



Biosecurity (Acceptable Ballast Water Exchange Area) Declaration 2016

I, Daryl Quinlivan, Director of Biosecurity, make the following declaration.

Dated 24 May 2016

Daryl Quinlivan
Director of Biosecurity

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1 Name

This is the *Biosecurity (Acceptable Ballast Water Exchange Area) Declaration 2016*.

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	At the same time as section 3 of the <i>Biosecurity Act 2015</i> commences.	

Note: This table relates only to the provisions of this instrument as originally made.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 275(4) of the *Biosecurity Act 2015*.

4 Acceptable location for ballast water exchange—areas outside Australian seas

- (1) Any area of waters that is at least 12 nautical miles from the nearest land is an acceptable location for ballast water exchange.
- (2) For this section, *from the nearest land* has the same meaning as in regulation A-1.6 of the Annex to the Ballast Water Convention.

Note: A ballast water exchange that is conducted in an area specified in this section is an acceptable ballast water exchange if it is conducted in accordance with the requirements prescribed by subsection 67(2) of the *Biosecurity Regulation 2016*.

5 Acceptable location and circumstances for ballast water exchange—area within Australian seas

Any area within Australian seas is an acceptable location for ballast water exchange by a vessel if:

- (a) the ballast water discharged from a tank on the vessel during the exchange consists only of potable water; and
- (b) the ballast water was sourced from a municipal water supply or produced on board the vessel; and
- (c) the ballast water has:
- (i) a relative density of 1.0002 or less at 15°C; and

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- (ii) 1 000 hPa atmospheric pressure; and
- (d) in the case of ballast water that was sourced from a municipal water supply—there is documentary evidence (for example, a receipt) on board the vessel stating the place where, and the time when, the water was sourced.

Note: *Australian seas* is defined in section 9 of the *Biosecurity Act 2015*.