

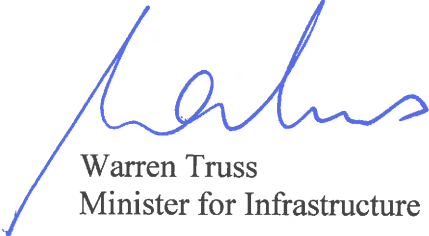


Aviation Transport Security (Prohibited Cargo—Egypt) Instrument 2015

Aviation Transport Security Act 2004

I, Warren Truss, Minister for Infrastructure and Regional Development, make the following instrument under subsection 65B(1) of the *Aviation Transport Security Act 2004*.

Dated 3 December 2015



Warren Truss
Minister for Infrastructure and Regional Development

1 Name of instrument

This instrument is the *Aviation Transport Security (Prohibited Cargo—Egypt) Instrument 2015*.

2 Commencement

This instrument commences on the day after it is registered.

3 Definitions

In this instrument:

Act means the *Aviation Transport Security Act 2004*.

biological tissues means an item of cargo that consists only of biological tissues, biological substances or biological samples, and necessary packaging.

government article means an item of cargo that:

- (a) is sent by the Commonwealth or an authority of the Commonwealth; and
- (b) bears on its face a security classification; and
- (c) bears a security classification that is referred to in the protective security policy applicable to the Australian Government at the time the article is sent.

human remains means an item of cargo which meets all of the following requirements:

- (a) the item consists only of human remains and necessary packaging; and
- (b) the sender of the item is a funeral director; and
- (c) the airline transporting the item has sighted a copy of the death certificate of the person to which the human remains relate.

letter product is an item of cargo that has all of the following characteristics:

- (a) it weighs 500g or less;
- (b) it contains only flexible items;
- (c) its longest dimension is 360 mm or less;
- (d) its second longest dimension is 260 mm or less;
- (e) its shortest dimension is 20 mm or less.

small item means an item of cargo that weighs 250g or less, and is 5 mm or less in its shortest dimension.

Note: Expressions used in this instrument have the same meanings they have in the Act, including the following:

- Australian territory;
- aviation industry participants;
- cargo.

4 Application

This instrument applies to aviation industry participants.

5 Prohibited cargo

A person to whom this instrument applies must not bring, or cause to be brought, into Australian territory cargo that has originated from, or that has transited through, the Arab Republic of Egypt, unless the item of cargo is one of the following:

- (a) a letter product;
- (b) a small item;
- (c) a live animal (and the necessary packaging used to ship the animal);
- (d) human remains;
- (e) biological tissues;
- (f) dangerous goods that are permitted, under section 23 of the *Civil Aviation Act 1988*, to be carried on board an aircraft (and necessary packaging);
- (g) a government article;
- (h) a diplomatic bag.

EXPLANATORY STATEMENT

AVIATION TRANSPORT SECURITY (PROHIBITED CARGO – EGYPT) INSTRUMENT 2015

Aviation Transport Security Act 2004

The *Aviation Transport Security Act 2004* (the Act) establishes a regulatory framework to safeguard against unlawful interference with civil aviation in Australia. The Act gives effect to Australia's obligations under Annex 17 to the Convention on International Civil Aviation (Chicago Convention) by establishing a regulatory framework to safeguard against unlawful interference with aviation in Australia. The Act establishes minimum security requirements for civil aviation in Australia by imposing obligations on persons engaged in civil aviation-related activities, including activities related to the handling and transport of air cargo.

In May 2013, the Act was amended to enable the Minister to prohibit the carriage of certain cargo into Australian territory on an aircraft through the use of a disallowable instrument.

Subsection 65B(1) of the Act allows the Minister to prohibit the entry of specified kinds of cargo into Australian territory for the purposes of safeguarding against unlawful interference with aviation.

