



REPUBLIC OF NAURU

Quarantine Act 1908

As in force from 15 April 2011

This compilation comprises Act No. 3 of 1908 of the Commonwealth of Australia as adopted as a law of Nauru by the *Laws Repeal and Adopting Act 1922*, and as amended after adoption and in force from 15 April 2011 (being, at the time the compilation was prepared on 23 May 2011, the date of commencement of the most recent amendment).

The notes section at the end of the compilation includes a reference to the law by which each amendment was made. The Table of Amendments in the notes section sets out the legislative history of individual provisions.

The operation of amendments that have been incorporated in the text of the compilation may be affected by application provisions that are set out in the notes section at the end of the compilation.

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REPUBLIC OF NAURU
Quarantine Act 1908¹

An Act relating to Quarantine

PART I — INTRODUCTORY

1 Short title

This Act may be cited as the *Quarantine Act 1908*.

2 Commencement

This Act shall commence on a day to be fixed by proclamation.

2A Power to supersede Quarantine measures under State Acts

- (1) Whenever the Governor-General² is satisfied that an emergency exists which makes it necessary to do so, he may, by proclamation, declare that any or all measures of quarantine prescribed by or under any State Act shall, for such period as is specified in the proclamation, cease to have effect, and such measure shall thereupon cease to have effect accordingly.

¹ Section 10 of the *Laws Repeal and Adopting Act 1922* provides that the adopted law applies to Nauru so far as it is applicable and s. 16 of that Act provides:

‘All or any references to authorities, persons, places, subjects, matters, or things in any Act, Statute, law, regulation, or rule hereby adopted shall be taken as referring to corresponding or analogous authorities, persons, places, subjects, matters, or things in the Island of Nauru, and for the purpose of facilitating the application of any of the aforesaid Acts, Statutes, laws, regulations, or rules hereby adopted, it shall be lawful for any Court or magistrate to construe the same with such verbal alteration not affecting the substance as may be necessary to render the same applicable to the matter before the Court or magistrate.’

See also section 10 of the *Interpretation Act 1971*.

² Clause 86(1) of the *Constitution of Nauru* provides (in part):

‘Subject to this Constitution, a reference in a law continued in force by clause (1) or (2) of Article 85 to ... the Governor-General of the Commonwealth of Australia ... shall, unless the context otherwise requires, be read as a reference to the President.’

- (2) The Governor-General may at any time revoke or vary any such proclamation.

3 Parts

This Act is divided into Parts, as follows:

PART I — Introductory.

PART II — Administration.

PART III — General Provisions.

PART IV — Quarantine of Vessels Persons and Goods.

Division 1 — Liability to Quarantine.

Division 2 — Performance of Quarantine.

PART V — Quarantine of Animals and Plants.

PART VI — Expenses of Quarantine.

PART VII — Miscellaneous.

4 Scope of Quarantine

In this Act, Quarantine has relation to measures for the inspection, exclusion, detention, observation, segregation, isolation, protection, treatment, sanitary regulation, and disinfection of vessels, persons, goods, things, animals, or plants, and having as their object the prevention of the introduction or spread of diseases or pests affecting man, animals, or plants.

5 General definitions

In this Act, unless the contrary intention appears:

‘Australian vessel’ means a vessel which does not voyage or ply to or from any place outside Australia;

‘Authorized person’ means a person authorized by this Act or the regulations, or by the Minister or a quarantine officer, to do the act in relation to which the expression is used;

'By authority' means by the authority of the Minister, or of a quarantine officer, or of an officer under this Act doing duty in the matter in relation to which the expression is used;

'Disease' in relation to animals, means glanders, farcy, pleuro-pneumonia contagiosa, foot and mouth disease, rinderpest, anthrax, Texas or tick fever, hog cholera, swine plague, mange, scab, surra, dourine, rabies, tuberculosis, actinomycosis, variola ovina, or any disease declared by the Governor-General by proclamation to be a disease affecting animals;

'Disease' in relation to plants means any disease or pest declared by the Governor-General by proclamation to be a disease affecting plants;

'First port of entry' in relation to a vessel means a first port of entry for that vessel;

'Goods' includes all kinds of movable property;

'Landing place' means any place declared by proclamation to be a landing place for vessels engaged in navigation by air;

'Master' in relation to a vessel means the person (other than a pilot) in charge or command of the vessel;

'Medical Officer' in relation to a vessel means any person on the vessel acting as the medical officer, doctor, or surgeon of the vessel;

'Officer' means a quarantine officer or other officer appointed under this Act;

'Oversea vessel' means any vessel other than an Australian vessel;

'Package' includes every means by which plants are cased, covered, enclosed, contained, or packed for carriage;

'Plants' means trees or plants and includes cuttings and slips of trees and plants and all live parts of trees or plants and fruit;

'Port of departure' in relation to a vessel means the port at which the vessel commenced its current voyage;

'Pratique', in relation to a vessel, means a certificate of pratique granted by a quarantine officer since the last arrival of the vessel from places outside Australia, and having effect at the

port or place where the vessel is for the time being, or is about to arrive;

'Quarantinable disease' means small-pox, plague, cholera, yellow fever, typhus fever, or leprosy, or any disease declared by the Governor-General, by proclamation, to be a quarantinable disease;

'Quarantine Officer' means a quarantine officer appointed under this Act;

'Unauthorized person' means a person not authorized by this Act or the Regulations, or by the Minister or a quarantine officer, to do the act in relation to which the expression is used;

'Vessel' means any ship, boat, or other description of vessel or vehicle used in navigation by sea or air.

6 *[Repealed]*

7 **No appropriation**

Nothing in this Act shall be taken to be an appropriation of any public moneys.

PART II – ADMINISTRATION

8 *[Repealed]*

8A **Director of Quarantine and Chief Quarantine Officers**

- (1) There shall be a Director of Quarantine who shall, under the Minister, be charged with the execution of this Act and the regulations thereunder.
- (2) There shall be such Chief Quarantine Officers for such divisions of quarantine as the Governor-General thinks fit, who shall have such powers and functions as are conferred upon them by this Act or the Regulations.
- (3) All quarantine officers (including Chief Quarantine Officers) shall perform their powers and functions under and subject to the directions of the Director of Quarantine who shall himself also have all the powers of a Quarantine Officer or a Chief Quarantine Officer under this Act or Regulations.

- (4) The Director of Quarantine and all Chief Quarantine Officers holding office at the commencement of this section shall hold office as if appointed after the commencement of the section.
- (5) For the purposes of this section, any branch or subject of quarantine or territorial division or locality for which a Chief Quarantine Officer is appointed shall be a division of quarantine.

9 Appointment of officers

The Governor-General may appoint quarantine officers and other officers for carrying out this Act.

9A Temporary Quarantine Officers

- (1) The Minister may appoint temporary Quarantine Officers for such period as he thinks necessary.
- (2) Temporary Quarantine Officers shall, for the period of their appointment, have all the powers of a Quarantine Officer appointed under the last preceding section.
- (3) Any appointment made in pursuance of this section shall not confer on the appointee any right or claim to be permanently appointed to the position.

