

Biosecurity (Information for Incoming Passengers) Amendment Bill

Member's Bill

Explanatory note

General policy statement

The purpose of the Bill is to amend the Biosecurity Act 1993 to require that all craft coming to New Zealand are required to provide biosecurity information to the persons on board by means of an audiovisual recording and writing.

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 is the commencement clause. It provides for the Bill to come into force on the day after the date on which it receives the Royal assent.

Clause 3 provides that the Bill amends the Biosecurity Act 1993 (the **principal Act**).

Clause 4 inserts *new section 17AA* into the principal Act. *New section 17AA* applies to craft that are en route to New Zealand and requires the person in charge of the craft to provide approved audiovisual and written information about New Zealand's biosecurity requirements to all people on board. *New section 17AA* also requires the Director-General to approve the material that is to be provided on board craft and give notice of its approval in the *Gazette*.

Clause 5 amends section 154H of the principal Act to include *new section 17AA* in the list of sections for which a pecuniary penalty order is available.

Clause 6 amends section 154N of the principal Act to provide that failing to comply with *new section 17AA* is a strict liability offence against the principal Act.

Clause 7 inserts *new section 162AFA*, which applies the requirements in *new section 17AA* to craft that are en route to and intending to arrive in New Zealand's exclusive economic zone (EEZ).

Steph Lewis

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Contents

	Page
1 Title	1
2 Commencement	1
3 Principal Act	2
4 New section 17AA inserted (Information about biosecurity requirements for persons on board incoming craft)	2
17AA Information about biosecurity requirements for persons on board incoming craft	2
5 Section 154H amended (Pecuniary penalty order)	2
6 Section 154N amended (Section 154N offences)	2
7 New section 162AFA inserted (Information about biosecurity requirements for persons on board craft coming to EEZ)	2
162AFA Information about biosecurity requirements for persons on board craft coming to EEZ	2

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Biosecurity (Information for Incoming Passengers) Amendment Act **2021**.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

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3 Principal Act

This Act amends the Biosecurity Act 1993 (the **principal Act**).

4 New section 17AA inserted (Information about biosecurity requirements for persons on board incoming craft)

After section 17, insert:

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17AA Information about biosecurity requirements for persons on board incoming craft

- (1) This section applies to a craft that is en route to New Zealand territory from a point outside New Zealand territory on a flight or voyage that is intended to include arrival in New Zealand. 10
- (2) Before the craft arrives in New Zealand, the person in charge of the craft must—
 - (a) give each person on board the craft a copy of approved written information about New Zealand’s biosecurity requirements; and
 - (b) play a copy of approved audiovisual information about New Zealand’s biosecurity requirements in a prominent location that is able to be seen and heard by each person on board the craft. 15
- (3) The Director-General must approve audiovisual and written material that summarises New Zealand’s biosecurity requirements for the purposes of this section, and give notice of the approval in the *Gazette*. 20

Compare: Biosecurity Act 2015 s 220 (Aust)

5 Section 154H amended (Pecuniary penalty order)

After section 154H(2)(c), insert:

(ca) section 17AA(2):

6 Section 154N amended (Section 154N offences)

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In section 154N(12)(a), after “17,”, insert “17AA(2),”.

7 New section 162AFA inserted (Information about biosecurity requirements for persons on board craft coming to EEZ)

After section 162AF, insert:

162AFA Information about biosecurity requirements for persons on board craft coming to EEZ

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- (1) Section 17AA(1) applies as if “New Zealand” and “New Zealand territory” read “the EEZ”.
- (2) Section 17AA(2) applies as if “arrives in New Zealand” read “arrives in the EEZ”. 35

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