



Biosecurity Amendment Act 2015

Public Act 2015 No 8
Date of assent 25 March 2015
Commencement see section 2

Contents

	Page
1 Title	1
2 Commencement	1
3 Principal Act	2
4 Section 24E amended (Meaning of craft risk management standard)	2
5 Section 110 amended (Warrant to inspect dwellinghouse, marae, etc)	2
6 Section 142A amended (Establishment)	2
7 Section 142C amended (Access, use, or disclosure)	2
8 Section 161 amended (Evidence in proceedings)	3

The Parliament of New Zealand enacts as follows:

- Title**
This Act is the Biosecurity Amendment Act 2015.
- Commencement**
This Act comes into force on the day after the date on which it receives the Royal assent.

3 Principal Act

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

4 Section 24E amended (Meaning of craft risk management standard)

In section 24E(1)(a), after “territory”, insert “or the arrival of craft in the EEZ”.

5 Section 110 amended (Warrant to inspect dwellinghouse, marae, etc)

- (1) In section 110(1), replace “authorising the inspector or authorised person” with “authorising every inspector and authorised person”.
- (2) In section 110(3)(a), replace “authorises the inspector or authorised person” with “authorises every inspector and authorised person”.

6 Section 142A amended (Establishment)

In section 142A(5)(a), replace “in the public domain” with “that is publicly available, as defined in section 142C(7)”.

7 Section 142C amended (Access, use, or disclosure)

- (1) Replace the heading above section 142C(1) with:
“*Publicly available information*”.
- (2) In section 142C(1), replace “comes from the public domain” with “is publicly available”.
- (3) Replace the heading above section 142C(2) with:
“*Information that is not publicly available*”.
- (4) In section 142C(2), (4), and (5), replace “comes from any other source” with “is not publicly available”.
- (5) After section 142C(2)(f), insert:
“(g) to access, use, or disclose it for statistical or research purposes, provided that the information accessed, used, or disclosed—
“(i) does not identify any person; and
“(ii) is not published in any form that could reasonably be expected to identify any person:

- “(h) to authorise other persons to access and use it for statistical or research purposes, provided that the information used—
 - “(i) does not identify any person; and
 - “(ii) is not published in any form that could reasonably be expected to identify any person.”
- (6) After section 142C(6), insert:
“*Meaning of publicly available*”
- “(7) In this section and section 142A(5)(a), information that is **publicly available** means information that—
 - “(a) comes directly or indirectly from a source that is, or was at the time of collection, available to the public; or
 - “(b) the Director-General believes on reasonable grounds is available to the public.”

8 Section 161 amended (Evidence in proceedings)

- (1) In section 161(2)(d) and (e), delete “by that chief technical officer” in each place.
- (2) In section 161(2)(d)(ii), replace “the certificate:” with “the certificate; or”.
- (3) After section 161(2)(d)(ii), insert:
“(iii) a person accredited for a particular function under section 103(7):”.
- (4) In section 161(2)(e)(ii), replace “the certificate:” with “the certificate; or”.
- (5) After section 161(2)(e)(ii), insert:
“(iii) a person accredited for a particular function under section 103(7):”.
- (6) Replace section 161(2)(f) with:
 - “(f) a certificate purporting to be signed by the principal officer of a regional council stating that a person specified in the certificate is—
 - “(i) an authorised person appointed under section 103(3) in relation to a regional pest management plan or a regional pathway management plan or a small-scale management programme specified or described in, or attached to, the certificate; or

“(ii) a person accredited for a particular function under section 103(7):”.

Legislative history

19 March 2015	Divided from Statutes Amendment Bill (No 4) (Bill 188–2)
24 March 2015	Third reading
25 March 2015	Royal assent

This Act is administered by the Ministry for Primary Industries.