10 Delegation of authority

In relation to any particular matter or class of matters, or as to any particular State or port, the Minister may by writing under his hand delegate any of his powers under this Act (except this power of delegation) so that the delegated powers may be exercised by the delegate with respect to the matter or class of matters, or the State or port specified in the instrument of delegation.

10A Revocation of delegation

Every delegation by the Minister shall be revocable in writing at will and no delegation shall prevent the exercise of any power by the Minister.

11 Arrangements with State Governments to aid in carrying out this Act

The Governor-General may enter into any arrangement with the Governor of any State in respect of all or any of the following matters:

- (a) The use of any State quarantine station or other place as a quarantine station under this Act, and the control and management of any such quarantine station;
- (b) Any matters necessary or convenient to be arranged in order to enable the Commonwealth quarantine authorities and the State health or other authorities to act in aid of each other in preventing the introduction or spread of diseases affecting man, animals, or plants.

PART III — GENERAL PROVISIONS

12 Proclaimed places

The Governor-General may, by proclamation, declare that any place beyond or in Australia is infected with a quarantinable disease, or that a quarantinable disease may be brought or carried from or through that place, and thereupon, and so long as the proclamation remains in force, that place shall be a proclaimed place within the meaning of this Act.

13 Proclamation of ports of entry, etc.

- (1) The Governor-General may, by proclamation:
 - (a) declare any ports in Australia to be first ports of entry for oversea vessels;
 - (aa) declare any place or area in Australia to be a landing place for vessels engaged in navigation by air;
 - (b) declare any ports in Australia to be ports where imported animals and plants or any particular kinds of imported animals or plants may be landed;
 - (c) appoint places on land or sea to be quarantine stations for the performance of quarantine by vessels, persons, goods, animals, or plants;

- (d) prohibit the introduction into Australia of any noxious insect, or any pest, or any disease germ or microbe, or any disease agent, or any culture virus or substance or article containing, or likely to contain, any noxious insect, pest disease germ, microbe, or disease agent;
 - (e) prohibit the importation into Australia of any articles likely, in his opinion, to introduce any infectious or contagious disease;
 - (f) prohibit the importation into Australia of any animals or plants, or any parts of animals or plants;
 - (g) prohibit the removal of any animals, plants, or goods, or parts of animals or plants, from any part of the Commonwealth in which any quarantinable disease, or disease affecting animals or plants, exists, to any other part of the Commonwealth in which the disease does not exist;
 - (h) declare any part of the Commonwealth in which any quarantinable disease or any disease or pest affecting animals or plants exists to be a quarantine area; or
 - (i) declare that any vessel, persons, animals, plants, or goods in any quarantine area, or in any part of the Commonwealth in which any quarantinable disease, or any disease or pest affecting plants or animals, exists, shall be subject to quarantine.
- (1A) The power to declare first ports of entry shall extend to authorize the declaration of a port to be a first port of entry for all oversea vessels, or for oversea vessels from any particular place, or any class of oversea vessels.
- (2) The power of prohibition under this section shall extend to authorize prohibition generally or with limitations as to place and subject-matter, and either absolutely or subject to any specified conditions or restrictions.
- (3) The powers conferred on the Governor-General by this section, in relation to the matters specified in paragraphs (g), (h) and (i) of subsection (1), so far as they relate to animals or plants or any disease affecting animals or plants shall, as regards a part of the Commonwealth being a State or part of a State, only be exercised in cases where the Governor-General is satisfied that the exercise of those powers is necessary for the purpose of preventing the spread of a disease or pest affecting animals or plants, beyond the boundaries of that State.

13A Emergency Quarantine grounds

The Minister may appoint any place to be a temporary quarantine station for such period as he thinks necessary, for the performance of quarantine by any vessel, persons, goods, animals, or plants, and the place so appointed shall be deemed to be a quarantine station accordingly.

14 Exemption of certain vessels and goods

The Governor-General may exempt, for such time and subject to such conditions as he thinks fit, from all or any of the provisions of this Act:

- (a) any ship of war;
- (b) any vessels trading exclusively between Australian ports or Australia and New Zealand or Fiji, or other places adjacent to Australia;
- (c) any particular vessel or class of vessels; and
- (d) any persons, animals, plants, or goods.

15 Vessels may be ordered to carry disinfecting apparatus

The owner or master of any vessel going from one State or part of the Commonwealth to another State or part of the Commonwealth, or of any vessel carrying passengers and trading regularly with the Commonwealth, shall, if required by the Minister by order in writing so to do, cause to be carried on the vessel for such time as may be prescribed such prophylactic agents as are prescribed and efficient disinfecting apparatus or appliances and disinfectants. approved by him.

Penalty: Fifty pounds.

15A Master of vessel from a proclaimed place to take precautionary measures to prevent infection

- (1) The master of any vessel, bound for any port or place in Australia, which comes from or calls or touches at any proclaimed place, shall, while his vessel is at that proclaimed place and during the voyage to Australia, take, in respect of the vessel her crew passengers and cargo, all precautionary measures to prevent the introduction into or spread within

Australia of any quarantinable disease which are prescribed by the regulations to be taken in respect of the proclaimed place.

- (2) The master of any vessel who, having failed to comply with the preceding subsection, suffers his vessel to enter any port or place in Australia, shall be guilty of an offence.

Penalty: One hundred pounds.

- (3) In any prosecution under this section, if the master of the vessel satisfies the court that he was not aware of the precautionary measures required to be taken by him, and that he took all reasonable means to ascertain whether any such measures were necessary on his part, he shall not be liable to any penalty.
- (4) Where a vessel has arrived from a proclaimed place and the prescribed precautionary measures have not been taken, any prescribed measures for the prevention of the introduction or spread of any quarantinable disease may be carried out by a quarantine officer with respect to the vessel her crew passengers and cargo at the expense of the owner of the vessel.

16 Fumigation of vessels to destroy vermin

The owner or master of any Australian vessel or of any vessel going from one port in the Commonwealth to another port in the Commonwealth shall, when required by a quarantine officer by order in writing so to do, cause his vessel to be cleansed, disinfected, fumigated or submitted to any specified process for the destruction of rats, mice, insects, or disease agents in the presence and to the satisfaction of an officer.

PART IV — QUARANTINE OF VESSELS, PERSONS, AND GOODS

Division 1 — Liability to Quarantine

17 When vessel subject to quarantine

The following vessels shall be subject to quarantine:

- (a) Every oversea vessel until pratique has been granted or until she has been released from quarantine;

- (b) every vessel (whether an Australian vessel or an overseas vessel) on board which any quarantinable disease or disease which there is reason to believe or suspect to be a quarantinable disease has broken out or been discovered (notwithstanding that pratique has been granted or that she has been released from quarantine); and
- (c) every vessel which is ordered into quarantine by a quarantine officer.

18 Persons subject to quarantine

- (1) The following persons shall be subject to quarantine:
 - (a) Every person who is on board a vessel subject to quarantine, or who has been on board the vessel (being an overseas vessel) since her arrival in Australia;
 - (b) every person infected with a quarantinable disease; and
 - (c) every person who has been in contact with or exposed to, infection from any person or goods subject to quarantine.
- (2) The following goods shall be subject to quarantine:
 - (a) All goods which are on board a vessel subject to quarantine, or which have been on board the vessel (being an overseas vessel) since her arrival in Australia;
 - (b) all goods infected with a quarantinable disease; and
 - (c) all goods which have been in contact with or exposed to infection from any person or goods subject to quarantine.

