



PARLIAMENTARY LIBRARY

Te Pātaka Rangahau a Te Whare Pāremata

# BILLS DIGEST

Digest No. 1721

## Biosecurity Amendment Bill 2009 (2009 No 77-2)

<b>Date of Introduction:</b>	08 September 2009
<b>Portfolio:</b>	Biosecurity
<b>Select Committee:</b>	Primary Production
<b>Date report presented:</b>	19 October 2009
<b>Published: 16 November 2009</b>  Prepared by <b>John McSoriley</b> BA LL.B, Barrister  Legislative Analyst  P: (04) 471-9626 (Ext. 9626)  F: (04) 471-1250	Caution: This Digest was prepared to assist consideration of the Bill by members of Parliament. It has no official status.  Although every effort has been made to ensure accuracy, it should not be taken as a complete or authoritative guide to the Bill. Other sources should be consulted to determine the subsequent official status of the Bill.

### Purpose

The main aims of this Bill as introduced are to amend the Biosecurity Act 1993 (the Act) to:

- increase the maximum fine on summary conviction for the offence of making an erroneous declaration concerning possession of risk goods from \$400 to \$800;
- enable the amount of infringement fees to be increased (to a maximum of \$1,000) in regulations rather than by amendment to the Act; and
- enable the detail of the infringement offence regime in the Biosecurity Act 1993 to be prescribed in regulations made under the Act rather than specified in the Act itself.

*The Bill as introduced is described in [Bills Digest 1708](#).*

## Main changes to the Bill

---

### Maximum fine level increased to \$1,000

The Bill as introduced raised the maximum penalty on summary conviction for an offence of an erroneous declaration at the border from \$400 to \$800.

The Select Committee has recommended that this level be further raised to \$1,000 (*Clause 5, amending Section 157(7) of the Act*).

### Infringement offences under the Act

The Select Committee has recommended that the regulations under the Act declaring offences to be infringement offences may only apply to offences against or under the Act.

**Copyright: © NZ Parliamentary Library, 2009**

Except for educational purposes permitted under the Copyright Act 1994, no part of this document may be reproduced or transmitted in any form or by any means, including information storage and retrieval systems, other than by Members of Parliament in the course of their official duties, without the consent of the Parliamentary Librarian, Parliament Buildings, Wellington, New Zealand.

This document may also be available through commercial online services and may be viewed and reproduced in accordance with the conditions applicable to those services.