airport;
- (c) Brisbane Airport;
- (d) Cairns Airport;
- (e) Canberra Airport;
- (f) Darwin International Airport;
- (g) Essendon Fields Airport;
- (h) Gold Coast Airport;
- (i) Melbourne Tullamarine Airport;
- (j) Newcastle Airport;
- (k) Perth Airport;

- (l) Port Hedland International Airport;
- (m) Sunshine Coast Airport;
- (n) Sydney (Kingsford-Smith) Airport.

designated retail outlet means a retail outlet in an international area of a designated international airport.

international area, of a designated international airport, means:

- (a) if the airport has separate international and domestic terminals—the international terminal; or
- (b) if the airport has a single terminal—the area of the terminal that, to the extent it is accessible by passengers, is accessible only by passengers:
 - (i) who are to depart from the airport on an aircraft that intends to leave Australian territory; or
 - (ii) who have arrived at the airport on a flight that commenced outside Australian territory.

5 Requirements—designated retail outlets

- (1) The operator of a designated retail outlet must not trade, or permit any trade to occur, at the retail outlet unless:
 - (a) the retail outlet is exempt under subsection (2) or (3); or
 - (b) an exemption is granted to the operator of the retail outlet by the Secretary of the Department of Infrastructure, Transport, Regional Development and Communications under section 6.
- (2) Pharmacies are exempt from the requirement under subsection (1).
- (3) A designated retail outlet:
 - (a) that is in the departure area of:
 - (i) an international terminal referred to in paragraph (a) of the definition of **international area** in section 4; or
 - (ii) a terminal referred to in paragraph (b) of that definition; and
 - (b) that sells predominantly food or beverages (or both);is exempt from the requirement under subsection (1), to the extent that the retail outlet sells takeaway food or non-alcoholic beverages (or both).
- (4) An exemption under subsection (2) or (3) applies in relation to a designated retail outlet only if the operator of the retail outlet has put in place and maintains measures to ensure social distancing among its customers.

6 Exemptions granted by Secretary of the Department of Infrastructure, Transport, Regional Development and Communications

- (1) In exceptional circumstances, the Secretary of the Department of Infrastructure, Transport, Regional Development and Communications may grant an exemption from the requirement under subsection 5(1) to the operator of a designated retail outlet.

- (2) An exemption granted under subsection (1) must be in writing.
- (3) An exemption granted under subsection (1) applies in relation to a designated retail outlet only if the operator of the retail outlet has put in place and maintains measures to ensure social distancing among its customers.