19 Continuance of liability to quarantine

All vessels, persons, and goods subject to quarantine shall continue to be so subject from the time when they became subject to quarantine until they are released from quarantine or until pratique has been granted.

20 Vessels to enter first port of entry

The master of an overseas vessel arriving in Australia shall not, unless from stress of weather or other reasonable cause, suffer

the vessel to enter any port other than a port declared to be a first port of entry.

Penalty: Five hundred pounds.

20A Landing places for aircraft

The master of any oversea vessel engaged in navigation by air shall not, unless from stress of weather or other reasonable cause, suffer the vessel to land in Australia at any place other than a landing place.

Penalty: Five hundred pounds.

21 Quarantine signals on vessels

The master of every vessel subject to quarantine shall:

- (a) display the quarantine signal on his vessel before she comes within one league of any port;
- (b) keep the quarantine signal displayed on his vessel while entering or being in, any port or quarantine station; and
- (c) in the case of a vessel engaged in navigation by air, display and keep displayed the prescribed signal.

Penalty: One hundred pounds.

22 Master to notify outbreak of disease

(1) When:

- (a) any eruptive disease; or
- (b) any disease attended with fever and glandular swellings; or
- (c) any disease which he believes or suspects, or has reason to believe or suspect, to be a quarantinable disease;

has broken out on board any vessel, the master of the vessel shall forthwith (unless the vessel is actually performing quarantine under the supervision of a quarantine officer):

- (a) notify a quarantine officer of the breaking out of the disease, and

- (b) display the quarantine signal on his vessel, and keep it so displayed until he is authorized by a Quarantine Officer to remove it or until the vessel is released from quarantine.

Penalty: Fifty pounds.

- (2) The master of a vessel in port shall forthwith give notice in writing to a quarantine officer of every case of any prescribed disease which was on his vessel when she arrived in the port or which has arisen on his vessel since she arrived in the port.

Penalty: Fifty pounds.

23 Signal

The quarantine signal shall be as prescribed and shall be displayed in the prescribed manner.

24 Unauthorized person not to board vessel

No unauthorized person shall go on board or alongside of any vessel subject to quarantine, or while the quarantine signal is displayed on the vessel.

Penalty: One hundred pounds.

25 When required vessel to be brought to

The master of a vessel shall, on being so required by a quarantine officer, bring the vessel to, and shall by all reasonable means facilitate the boarding of the vessel by the quarantine officer.

Penalty: Fifty pounds.

26 Limit in part for vessels subject to quarantine

- (1) The master of a vessel subject to quarantine shall not allow the vessel to be brought into any part of the port within the quarantine line.

Penalty: One hundred pounds.

- (2) The Governor-General may by proclamation fix the position of the quarantine line for any port.

26A Vessel to be brought to proper mooring ground

- (1) The master of a vessel subject to quarantine shall, forthwith on arrival at or near a port, bring the vessel to a place appointed by the Governor-General by proclamation to be a mooring ground or landing place for vessels subject to quarantine.

Penalty: One hundred pounds.

- (2) On the request of the master, owner, or agent of a vessel subject to quarantine, and on payment of the prescribed fee, the vessel may, with the approval of a prescribed quarantine officer, be taken for inspection to some other place instead of to the mooring ground for vessels subject to quarantine.

27 Master to deliver health report

The master of an overseas vessel arriving at any port in Australia shall, on being required so to do, make out and deliver to the quarantine officer a health report, in accordance with the prescribed form signed by him, and, if the vessel carries a medical officer, signed also by the medical officer.

Penalty: One hundred pounds.

27A Master to bring health report of overseas ports

The master of any overseas vessel bound for any port in Australia shall bring from its overseas port of departure and from every overseas port of call on the voyage, and, on being required so to do, shall deliver to the quarantine officer a bill of health giving such information as may be prescribed in respect of the port and of the sanitary circumstances and condition of the vessel and of her crew and passengers while at the port.

Penalty: Fifty pounds.

28 Master and medical officer to answer questions

- (1) The medical officer and the master of any overseas vessel arriving at any port in Australia shall severally truly answer to the best of their knowledge all questions put to them or either of them by a quarantine officer touching the health of the crew and passengers of the vessel during the voyage, touching the sanitary condition of the vessel during the voyage, and touching the existence of any quarantinable or infectious disease at the ports of departure or call or on board any vessel communicated

with or touching the existence on his vessel of any rags or second-hand clothing or other prescribed articles and the ports or places at which they were put on the board the vessel.

Penalty: One hundred pounds.

- (2) Any questions under this section may be written or oral, and the quarantine officer may require the answers to be given in writing or orally.
- (3) A quarantine officer may, if he thinks fit, require the medical officer and the master or either of them to verify any answer to any question asked in pursuance of this section by a declaration in writing signed by him solemnly declaring to the truth of the answer.
- (4) Any declaration under this section may be taken before a quarantine officer, and any person who makes any false statement in any such declaration shall be guilty of an indictable offence.

Penalty: Imprisonment for two years.

29 No person to be allowed to quit vessel subject to quarantine

- (1) Except as prescribed, the master of a vessel subject to quarantine shall not quit, or knowingly or negligently suffer any person to quit, his vessel, or knowingly or negligently permit any goods, mails, or loose letters to be removed from his vessel.

Penalty: One hundred pounds.

- (2) In order to comply with this section, the master of a vessel may detain any person, goods, mails, or loose letters on his vessel, and may use any means reasonably necessary for that purpose.

30 Other persons prohibited from quitting vessel

No person (other than a quarantine officer) who is on board a vessel subject to quarantine shall (unless authorized by a quarantine officer to do so) quit the vessel.

Penalty: One hundred pounds.

31 Apprehension of persons liable to quarantine

- (1) Any constable or authorized person may, without warrant, apprehend:
 - (a) any person who has, in contravention of this Act or the regulations, quitted any vessel subject to quarantine or any quarantine station; or
 - (b) any person subject to quarantine who' is found in any place not being in or part of a quarantine station.
- (2) Any person apprehended tinder this section shall be brought before a Justice of the Peace or quarantine officer, who may, on proof to his satisfaction that the person so brought before him is subject to quarantine, order him to be taken to the vessel from which he has landed or to a quarantine station to perform quarantine, and may by warrant authorize any constable or other person to take him accordingly, or may order him to be dealt with in accordance with the regulations.

32 Mooring of vessels from proclaimed places

- (1) A vessel which has arrived at any port from a proclaimed place and not having a certificate of pratique shall be moored or berthed in the port in accordance with the directions of a quarantine officer or as prescribed.
- (2) The master of a vessel shall not suffer or permit her to be moored or berthed in any port in contravention of this section.

Penalty: Fifty pounds.

33 Pratique

- (1) After boarding any oversea vessel (not having a certificate of pratique) the quarantine officer shall forthwith, if he is satisfied that the vessel is free from infection, give the master a certificate of pratique in accordance with the form prescribed.
- (2) The certificate of pratique may be expressed to have effect in all ports in Australia, or to have effect only in any specified port or ports, or the ports in any specified States or parts of the Commonwealth or to have effect only for a specified time.
- (3) The certificate of pratique may be expressed to have relation to all or any specified measures of quarantine.

