



**Australian Government**  
**Inspector-General of Biosecurity**

Committee Secretary  
Senate Rural and Regional Affairs and Transport Legislation Committee  
PO Box 6100  
Parliament House  
Canberra ACT 2600

Via email: [rrat.sen@aph.gov.au](mailto:rrat.sen@aph.gov.au)

Dear Committee Secretary,

Thank you for providing me an opportunity to submit my comments on the Biosecurity Amendment (Enhanced Risk Management) Bill 2021 (the Bill), which was introduced into Parliament on 1 September 2021.

I note that the Bill would amend the *Biosecurity Act 2015* (the Act) to enhance the ability to manage the risk of pests and diseases entering, emerging, establishing or spreading in Australian territory and causing harm to animal, plant and human health, the environment and the economy. In addition, it would strengthen the management of biosecurity risks posed by maritime and aviation arrivals, improve the efficiency and effectiveness of the administration of the Act, and increase a range of civil and criminal penalties to deter noncompliance and provide proportionate penalties.

On 29 April 2021, I released a report, [\*Confidence testing for at-border delivery of critical human biosecurity functions – Ruby Princess cruise ship incident\*](#), which identified a number of shortcomings that prevented the Department of Agriculture, Water and the Environment (the department) officials in effectively managing the COVID-19 risks associated with the arrival of international passengers onboard Ruby Princess on the morning of 19 March 2020 at the Port of Sydney.

My report includes 42 recommendations—of which, 5 are specifically targeted at amending the primary legislation (the Act or its regulatory instrument(s)). The intent of each of the 5 recommendations is provided below:

1. *Recommendation 19*: providing greater flexibility in managing pratique based on human biosecurity risk—in particular, to allow vessels (and aircraft) to load and unload cargo and stores where this represents an acceptably low level of risk
2. *Recommendation 20*: providing broader powers for managing large numbers of passengers and crew with potential Listed Human Diseases onboard foreign commercial vessels
3. *Recommendation 21*: providing greater powers to enforce negative pratique and apply penalties to individuals who breach negative pratique
4. *Recommendation 22*: providing clear powers to revoke pratique applying civil sanctions to vessel masters who knowingly provide false or misleading information
5. *Recommendation 24*: requiring ship masters, while in Australia, to report changes to human biosecurity information (that is, human health updates) since they submitted vessel's Pre-arrival Report.

It is commendable that the government has progressed amendments highlighted in my report as well as in the report of the other inquiry, [\*Special Commission of Inquiry into the Ruby Princess\*](#)—instituted by the New South Wales Government on 15 April 2020.

The amendments to the relevant sections of the Act and addition of several new sections—as highlighted in the Bill—are extensive, which, at places, also led to the repeal of superseded information

and addition of specific **schedules**. I note that the Bill specifically targeted issues highlighted in my report, such as:

- Pratique and human health measures
- Human biosecurity group directions
- Civil penalties
- Pre-Arrival Reporting.

The amendments appear to be appropriate to satisfactorily address the human health biosecurity (Listed Human Disease such as COVID-19) risks associated with the arrival of international passengers on board vessels and/or aircraft.

Sincerely,

Rob Delane  
INSPECTOR-GENERAL OF BIOSECURITY

23 September 2021