Subsection 65B(2) specifies that, without limiting subsection 65B(1), an instrument made under that subsection may relate to all or any of the following:

- (a) some or all of a class of persons to whom the Act applies;
- (b) cargo originating from a particular country;
- (c) cargo transiting through a particular country;
- (d) cargo packaged in a particular way;
- (e) cargo that meets, or is more or less than, a specified weight; and
- (f) cargo that comes within a specified weight range.

The purpose of the Aviation Transport Security (Prohibited Cargo –Egypt) Instrument 2015 is to prohibit all cargo originating from, or transiting through, the Arab Republic of Egypt from entry into Australian territory, except for the following items:

- (a) a letter product;
- (b) a small item;
- (c) a live animal (and the necessary packaging used to ship the animal);
- (d) human remains;
- (e) biological tissues;
- (f) dangerous goods that are permitted, under section 23 of the Civil Aviation Act 1988, to be carried on board an aircraft (and necessary packaging);
- (g) a government article;
- (h) a diplomatic bag.

This instrument applies to aviation industry participants as defined in the Act. Failure to comply with this instrument is an offence under section 65C of the Act.

This instrument is a legislative Instrument for the purpose of the *Legislative Instruments Act 2003*.

This instrument commences on the day after registration.

Consultation

The Minister for Infrastructure and Regional Development has consulted with the Foreign Affairs Minister and the Trade Minister. Other consultations were not undertaken as this legislative instrument is required as a matter of urgency and because of an issue of national security. These are both grounds for exemption to undertake consultation under paragraphs 18(2)(b) and 18(2)(d) of the *Legislative Instruments Act 2003* respectively.

Authority:
Subsection 65B(2) of the
Aviation Transport Security Act 2004

ATTACHMENT

Statement of Compatibility with Human Rights

Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011

Aviation Transport Security (Prohibited Cargo –Egypt) Instrument 2015

This Legislative Instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

Overview of the legislative instrument

This Legislative Instrument prohibits all cargo originating from, or transiting through, the Arab Republic of Egypt from entry into Australian territory, except for the certain exemptions.

Human rights implications

This legislative instrument does not engage any of the applicable rights or freedoms.

Conclusion

This legislative instrument is compatible with human rights as it does not raise any human rights issues.

WARREN TRUSS
Minister for Infrastructure and Regional Development



Aviation Transport Security (Prohibited Cargo— Syria) Instrument 2015

Aviation Transport Security Act 2004

I, Warren Truss, Minister for Infrastructure and Regional Development, make the following instrument under subsection 65B(1) of the *Aviation Transport Security Act 2004*.

Dated 3 December 2015

Warren Truss
Minister for Infrastructure and Regional Development

1 Name of instrument

This instrument is the *Aviation Transport Security (Prohibited Cargo—Syria) Instrument 2015*.

2 Commencement

This instrument commences on the day after it is registered.

3 Definitions

In this instrument:

Act means the *Aviation Transport Security Act 2004*.

Note: Expressions used in this instrument have the same meanings they have in the Act, including the following:

- Australian territory;
- aviation industry participants;
- cargo.

4 Application

This instrument applies to aviation industry participants.

5 Prohibited cargo

A person to whom this instrument applies must not bring, or cause to be brought, into Australian territory cargo that has originated from, or that has transited through, the Syrian Arab Republic.

EXPLANATORY STATEMENT

AVIATION TRANSPORT SECURITY (PROHIBITED CARGO – SYRIA) INSTRUMENT 2015

Aviation Transport Security Act 2004

The *Aviation Transport Security Act 2004* (the Act) establishes a regulatory framework to safeguard against unlawful interference with civil aviation in Australia. The Act gives effect to Australia's obligations under Annex 17 to the Convention on International Civil Aviation (Chicago Convention) by establishing a regulatory framework to safeguard against unlawful interference with aviation in Australia. The Act establishes minimum security requirements for civil aviation in Australia by imposing obligations on persons engaged in civil aviation-related activities, including activities related to the handling and transport of air cargo.