34 Quarantine surveillance

- (1) Where a vessel has arrived at any port from a proclaimed place, or is subject to quarantine, and the quarantine officer is satisfied that no person on board is actually suffering from a quarantinable disease, but is not satisfied that the vessel is free from infection, he may, subject to this section:
 - (a) refrain from giving a certificate of pratique;
 - (b) permit the vessel to proceed on her voyage without performing quarantine at the quarantine station;
 - (c) permit any passengers for that port and their effects to be landed;
 - (d) permit any cargo on the vessel for that port to be landed.
- (2) The vessel shall continue to be subject to quarantine until pratique is granted.
- (3) All persons landed in pursuance of this section shall continue subject to quarantine until such period as is prescribed, and, while so subject, shall be under quarantine surveillance and shall comply with the regulations relating to quarantine surveillance.

Penalty: One hundred pounds.

- (4) All cargo and passengers' effects landed under this section shall be subject to treatment and disinfection as prescribed.

Division 2 – Performance of Quarantine

35 Order to perform quarantine

- (1) A quarantine officer may, by order in writing, order into quarantine any vessel, person, or goods (whether subject to quarantine or not), being or likely to be, in his opinion, infected with a quarantinable disease or a source of infection with a quarantinable disease.
- (2) If a vessel has arrived in Australia from a proclaimed place the quarantine officer shall (except as prescribed) order her into quarantine.

- (3) The order may:
- (a) in the case of any vessel, and all persons and goods on board the vessel, be served on the master of the vessel; or
 - (b) in the case of any person, be served on the person; or
 - (c) in the case of any goods, be served on the owner consignee or any person having possession or custody of the goods.
- (4) When the order has been served in accordance with this section, the vessel, and all persons and goods on board the vessel, or the person or goods, as the case may be, shall be deemed to be ordered into quarantine.

35A Vessel having cases of communicable disease on board

- (1) When a vessel subject to quarantine, or any other vessel, has on board any case of communicable (infectious) disease, and a quarantine officer certifies that measures of quarantine are necessary to prevent the disease from spreading, all such measures for the disinfection of the vessel and all such other measures of quarantine as are prescribed or as a quarantine officer directs shall be taken, and any persons suffering from or suspected to be suffering from the disease or who have been exposed to infection from the disease may be ordered into quarantine and may be removed to a quarantine station to perform quarantine.
- (2) Persons suffering from, or suspected to be suffering from, the disease shall be deemed to be subject to quarantine, notwithstanding that the disease has not been proclaimed to be a quarantinable disease.
- (3) No person suffering from or suspected to be suffering from a communicable (infectious) disease shall quit the vessel without the written permission of a quarantine officer.

Penalty: Five hundred pounds.

- (4) No person who is in charge of any person suffering from or suspected to be suffering from or suspected to be suffering from any communicable (infectious) disease shall permit the person to quit the vessel without the written permission of a quarantine officer.

Penalty: Five hundred pounds.

- (5) When a quarantine officer has given a certificate in pursuance of subsection (1) of this section, the master of the vessel shall not knowingly or negligently allow any person suffering from, or suspected to be suffering from, the disease, or who has been exposed to infection from the disease, to quit the vessel.

Penalty: Five hundred pounds.

36 Master, when so ordered, to convey vessel into quarantine

- (1) When a vessel is ordered into quarantine, the master thereof shall forthwith cause the vessel and all persons and goods on board the vessel to be conveyed into such quarantine station as the quarantine officer directs, there to perform quarantine.

Penalty: Five hundred pounds.

- (2) Where a vessel ordered into quarantine has to be cleansed, fumigated, disinfected, or treated in any manner, a quarantine officer may direct the vessel to be taken to any prescribed place for the purpose of being so cleansed, fumigated, disinfected, or treated, and the master of the vessel shall cause the vessel to be taken to the place accordingly.

Penalty: Five hundred pounds.

37 When vessel deemed to be in quarantine

A vessel ordered into quarantine, although not actually within a quarantine station, shall be deemed to be in quarantine.

38 Particulars to be given at the quarantine station

When the vessel arrives at the appointed quarantine station, the master shall, on request, produce and deliver to the officer in charge of the quarantine station his passenger list, bill of health, log, manifest, journal, and other ship's papers.

Penalty: One hundred pounds.

39 Performance of quarantine by vessel

Every vessel in quarantine shall, subject to this Act, perform quarantine at the appointed quarantine station, and for that purpose may be there detained by a quarantine officer or any authorized person until released in accordance with this Act, and whilst so detained shall be subject to the regulations relating to the performance of quarantine.

40 Vessel in quarantine not to be moved except in accordance with Act

When a vessel is in quarantine, the master shall not move the vessel or suffer her to be moved except in accordance with this Act and the regulations.

Penalty: One hundred pounds.

41 Removal from vessel to perform quarantine

- (1) For the purpose of the performance of quarantine, any persons on board a vessel subject to quarantine may be removed from the vessel by a quarantine officer at any port (notwithstanding that the port is not their port of destination) and conveyed to and detained in a quarantine station there to perform quarantine.
- (2) All persons removed from a vessel in pursuance of this section shall be entitled to be provided with free passages to their ports of destination forthwith after being released from quarantine.

42 Power to permit vessel to proceed on voyage

The Minister may, if he thinks fit, permit any vessel in quarantine to proceed on her voyage with her officers, crew, and passengers, or any of them, without performing quarantine at the quarantine station at the port at which she then is; but the vessel and her officers, crew, and passengers shall not thereby be released from quarantine, but shall, while in Australia and until released from quarantine, be deemed to be in quarantine, and shall, except as prescribed or as ordered by the Minister, be subject to this Act and the regulations to the same extent as if they were performing quarantine at a quarantine station.

43 Cleansing and disinfecting vessel

A quarantine officer may order any vessel in quarantine to be cleansed and disinfected in such manner as he direct, and the master of the vessel shall cause her to be cleansed and disinfected accordingly.

Penalty: One hundred pounds.

44 Goods not to be removed

- (1) When a vessel is in quarantine then, until the vessel is released from quarantine, no unauthorized person shall land or unship, or move with intent to land or unship, any goods from the vessel.

Penalty: One hundred pounds.

- (2) No person shall knowingly receive or have in his possession any goods landed or unshipped from any vessel in contravention of this section.

Penalty: One hundred pounds.

- (3) In any prosecution under subsection (2) of this section, the burden of proving want of knowledge shall lie upon the defendant.

45 Performance of quarantine by persons

- (1) All persons ordered into quarantine shall perform quarantine, and for that purpose may:

- (a) be detained on board the vessel;
- (b) be detained upon the premises upon which they are found; or
- (c) be removed to and detained in a quarantine station;

until released in accordance with this Act or the regulations; and while so detained shall be subject to the regulations regulating the performance of quarantine and the government of quarantine stations.

- (2) No person ordered into quarantine shall commit any breach of the regulations regulating the performance of quarantine or the government of quarantine stations.

Penalty: One hundred pounds or imprisonment for three months.

- (3) Where a person ordered into quarantine is not, in the opinion of a quarantine officer, actually suffering from a quarantinable disease, the quarantine officer may, subject to the regulations, release the person under quarantine surveillance.

