



# **Export Control Legislation Amendment (2024 Measures No. 1) Rules 2024**

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I, Adam Phillip Fennessy PSM, Secretary of the Department of Agriculture, Fisheries and Forestry, make the following rules.

Dated 19 April 2024

Adam Phillip Fennessy PSM  
Adam Phillip Fennessy PSM  
Secretary of the Department of Agriculture, Fisheries and Forestry

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# Contents

1	Name .....	1
2	Commencement.....	1
3	Authority .....	1
4	Schedules.....	1
<b>Schedule 1—Amendments</b>		<b>2</b>
	<i>Export Control (Animals) Rules 2021</i>	2
	<i>Export Control (Miscellaneous) Rules 2021</i>	2



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## 1 Name

This instrument is the *Export Control Legislation Amendment (2024 Measures No. 1) Rules 2024*.

## 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.	30 April 2024

Note: This table relates only to the provisions of this instrument as originally made.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 *Export Control Act 2020*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

### *Export Control (Animals) Rules 2021*

#### **1 Section 11-16 (note 2)**

Omit “protected”, substitute “relevant”.

### *Export Control (Miscellaneous) Rules 2021*

#### **2 Section 1-4 (at the end of the note)**

Add:

; (d) relevant information.

#### **3 Part 3 (heading)**

Repeal the heading, substitute:

## **Part 3—Information management**

#### **4 At the end of Part 3**

Add:

#### **3-2 Use or disclosure of relevant information by analysts**

- (1) This section prescribes, for the purposes of section 397E of the Act, matters relevant to the use or disclosure of relevant information by analysts.

*Prescribed class of persons*

- (2) For the purposes of paragraphs 397E(1)(a) and (2)(a) of the Act, the class of persons consisting of persons appointed as analysts under subsection 413(1) of the Act is prescribed.

*Prescribed purposes for which information may be used or disclosed*

- (3) For the purposes of paragraphs 397E(1)(b) and (2)(b) of the Act, the following purposes, for the use or disclosure of relevant information, are prescribed:
- (a) performing functions or duties, or exercising powers, under the Act;
  - (b) assisting another person to perform functions or duties, or to exercise powers, under the Act.

*Prescribed kinds of information that may be used or disclosed*

- (4) For the purposes of paragraphs 397E(1)(c) and (2)(c) of the Act, the kind of information that is relevant information is prescribed.

*Specified legislative powers*

- (5) For the purposes of subsection 397E(3) of the Act, the powers of the Parliament to make laws with respect to the following are specified:

- 
- (a) trade and commerce with other countries, and among the States (within the meaning of paragraph 51(i) of the Constitution);
  - (b) matters incidental to the execution of any of the legislative powers of the Parliament (within the meaning of paragraph 51(xxxix) of the Constitution).

## **5 Part 4**

Repeal the Part.

## **6 At the end of the instrument**

Add:

# **Part 5—Application, saving and transitional provisions**

## **5-1 Amendments made by the Export Control Legislation Amendment (2024 Measures No. 1) Rules 2024**

- (1) Section 3-2, as inserted by the *Export Control Legislation Amendment (2024 Measures No. 1) Rules 2024* (the **amending instrument**), applies in relation to information obtained or generated before, on or after the day (the **commencement day**) the amending instrument commences.
- (2) To avoid doubt, the repeal of Part 4 by the amending instrument applies on or after the commencement day in relation to an application made under section 111, 116, 120, 150, 155, 190 or 195 of the Act, but not determined, before that day.