In May 2013, the Act was amended to enable the Minister to prohibit the carriage of certain cargo into Australian territory on an aircraft through the use of a disallowable instrument. Subsection 65B(1) of the Act allows the Minister to prohibit the entry of specified kinds of cargo into Australian territory for the purposes of safeguarding against unlawful interference with aviation.

Subsection 65B(2) specifies that, without limiting subsection 65B(1), an instrument made under that subsection may relate to all or any of the following:

- (a) some or all of a class of persons to whom the Act applies;
- (b) cargo originating from a particular country;
- (c) cargo transiting through a particular country;
- (d) cargo packaged in a particular way;
- (e) cargo that meets, or is more or less than, a specified weight; and
- (f) cargo that comes within a specified weight range.

The purpose of the Aviation Transport Security (Prohibited Cargo – Syria) Instrument 2015 is to prohibit all cargo originating from, or transiting through, the Syrian Arab Republic from entry into Australian territory.

This instrument applies to aviation industry participants, as defined in the Act.

Failure to comply with this instrument is an offence under section 65C of the Act.

This instrument is a legislative Instrument for the purpose of the *Legislative Instruments Act 2003*.

This instrument commences on the day after registration.

Consultation

The Minister for Infrastructure and Regional Development has consulted with the Foreign Affairs Minister and the Trade Minister. Other consultations were not undertaken as this legislative instrument is required as a matter of urgency and because of an issue of national security. These are both grounds for exemption to undertake consultation under paragraphs 18(2)(b) and 18(2)(d) of the *Legislative Instruments Act 2003* respectively.

Authority:
Subsection 65B(2) of the
Aviation Transport Security Act 2004

ATTACHMENT

Statement of Compatibility with Human Rights

Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011

Aviation Transport Security (Prohibited Cargo – Syria) Instrument 2015

This Legislative Instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

Overview of the legislative instrument

This Legislative Instrument prohibits all cargo originating from, or transiting through, the Syrian Arab Republic from entry into Australian territory.

Human rights implications

This legislative instrument does not engage any of the applicable rights or freedoms.

Conclusion

This legislative instrument is compatible with human rights as it does not raise any human rights issues.

WARREN TRUSS

Minister for Infrastructure and Regional Development



Aviation Transport Security (Prohibited Cargo— Bangladesh) Instrument 2015

Aviation Transport Security Act 2004

I, Warren Truss, Minister for Infrastructure and Regional Development, make the following instrument under subsection 65B(1) of the *Aviation Transport Security Act 2004*.

Dated 3 December 2015

Warren Truss
Minister for Infrastructure and Regional Development

1 Name of instrument

This instrument is the *Aviation Transport Security (Prohibited Cargo—Bangladesh) Instrument 2015*.

2 Commencement

This instrument commences on the day after it is registered.

3 Definitions

In this instrument:

Act means the *Aviation Transport Security Act 2004*.

biological tissues means an item of cargo that consists only of biological tissues, biological substances or biological samples, and necessary packaging.

government article means an item of cargo that:

- (a) is sent by the Commonwealth or an authority of the Commonwealth; and
- (b) bears on its face a security classification; and
- (c) bears a security classification that is referred to in the protective security policy applicable to the Australian Government at the time the article is sent.

human remains means an item of cargo which meets all of the following requirements:

- (a) the item consists only of human remains and necessary packaging; and
- (b) the sender of the item is a funeral director; and
- (c) the airline transporting the item has sighted a copy of the death certificate of the person to which the human remains relate.

letter product is an item of cargo that has all of the following characteristics:

- (a) it weighs 500g or less;
- (b) it contains only flexible items;
- (c) its longest dimension is 360 mm or less;
- (d) its second longest dimension is 260 mm or less;
- (e) its shortest dimension is 20 mm or less.

small item means an item of cargo that weighs 250g or less, and is 5 mm or less in its shortest dimension.

Note: Expressions used in this instrument have the same meanings they have in the Act, including the following:

- Australian territory;
- aviation industry participants;
- cargo.

4 Application

This instrument applies to aviation industry participants.