- (4) Any person subject to quarantine shall be under quarantine surveillance and shall comply with the regulations relating to quarantine surveillance.

Penalty: One hundred pounds or imprisonment for three months.

46 Release from quarantine

When quarantine has been performed by any vessel or persons in accordance with this Act and the regulations, such vessel and persons shall forthwith be released from quarantine.

47 Performance of quarantine by goods

All goods ordered into quarantine shall perform quarantine, and for that purpose may be detained on board the vessel or in a quarantine station.

48 Goods ordered into quarantine to be treated and disinfected

- (1) All goods ordered into quarantine shall be treated and disinfected as prescribed, and when so treated and disinfected may be released from quarantine.

- (2) If the quarantine officer in charge of any goods ordered into quarantine is of opinion that they cannot be effectively disinfected, and ought not to be released from quarantine owing to the danger of infection, he may cause the goods to be destroyed:

Provided that where the value of the goods exceeds Ten pounds this power shall not be exercised without the written approval of the Minister.

49 Unlawful damage by officers

No officer shall unlawfully destroy or damage any goods under his charge in the performance of quarantine.

Penalty: One hundred pounds.

PART V — QUARANTINE OF ANIMALS AND PLANTS

50 Animals or plants to be landed at declared ports

No person shall land any imported animals or plants in any port or place in Australia except a port declared by proclamation to be a port where the imported animals or plants may be landed.

Penalty: One hundred pounds.

51 Quarantine control of imported animals

No imported animals or plants, and no hay, straw, fodder, litter, fittings, clothing, utensils, appliances or packages used on any vessel in connexion with imported animals or plants shall, until released from quarantine, be moved, dealt with, or interfered with except by authority and in accordance with this Act and the regulations.

Penalty: One hundred pounds.

52 Permit for landing

No imported animals or plants, and no hay, straw, fodder, litter, fittings, clothing, utensils, appliances or packages used on any vessel in connexion with imported animals or plants shall be landed or removed from the vessel until a permit for their landing or removal from the vessel has been granted by a quarantine officer.

Penalty: One hundred pounds.

53 Examination of imported animals

- (1) A quarantine officer prescribed for the purpose shall make a careful inspection of all imported animals before they are delivered to the importer.

- (2) If the imported animals (other than camels horses or dogs) come from a country declared by the Governor-General by proclamation to be free from disease affecting animals of the kind of those imported and are accompanied by a certificate. of an approved veterinary surgeon at the port of shipment, certifying that he had examined the animals prior to their shipment and that they then were in good health and free from disease, and the quarantine officer has reported to the Minister that he is satisfied that during the voyage they have not suffered from any disease or been exposed to infection, and were free from disease at the time of landing, and that there is no danger of their introducing any disease he may, subject to the regulations, give to the importer a certificate to that effect, and may allow them to be delivered to the importer without being required to perform quarantine.
- (3) If any imported animal is not suffering from any disease, the quarantine officer may, subject to the regulations, permit the animal to leave the ship, or, if it has been ordered into quarantine the quarantine station under quarantine surveillance.
- (4) An animal under quarantine surveillance shall continue thereunder for such period as is prescribed, and shall be treated and dealt with as prescribed, and the owner or person in charge of the animal shall during such period comply with the regulations relating to quarantine surveillance of animals, and a quarantine officer may, at any time during such period, order the animal into quarantine.

54 Examination of imported plants

- (1) A quarantine officer shall make a careful inspection of all imported plants before they are delivered to the importer.
- (2) If the imported plants are found to be free from disease, and the quarantine officer is satisfied that they can be delivered to the importer without danger of introducing any disease, he may, subject to the regulations, authorize their delivery to the importer.
- (3) If the imported plants are found not to be free from disease, or the quarantine officer is not satisfied that they can be delivered to the importer without danger of introducing some disease, he shall order the plants into quarantine.

55 Power to order animals and plants into quarantine

A quarantine officer may examine, and order into quarantine, any animals or plants declared, by proclamation to be subject to quarantine.

55A Power to order goods into quarantine

A quarantine officer may examine and order into quarantine any imported goods being or likely to be, in his opinion, infected with a disease affecting animals or plants, or which contain or appear to contain any insect or pest or disease agent.

56 Performance of quarantine

All animals and plants and goods ordered into quarantine may forthwith be conveyed to a quarantine station, and may be detained there for such period as is prescribed, and: while so detained, shall be dealt with and treated as prescribed.

57 Power to destroy diseased animals

- (1) If a quarantine officer prescribed for the purpose certifies that any animal ordered into quarantine is affected with any disease and, in his opinion; is a source of danger to other animals and ought to be destroyed, the Minister may after notice to the owner agent or person in charge, if known, order it to be destroyed, and it shall be destroyed accordingly.
- (2) If any animal so destroyed is found not to be diseased, compensation shall, in accordance with the Regulations, be paid to the owner of the animal.

58 Power to destroy diseased plants

If a quarantine officer certifies that any plants or goods ordered into quarantine are affected with any disease or with any noxious insect or any pest, or have been exposed to infection from any plant affected, or article contaminated, with any disease or with any noxious insect or any pest, and in his opinion are a source of danger to other plants and ought to be destroyed, the Minister, after notice to the owner or agent, if known, may order them to be destroyed and they shall be destroyed accordingly.

PART VI — EXPENSES OF QUARANTINE

59 Liability of owner or agent for expenses of quarantine

- (1) The master, owner, and agent, of any vessel ordered into quarantine, or of any vessel from which any person is removed to perform quarantine, shall severally be responsible for:
- (a) the removal of the passengers and crew to the quarantine station;
 - (b) the care and maintenance of the passengers and crew while detained at the quarantine station;
 - (c) the conveyance of the passengers from the quarantine station to their ports of destination;
 - (d) the medical surveillance of persons released under quarantine surveillance;
 - (e) the provision of such medical, nursing and other attendance on the vessel and at the quarantine station for or in respect of the vessel as the Minister considers necessary; and
 - (f) the provision of such launch and patrol services and such supervision as the Minister considers necessary to ensure the satisfactory performance of quarantine by the vessel and the persons and goods thereon;

and shall supply, to the satisfaction of the Minister, all such service, attendance, meals, and other things as are required for those purposes, including domestic and laundry service, medicines, medical comforts, nursing, and attendance for the sick.

- (2) The master, owner, or agent, of the vessel may arrange with the Minister for the carrying out of any responsibility under this section and for the payment of the expenses thereof, but in any case the Minister may take action if he thinks it necessary to do so, and any expense incurred shall be paid by the master, owner, or agent, of the vessel to the Commonwealth:

Provided that the Governor-General may direct that, as regards any vessel trading exclusively between Australian ports or Australia and New Zealand or Fiji, or other places adjacent to Australia, the expenses of carrying out any responsibility under this section shall be borne by the Commonwealth, and, upon the

issue of such direction, the master, owner, and agent of any vessel to which the direction relates shall be exempt from liability for the expenses of carrying out that responsibility:

Provided further that the Governor-General may direct that the expenses of overland passengers arising out of quarantine regulations may be borne by the Commonwealth.

