



7 August 2015

Note: this Biosecurity Advice notice replaces the previous version dated 20 July 2015 and has been reissued due to an error within the text.

BIOSECURITY ADVICE 2015/08 - REISSUED

Biosecurity Act 2015

The Biosecurity Bill 2014 and supporting legislation received royal assent from the Governor-General on 16 June 2015 and has now become the *Biosecurity Act 2015*.

The new Biosecurity Act will commence on **16 June 2016**, 12 months after royal assent.

The 12 month delay is to ensure that staff, stakeholders and clients understand their rights and responsibilities under the new Biosecurity Act and there is a smooth transition to the new regulatory arrangements.

Until commencement of the new legislation, the *Quarantine Act 1908* remains the primary piece of biosecurity legislation in Australia. The *Biosecurity Act 2015* will then replace the *Quarantine Act 1908*.

As with the Quarantine Act, the Biosecurity Act will be co-administered by the Ministers responsible for Agriculture and Health.

Australia's appropriate level of protection (ALOP) and its articulation (as agreed by state, territory and Commonwealth governments in 2002) has been included in the Biosecurity Act. The ALOP is expressed as a high level of sanitary and phytosanitary protection aimed at reducing biosecurity risk to a very low level, but not to zero.

The implementation of the Biosecurity Act is a large body of work for the department and its success is critical to a large number of clients and stakeholders.

The department is acutely aware that client and stakeholder understanding of how the department will implement the new regulatory framework is essential to ensuring that all clients and stakeholders are able to comply with the Biosecurity Act from the start.

The department is consulting on the details of the delegated legislation and supporting administrative policies in preparation for publishing the draft regulations on the department's website for public consideration. This is expected to happen in the coming months.

Subordinate legislation is being drafted in the following areas:

- Prohibited and conditionally non-prohibited goods
- Information gathering
- General goods
- General conveyances
- Firsts points of entry
- Ballast water and sediment
- Post-border monitoring, control and response
- Approved arrangements

- Biosecurity emergencies
- Compliance and enforcement
- Governance and officials
- Cost recovery
- Application of the biosecurity legislation to
- the Torres Strait and Australian territories
- Human health

If you would like specific information or to discuss particular topics please email newbiosecuritylegislation@agriculture.gov.au, call 1800 040 629 or subscribe to the biosecurity legislation distribution list at <https://agriculture.custhelp.com>.

Contact: Department of Agriculture website at www.agriculture.gov.au/biosecuritylegislation
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