



Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Overseas Travel Ban Emergency Requirements) Determination 2020

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

Dated 25 March 2020

Greg Hunt
Minister for Health

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Part 1—Preliminary

1 Name

This instrument is the *Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Overseas Travel Ban Emergency Requirements) 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	12 pm on 25 March 2020.	12 pm on 25 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Note: This table relates only to the provisions of this instrument as originally made.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

Note: A number of expressions used in this instrument are defined in the *Biosecurity Act 2015*, including the following:

- (a) Australian territory;
- (b) operator;
- (c) passenger.

In this instrument:

Australian Border Force has the same meaning as in the *Australian Border Force Act 2015*.

Australian citizen has the same meaning as in the *Australian Citizenship Act 2007*.

Australian Defence Force has the same meaning as in the *Defence Act 1903*.

member has the same meaning as in the *Defence Act 1903*.

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permanent resident has the same meaning as in the *Australian Citizenship Act 2007*.

Part 2—Requirements

5 Persons not to travel outside Australian territory after 12 pm, 25 March 2020

- (1) An Australian citizen or permanent resident (the *person*) must not leave Australian territory as a passenger on an outgoing aircraft or vessel on or after the time this instrument commences unless:
 - (a) an exemption set out in section 6 applies to the person; or
 - (b) an exemption is granted to the operator of the aircraft or vessel or the person by an APS employee in the Australian Border Force under section 7.
- (2) An operator of an outgoing aircraft or vessel must not leave Australian territory on or after the time this instrument commences with any passenger who is an Australian citizen or permanent resident (the *person*) on board the aircraft or vessel unless:
 - (a) an exemption set out in section 6 applies to the person; or
 - (b) an exemption is granted to the operator or person by an APS employee in the Australian Border Force under section 7.

6 Exemptions—general

An exemption from the requirements of section 5 applies to the following persons:

- (a) a person ordinarily resident in a country other than Australia;
- (b) a person who is member of the crew of an aircraft or vessel (other than the outgoing aircraft or vessel) or is a worker associated with the safety or maintenance of an aircraft or vessel (other than the outgoing aircraft or vessel);
- (c) a person engaged in the day-to-day conduct of inbound and outbound freight;
- (d) a person whose travel is associated with essential work at an offshore facility;
- (e) a person who is travelling on official government business (including a member of the Australian Defence Force).

7 Exemptions—granted by an APS employee in the Australian Border Force

- (1) In exceptional circumstances, an APS employee in the Australian Border Force may grant an exemption to:
 - (a) an Australian citizen; or
 - (b) a permanent resident; or
 - (c) an operator of an outgoing aircraft or vessel.
- (2) For the purposes of subsection (1), exceptional circumstances are demonstrated by the Australian citizen, permanent resident or operator providing a compelling reason for needing to leave Australian territory.

Part 2 Requirements

Section 7

- (3) An exemption made under subsection (1) must be in writing.
- (4) An exemption made under subsection (1) is not a legislative instrument.