- (3) A passenger shall not be liable to compensate the master, owner, or agent for any cost incurred by the master, owner, or agent under this section, and any contract or stipulation purporting to impose any such liability upon him shall to that extent be null and void.

59B Security for carrying out responsibility

Before permitting any persons, goods, personal effects, or things to leave or be removed from a vessel ordered into quarantine, the quarantine officer may require the master, owner, or agent, of the vessel to give security to the satisfaction of the quarantine officer that all responsibilities under this Part of the master, owner, and agent, of the vessel in respect of those persons, goods, personal effects, or things shall be faithfully carried out.

60 Liability of ship-owners as to pilotage

The owners and agents of any vessel ordered into quarantine shall pay to the Commonwealth all charges incurred by the Commonwealth in connexion with the piloting or towing of the vessel into or out of port, or from one place to another in port.

61 Liability of owners, etc., for expenses of passages

The owners and agents of any vessel subject to quarantine shall pay to the Commonwealth all expenses incurred by it in providing persons, who were removed from the vessel in order to perform quarantine, with passages to their ports of destination.

62 Persons in quarantine able to support themselves

Any person detained in quarantine, who is not of the crew or passengers of a vessel ordered into quarantine, shall, if he is reasonably able so to do, and is thereunto required by the Minister, pay to the Commonwealth the cost of any food and

medicines supplied to him and those dependent on him during their removal to or detention in quarantine.

63 Owners of vessel quarantined liable for services of medical officer

When a vessel is ordered into quarantine, the Minister may:

- (a) appoint a medical officer to take charge of the crew and passengers of the vessel while in quarantine; and
- (b) fix the amount of remuneration to be paid to the medical officer for his services.

Such remuneration shall be paid by the owners or agents of the vessel to the Commonwealth.

64 Quarantine expenses in case of animals and plants

- (1) The expenses connected with the examination of any animals or plants or goods, and of their conveyance to a quarantine station, and of their detention, maintenance, and treatment in quarantine or under quarantine surveillance, and the expenses connected with the removal, disposal, and destruction of any animals, plants or goods ordered to be destroyed in pursuance of this Act shall be paid by the importer or owner of the animals or plants or goods to the Commonwealth, and shall be a charge upon the animals or plants or goods or may be recovered as provided in this Part of this Act.
- (2) A quarantine officer may refuse to grant a permit for the landing or removal of any animals or plants or goods until security is given to his satisfaction for payment of the expenses payable to the Commonwealth under this section.

65 Expenses to be a charge upon vessel

Any expenses or charges payable to the Commonwealth under this Part, by the owner or agent of any vessel, shall be a charge upon the vessel, and the vessel may be detained by an officer until the expenses are paid.

66 Recovery of expenses

Any expenses or charges payable to the Commonwealth under this Part may be recovered by action in any Federal or State Court of competent jurisdiction as a debt due to the Commonwealth.

PART VII — MISCELLANEOUS

67 Penalty for Importing contrary to proclamation

- (1) No person shall knowingly import any noxious insect, or any pest, or any disease germ or microbe, or any disease agent, or any culture virus or substance containing any disease germ or microbe or disease agent, or any goods, or any animal or plant, or any part of any animal or plant, in contravention of this Act or any proclamation under this Act.

Penalty: Five hundred pounds.

- (2) In any prosecution under this section the burden of proving want of knowledge shall lie upon the defendant.

68 Forfeiture of animals, plants, etc., unlawfully imported

All animals, plants, or goods imported into Australia in contravention of this Act, or any proclamation under this Act, and all hay, straw, fodder, litter, fittings, clothing, utensils, appliances, or packages, moved or dealt with in contravention of this Act or any proclamation under this Act or the regulations, shall be forfeited and may be seized by an officer or officer of Customs and disposed of in accordance with the regulations.

69 Seizure of forfeited animals, etc.

Any officer or officer of Customs may seize any animals, plants, or goods subject to quarantine which are found outside a quarantine station and may convey them to a quarantine station.

70 Powers of inspection

- (1) Any quarantine officer may board any vessel being in any port or place in Australia, and may require any person on board the vessel to submit to any prescribed examination, and may enter and inspect any part of the vessel, and all animals and goods on

board the vessel, and may inspect the passenger list, bill of health, log, manifest, journal, and other ship's papers.

- (2) The master of any vessel shall, if so required by a quarantine officer, produce to him for inspection the passenger list, bill of health, log, manifest, journal, and other ship's papers.

Penalty: Twenty pounds.

71 Boarding vessel

- (1) A quarantine officer boarding any vessel may remain thereon for such time as he considers necessary or desirable, and the master shall, if required by the quarantine officer, provide suitable and sufficient food and sleeping accommodation for him.

Penalty: Fifty pounds.

- (2) If the vessel is a passenger vessel, the quarantine officer shall be entitled to all the privileges and accommodation extended to a first-class passenger.

72 Muster of crew and passengers for inspection

- (1) The master of every vessel shall, if so required by a quarantine officer, muster in the presence of the quarantine officer all passengers and persons on the vessel who are not prevented by illness or some other cause from attending the muster, and shall by all reasonable means facilitate the inspection by the quarantine officer of all persons on the vessel.

Penalty: Fifty pounds.

- (2) Every person on board the vessel shall, unless prevented by illness or some other cause (proof whereof shall lie upon him), attend the muster.

Penalty: Ten pounds.

- (3) Every person on board the vessel shall answer truly to the best of his knowledge all questions asked him by the quarantine officer as to his health during the voyage, and as to the likelihood of his having been exposed to infection before or during the voyage.

Penalty: Ten pounds.

73 Quarantine officer may make inquiries at any time

- (1) A quarantine officer may ask the master or medical officer of any vessel any questions he thinks fit to ask concerning any sickness on board the vessel or the sanitary condition of the vessel, and the master or medical officer shall, to the best of his knowledge, information, and belief, truly answer the questions asked him by the quarantine officer.

Penalty: One hundred pounds.

- (2) A quarantine officer may ask any person subject to quarantine any questions concerning his personal health or liability to infection, and the person shall, to the best of his knowledge, information, and belief, truly answer the questions asked him by the quarantine officer.

Penalty: One hundred pounds.

- (3) A quarantine officer may, if he thinks fit, require a person, who has been asked a question in pursuance of this section, to verify, by statutory declaration, the answers given to the questions, and any person who refuses to comply with any such requirement shall be guilty of an offence.

Penalty: One hundred pounds.

74 Power to affix notices

- (1) A quarantine officer may affix any prescribed notices in relation to quarantine on any part of any vessel subject to quarantine, and on or near any quarantine station, and on any goods subject to quarantine.
- (2) An unauthorized person shall not remove, deface, or interfere with any notice affixed in pursuance of this section.

Penalty: Ten pounds.

75 Persons may be vaccinated

- (1) A quarantine officer may require any person subject to quarantine or performing quarantine to be vaccinated or inoculated with any prophylactic or curative vaccine, and any person so required to be vaccinated or inoculated shall submit to be vaccinated or inoculated accordingly.

Penalty: Five pounds.

- (2) A quarantine officer shall not require any person to be vaccinated or inoculated unless in his opinion vaccination or inoculation is necessary for the protection of persons subject to quarantine or performing quarantine, or for the prevention of the spread of the disease of small-pox.