5 Prohibited cargo

A person to whom this instrument applies must not bring, or cause to be brought, into Australian territory cargo that has originated from, or that has transited through, the People's Republic of Bangladesh, unless the item of cargo is one of the following:

- (a) a letter product;
- (b) a small item;
- (c) a live animal (and the necessary packaging used to ship the animal);
- (d) human remains;
- (e) biological tissues;
- (f) dangerous goods that are permitted, under section 23 of the *Civil Aviation Act 1988*, to be carried on board an aircraft (and necessary packaging);
- (g) a government article;
- (h) a diplomatic bag.

EXPLANATORY STATEMENT

AVIATION TRANSPORT SECURITY (PROHIBITED CARGO – BANGLADESH) INSTRUMENT 2015

Aviation Transport Security Act 2004

The *Aviation Transport Security Act 2004* (the Act) establishes a regulatory framework to safeguard against unlawful interference with civil aviation in Australia. The Act gives effect to Australia's obligations under Annex 17 to the Convention on International Civil Aviation (Chicago Convention) by establishing a regulatory framework to safeguard against unlawful interference with aviation in Australia. The Act establishes minimum security requirements for civil aviation in Australia by imposing obligations on persons engaged in civil aviation-related activities, including activities related to the handling and transport of air cargo.

In May 2013, the Act was amended to enable the Minister to prohibit the carriage of certain cargo into Australian territory on an aircraft through the use of a disallowable instrument. Subsection 65B(1) of the Act allows the Minister to prohibit the entry of specified kinds of cargo into Australian territory for the purposes of safeguarding against unlawful interference with aviation.

Subsection 65B(2) specifies that, without limiting subsection 65B(1), an instrument made under that subsection may relate to all or any of the following:

- (a) some or all of a class of persons to whom the Act applies;
- (b) cargo originating from a particular country;
- (c) cargo transiting through a particular country;
- (d) cargo packaged in a particular way;
- (e) cargo that meets, or is more or less than, a specified weight; and
- (f) cargo that comes within a specified weight range.

The purpose of the Aviation Transport Security (Prohibited Cargo – Bangladesh) Instrument 2015 is to prohibit all cargo originating from, or transiting through, the People's Republic of Bangladesh from entry into Australian territory, except for the following items:

- (i) a letter product;
- (j) a small item;
- (k) a live animal (and the necessary packaging used to ship the animal);
- (l) human remains;
- (m) biological tissues;
- (n) dangerous goods that are permitted, under section 23 of the Civil Aviation Act 1988, to be carried on board an aircraft (and necessary packaging);
- (o) a government article;
- (p) a diplomatic bag.

This instrument applies to aviation industry participants as defined in the Act. Failure to comply with this instrument is an offence under section 65C of the Act.

This instrument is a legislative Instrument for the purpose of the *Legislative Instruments Act 2003*.

This instrument commences on the day after registration.

Consultation

The Minister for Infrastructure and Regional Development has consulted with the Foreign Affairs Minister and the Trade Minister. Other consultations were not undertaken as this legislative instrument is required as a matter of urgency and because of an issue of national security. These are both grounds for exemption to undertake consultation under paragraphs 18(2)(b) and 18(2)(d) of the *Legislative Instruments Act 2003* respectively.

Authority:
Subsection 65B(2) of the
Aviation Transport Security Act 2004

ATTACHMENT

Statement of Compatibility with Human Rights

Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011

Aviation Transport Security (Prohibited Cargo – Bangladesh) Instrument 2015

This Legislative Instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

Overview of the legislative instrument

This Legislative Instrument prohibits all cargo originating from, or transiting through, the People's Republic of Bangladesh from entry into Australian territory, except for the certain exemptions.

Human rights implications

This legislative instrument does not engage any of the applicable rights or freedoms.

Conclusion

This legislative instrument is compatible with human rights as it does not raise any human rights issues.

