



Queensland

Biosecurity and Other Legislation Amendment Regulation 2019

Subordinate Legislation 2019 No. 56

made under the

Biosecurity Act 2014

State Penalties Enforcement Act 1999

Contents

		Page
Part 1	Preliminary	
1	Short title	2
Part 2	Amendment of Biosecurity Regulation 2016	
2	Regulation amended	2
3	Insertion of new ch 2, pt 10	2
	Part 10 Biosecurity management plans	
	41A Definitions for part	2
	41B Biosecurity management plan	2
	41C Requirement to comply with biosecurity management plan	4
4	Amendment of sch 11 (Dictionary)	4
Part 3	Amendment of State Penalties Enforcement Regulation 2014	
5	Regulation amended	5
6	Amendment of sch 1 (Infringement notice offences and fines for nominated laws)	5

[s 1]

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Biosecurity and Other Legislation Amendment Regulation 2019*.

Part 2 Amendment of Biosecurity Regulation 2016

2 Regulation amended

This part amends the *Biosecurity Regulation 2016*.

3 Insertion of new ch 2, pt 10

Chapter 2—

insert—

Part 10 Biosecurity management plans

41A Definitions for part

In this part—

biosecurity management plan see section 41B(1) and (2).

management area, for a biosecurity management plan, means an area to which measures stated in the plan apply.

41B Biosecurity management plan

- (1) A registered biosecurity entity for a designated place may make a plan (a *biosecurity*

management plan) stating reasonable measures to prevent, control or stop the spread of biosecurity matter into, at or from the place.

- (2) The holder of an exhibited animal authority may make a plan (also a **biosecurity management plan**) stating reasonable measures to prevent, control or stop the spread of biosecurity matter into, at or from a place where an exhibited animal is kept under the authority.
- (3) The measures stated in a biosecurity management plan for a place may apply to all or part of the place.
- (4) If an entity mentioned in subsection (1) or (2) makes a biosecurity management plan for a place, the entity must—
 - (a) keep the plan as a separate document at the place; and
 - (b) make the plan available for inspection at the place, on request, during ordinary business hours; and
 - (c) ensure a sign is conspicuously displayed at each management area for the plan stating that—
 - (i) a biosecurity management plan applies to the place; and
 - (ii) it is an offence for a person entering, present at, or leaving the management area to fail to comply with the measures stated in the plan unless the person has a reasonable excuse.

- (5) In this section—

exhibited animal see the *Exhibited Animals Act 2015*, section 14.

exhibited animal authority see the *Exhibited Animals Act 2015*, section 29.

[s 4]

41C Requirement to comply with biosecurity management plan

- (1) A person entering, present at or leaving a management area for a biosecurity management plan must comply with the measures stated in the plan unless the person has a reasonable excuse.

Example of a reasonable excuse—

the person is required or permitted, under an Act, to enter the management area in a way that is inconsistent with the measures

Maximum penalty—20 penalty units.

- (2) However, subsection (1) does not apply if—
- (a) the person does not know, and could not reasonably have known, a biosecurity management plan applied to the management area; or
- (b) the entity that made the biosecurity management plan is not complying with section 41B(4).

4 Amendment of sch 11 (Dictionary)

Schedule 11—

insert—

biosecurity management plan, for chapter 2, part 10, see section 41B(1) and (2).

management area, for chapter 2, part 10, see 41A.

Part 3 **Amendment of State Penalties Enforcement Regulation 2014**

5 **Regulation amended**

This part amends the *State Penalties Enforcement Regulation 2014*.

6 **Amendment of sch 1 (Infringement notice offences and fines for nominated laws)**

Schedule 1—

insert—

Bioresecurity Regulation 2016

	Column 1	Column 2	
	Infringement notice offence	Infringement notice fine (penalty units)	
		Individual	Corporation
s 41C(1)		5	-

Authorised person for service of infringement notices—an authorised officer appointed under the *Bioresecurity Act 2014* or a police officer

ENDNOTES

- 1 Made by the Governor in Council on 24 April 2019.
- 2 Notified on the Queensland legislation website on 26 April 2019.
- 3 The administering agency is the Department of Agriculture and Fisheries.

© State of Queensland 2019