76 Trespassing on quarantine stations

- (1) An unauthorized person shall not:
- (a) enter or trespass on any quarantine station; or
 - (b) interfere with any goods, animals, or plants subject to quarantine.

Penalty: Twenty-five pounds.

- (2) Any unauthorized person who enters any quarantine station while any person is performing quarantine thereon shall be subject to quarantine, and may be detained at the quarantine station for the performance of quarantine.

77 Pilot to incur penalty on wrongly conducting vessel

A pilot shall not, unless compelled by stress of weather or other reasonable cause, conduct a vessel subject to quarantine into any place other than the proper place for a vessel so subject.

Penalty: Fifty pounds.

78 Penalty for entering port other than first port of entry having disease on board

The master of an oversea vessel who, knowing that any quarantinable disease exists on his vessel, suffers his vessel to enter a port, other than a port declared to be a first port of entry, shall be guilty of an indictable offence, unless he proves that it was necessary for the vessel to enter the port for the purpose of saving human life.

Penalty: Three years' imprisonment.

78A Cleansing and disinfection of insanitary vessels

- (1) A quarantine officer may, subject to the regulations, order any vessel in any port in Australia, which vessel is in his opinion in an insanitary condition favourable to the spread of

communicable disease, to be cleansed, fumigated, disinfected, or treated to his satisfaction, and the master of the vessel shall cause her to be cleansed, fumigated, disinfected, or treated accordingly.

Penalty: One hundred pounds.

- (2) A quarantine officer may, subject to the regulations, order any such vessel to be taken to an appointed place for the purpose of cleansing, fumigation, disinfection or treatment, and the master of the vessel shall cause her to be taken to that place.

Penalty: One hundred pounds.

- (3) The Minister may order any vessel in any port in Australia to be taken to any other port in Australia for the purpose of cleansing, fumigation, disinfection, or treatment, and the master of the vessel shall cause her to be taken to that port accordingly.

Penalty: One hundred pounds.

79 Offence as to documents

Whoever:

- (a) forges any document under this Act, or any official copy thereof, or the signature of any officer performing any duty under this Act; or
- (b) utters or puts off, knowing it to be forged, any forged document purporting to be a document issued under this Act; or
- (c) fraudulently lends any certificate or document issued under this Act to any other person or allows it to be used by any other person;

shall be guilty of an indictable offence.

Penalty: Three years' imprisonment.

80 Penalty for desertion

Any officer who:

- (a) wilfully deserts from his duty; or
- (b) knowingly and unlawfully permits any person, vessel,

animal, plant, or goods to depart from or be conveyed out of any quarantine station where they are detained;

shall be guilty of an indictable offence.

Penalty: Two years' imprisonment.

81 Bribing assaulting, obstructing, or intimidating officers

(1) Whoever:

- (a) gives or offers, or promises to give or procure to be given, any bribe, recompense, or reward to any officer, to induce him in any way to neglect or not to perform his duty; or
- (b) makes any collusive agreement with an officer to neglect or not to perform his duty; or
- (c) by threats, demands, or promises, attempts to improperly influence any officer in the performance of his duty; or
- (d) assaults or by force molests or obstructs or intimidates an officer, in the performance of his duty;

shall be guilty of an offence.

(2) An offence against this section may be prosecuted either summarily or upon indictment, but an offender shall not be liable to be punished more than once in respect of the same offence.

(3) The punishment for an offence against this section shall be as follows:

- (a) if the offence is prosecuted summarily — a fine not exceeding One hundred pounds or imprisonment for a term not exceeding six months, or both;
- (b) if the offence is prosecuted upon indictment — imprisonment for a term not exceeding three years.

82 Officers taking bribes

Any officer who:

- (a) accepts any bribe, recompense, or reward, for or on account of any neglect to perform or non-performance of his duty; or

- (b) makes any collusive agreement with any person to neglect or not to perform his duty;

shall be guilty of an indictable offence.

Penalty: Three years' imprisonment.

83 Master or medical officer of vessel misleading quarantine officer

Any master or medical officer of a vessel who:

- (a) wilfully makes any false statement in answer to any question asked him by a quarantine officer under this Act; or
- (b) wilfully misleads a quarantine officer in the performance of his duty;

shall be guilty of an indictable offence.

Penalty: Two years' imprisonment.

84 Maliciously ordering vessels, etc., into quarantine

Any quarantine officer who maliciously and without reasonable cause orders any vessel, person, goods, animal, or plant into quarantine shall be guilty of an indictable offence.

Penalty: Two years' imprisonment.

85 Aiding and abetting offences

Whoever aids, abets, counsels, or procures, or by act or omission is in any way directly or indirectly knowingly concerned in the commission of any offence against this Act or the regulations, shall be deemed to have committed that offence, and shall be punishable accordingly.

86 Limitation of time for summary proceedings

All proceedings taken in any Court of Summary Jurisdiction for the recovery of any penalty for any offence against this Act shall be instituted within six months after the commission of the offence.

86A Venue in summary prosecution

Proceedings in a court of summary jurisdiction may be instituted either in the State or part of the Commonwealth where the offence was committed, or in the State or part of the Commonwealth in which the defendant is found.

86B Adjourment of proceedings in certain cases

Where proceedings have been instituted against any person for an offence against this Act, other than an indictable offence, the court may, if in its opinion it is desirable or convenient to do so, adjourn the hearing for such time as it thinks fit, upon the defendant entering into a bond, with two sureties approved by the Court, in a sum equal to the maximum penalty for the offence, conditioned for his appearance before the Court at the time and place to which the hearing is adjourned.

86C Power to administer oaths or take declarations

All quarantine officers who are authorized in that behalf by the regulations or by the Minister are hereby authorized to administer oaths or affirmations and to take declarations in all cases in which any answers to questions asked in pursuance of this Act are by this Act or the regulations required to be verified by oath, affirmation, or declaration.

86D Averment of prosecution sufficient

In every prosecution for an offence against this Act or the regulations the averment of the prosecutor contained in the information shall, in the absence of proof to the contrary, be deemed to be proved.

86E Penalty in cases not specially provided for

Any person who commits an offence against this Act, for which no penalty is provided, shall be liable upon conviction to a penalty not exceeding One hundred pounds.

87 Regulations

- (1) The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters which by this Act are required or permitted to be prescribed or which are necessary or

convenient to be prescribed for carrying out or giving effect to this Act, and in particular for any of the following matters:

- (a) for regulating the performance of quarantine;
- (b) for regulating and protecting quarantine stations;
- (c) for regulating or preventing ingress to or egress from any quarantine area and for prescribing measures of quarantine within any quarantine area;
- (d) for regulating or preventing the removal of animals plants mails or goods from any quarantine area;
- (e) for requiring notification to a quarantine officer of each case of a quarantinable disease which arises in Australia or within any specified part of Australia or within any quarantine area;
- (f) for prescribing the precautions to be taken to prevent the ingress to or egress from a vessel of rats, mice, mosquitoes or other vermin or species or kinds of animals or insects liable to convey disease;
- (g) for prescribing the measures to be taken by the masters or owners of vessels to destroy rats, mice, mosquitoes or other vermin species or kinds of animals or insects liable to convey disease, which may exist on the vessels;
- (h) for prescribing and for establishing and maintaining on vessels or within any quarantine area of conditions unfavourable to, and to the migration of, rats, mice, mosquitoes or other vermin or species of kinds of animals or insects liable to convey disease, for fixing the time limit for the completion of any work necessary for the purpose of establishing such conditions, and for empowering the Minister, in case of default by the owner or master, to carry any such work at the expense of the owner or master;
- (i) for prescribing the precautions to be taken by masters of vessels, in respect of the vessels and their crews passengers and cargoes, at proclaimed places, and on the voyage from proclaimed places, and on voyages between Australian ports, to prevent the introduction into Australia, or spread, of quarantinable diseases;
- (k) for regulating the discharge from vessels of any water, ballast, or refuse;

- (l) for regulating the sanitary condition of vessels in ports;
 - (m) for providing for the examination by quarantine officers of animals or plants for export;
 - (n) for providing for the granting of certificates by quarantine officers in relation to any vessels, animals, plants, or goods examined or treated by them or under their supervision;
 - (o) for prescribing the fees payable in respect of examinations, services, or certificates by quarantine officers and the persons by whom the fees are payable;
 - (p) for prescribing the movements of any person subject to quarantine;
 - (q) for prescribing measures of disinfection, fumigation, and other measures of quarantine which persons or goods subject, to quarantine shall carry out or be subjected to;
 - (r) for prescribing the conditions under which any prophylactic or curative vaccine or serum may be prepared and offered for sale;
 - (s) for prescribing penalties not exceeding One hundred pounds for breaches of the regulations;
 - (t) for regulating for the purposes of this Act and the Regulations, navigation by air;
 - (u) requiring and prescribing reports from vessels by radio-telegraphy; and
 - (v) for regulating inter-state traffic and prescribing measures of quarantine in relation to inter-state traffic for the prevention of the occurrence or spread of communicable diseases.
- (2) Regulations made under paragraph (v) of the last preceding subsection:
- (a) shall be published in the Gazette;
 - (b) shall come into force only in pursuance of an order made by the Minister;

- (c) shall be in force in such State, Territory, place, area, or locality within the Commonwealth as the Minister by order directs; and
 - (d) shall remain in force for such time as is specified in the order, but may from time to time, by a further order, be renewed for a further specified period for the same locality or part thereof.
- (3) Any order made by the Minister in pursuance of the last preceding subsection shall set forth the regulations to which the order relates.

Notes for Quarantine Act 1908

Tables of Constituent Legislation

Acts of the Commonwealth of Australia

Short title	Number	Assent	Commencement
<i>Quarantine Act 1908</i>	1908/03	30.03.1908	01.07.1909 (Gazette 1909, p. 1175)
<i>Quarantine Act 1912</i>	1912/15	06.11.1912	06.11.1912
<i>Quarantine Act 1915</i>	1915/42	15.11.1915	15.11.1915
<i>Quarantine Act 1920</i>	1920/47	02.12.1920	02.12.1920

Act of Nauru

Short title	Number	Certification	Commencement
<i>Statute Law Revision Act 2011</i>	2011/08	15.04.2011	15.04.2011

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted
om. = omitted os. = omitted and substituted

Provision affected	How affected
Section 1	Rs. by Act 2011/08.
Section 2A	Ad. by Act 1920/47.
Section 4	Am. by Act 1912/15, Act 1915/42.
Section 5	Am. by Act 1912/15, Act 1920/47.
Section 6	Rep. by Act 1912/15.
Section 8	Rep. by Act 1920/47.
Section 8A	Ad. by Act 1912/15. Subs. (3) am. by Act 1920/47.
Section 9A	Ad. by Act 1920/47.
Section 10A	Ad. by Act 1920/47.
Section 13	Am. by Act 1920/47.
Section 15	Am. by Act 1912/15.
Section 15A	Ad. by Act 1912/15; am. by Act 1920/47.
Section 16	Am. by Act 1920/47.

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Provision affected	How affected
Section 17	Am. by Act 1912/15.
Section 20A	Ad. by Act 1920/47.
Section 21	Am. by Act 1920/47.
Section 22	Subs. (1) am. by Act 1912/15, Act 1920/47. Subs. (2) am. by Act 1912/15.
Section 23	Am. by Act 1920/47.
Section 24	Am. by Act 1920/47.
Section 26A	Ad. by Act 1912/15; am. by Act 1920/47.
Section 27A	Ad. by Act 1912/15; am. by Act 1920/47.
Section 28	Subs. (1) am. by Act 1915/42. Subs. (3) ad. by Act 1912/15. Subs. (4) ad. by Act 1912/15.
Section 33	Subs. (3) ad. by Act 1912/15.
Section 35A	Ad. by Act 1912/15. Subs. (1) am. by Act 1915/42. Subs. (3) ad. by Act 1915/42; am. by Act 1920/47. Subs. (4) ad. by Act 1915/42; am. by Act 1920/47. Subs. (5) ad. by Act 1920/47.
Section 36	Subs. (2) ad. by Act 1912/15.
Section 45	Subs. (1) am. by Act 1915/42. Subs. (2) am. by Act 1920/47. Subs. (3) am. by Act 1915/42. Subs. (4) rs. by Act 1920/47.
Section 50	Am. by Act 1912/15.
Section 52	Am. by Act 1920/47.
Section 53	Subs. (3) am. by Act 1915/42. Subs. (4) ad. by Act 1912/15. Subs. (5) ad. by Act 1912/15.
Section 55A	Ad. by Act 1912/15.
Section 56	Am. by Act 1912/15.
Section 58	Am. by Act 1912/15, Act 1920/47.
Section 59	Rs. by Act 1912/15. Subs. (1) am. by Act 1920/47. Subs. (2) am. by Act 1920/47.
Section 59A	Ad. by Act 1912/15; am. by Act 1920/47.
Section 59B	Ad. by Act 1912/15.
Section 64	Subs. (1) am. by Act 1912/15, Act 1920/47. Subs. (2) ad. by Act 1912/15

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Provision affected	How affected
Section 72	Subs. (3) am. by Act 1912/15.
Section 73	Subs. (2) ad. by Act 1912/15. Subs. (3) ad. by Act 1912/15.
Section 75	Subs. (1) am. by Act 1920/47. Subs. (2) am. by Act 1920/47.
Section 78A	Ad. by Act 1912/15. Subs. (1) am by 1915/42. Subs. (2) ad by 1915/42. Subs. (3) ad by 1915/42.
Section 81	Subs. (1) am. by Act 1920/47. Subs. (2) ad by 1920/47. Subs. (3) ad by 1920/47.
Section 86A	Ad. by Act 1912/15.
Section 86B	Ad. by Act 1912/15.
Section 86C	Ad. by Act 1912/15.
Section 86D	Ad. by Act 1920/47.
Section 86E	Ad. by Act 1920/47.
Section 87	Subs. (1) am. by Act 1912/15, Act 1915/42, Act 1920/47. Subs. (2) ad by Act 1920/47. Subs. (3) ad by Act 1920/47.

Notes on operation of the Quarantine Act 1908

Note 1: The operation of this Act is affected by the operation of the *Agricultural Quarantine Act 1999*.