WARREN TRUSS
Minister for Infrastructure and Regional Development



Aviation Transport Security (Prohibited Cargo—Yemen) Instrument 2015

Aviation Transport Security Act 2004

I, Warren Truss, Minister for Infrastructure and Regional Development, make the following instrument under subsection 65B(1) of the *Aviation Transport Security Act 2004*.

Dated 3 December 2015

Warren Truss
Minister for Infrastructure and Regional Development

1 Name of instrument

This instrument is the *Aviation Transport Security (Prohibited Cargo — Yemen) Instrument 2015*.

2 Commencement

This instrument commences on the day after it is registered.

3 Definitions

In this instrument:

Act means the *Aviation Transport Security Act 2004*.

Note: Expressions used in this instrument have the same meanings they have in the Act, including the following:

- Australian territory;
- aviation industry participants;
- cargo.

4 Application

This instrument applies to aviation industry participants.

5 Prohibited cargo

A person to whom this instrument applies must not bring, or cause to be brought, into Australian territory cargo that has originated from, or that has transited through, the Republic of Yemen.

EXPLANATORY STATEMENT

AVIATION TRANSPORT SECURITY (PROHIBITED CARGO – YEMEN) INSTRUMENT 2015

Aviation Transport Security Act 2004

The *Aviation Transport Security Act 2004* (the Act) establishes a regulatory framework to safeguard against unlawful interference with civil aviation in Australia. The Act gives effect to Australia's obligations under Annex 17 to the Convention on International Civil Aviation (Chicago Convention) by establishing a regulatory framework to safeguard against unlawful interference with aviation in Australia. The Act establishes minimum security requirements for civil aviation in Australia by imposing obligations on persons engaged in civil aviation-related activities, including activities related to the handling and transport of air cargo.

In May 2013, the Act was amended to enable the Minister to prohibit the carriage of certain cargo into Australian territory on an aircraft through the use of a disallowable instrument. Subsection 65B(1) of the Act allows the Minister to prohibit the entry of specified kinds of cargo into Australian territory for the purposes of safeguarding against unlawful interference with aviation.

Subsection 65B(2) specifies that, without limiting subsection 65B(1), an instrument made under that subsection may relate to all or any of the following:

- (a) some or all of a class of persons to whom the Act applies;
- (b) cargo originating from a particular country;
- (c) cargo transiting through a particular country;
- (d) cargo packaged in a particular way;
- (e) cargo that meets, or is more or less than, a specified weight; and
- (f) cargo that comes within a specified weight range.

The purpose of the Aviation Transport Security (Prohibited Cargo – Yemen) Instrument 2015 is to prohibit all cargo originating from, or transiting through, the Republic of Yemen from entry into Australian territory.

This instrument applies to aviation industry participants, as defined in the Act.

Failure to comply with this instrument is an offence under section 65C of the Act.

This instrument is a legislative Instrument for the purpose of the *Legislative Instruments Act 2003*.

This instrument commences on the day after registration.

Consultation

The Minister for Infrastructure and Regional Development has consulted with the Foreign Affairs Minister and the Trade Minister. Other consultations were not undertaken as this legislative instrument is required as a matter of urgency and because of an issue of national

security. These are both grounds for exemption to undertake consultation under paragraphs 18(2)(b) and 18(2)(d) of the *Legislative Instruments Act 2003* respectively.

Authority:
Subsection 65B(2) of the
Aviation Transport Security Act 2004

ATTACHMENT

Statement of Compatibility with Human Rights

Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011

Aviation Transport Security (Prohibited Cargo – Yemen) Instrument 2015

This Legislative Instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

Overview of the legislative instrument

This Legislative Instrument prohibits all cargo originating from, or transiting through, the Republic of Yemen from entry into Australian territory.

Human rights implications

This legislative instrument does not engage any of the applicable rights or freedoms.

Conclusion

This legislative instrument is compatible with human rights as it does not raise any human rights issues.

WARREN TRUSS
Minister for Infrastructure and Regional Development



Aviation Transport Security (Prohibited Cargo— Somalia) Instrument 2015

Aviation Transport Security Act 2004

I, Warren Truss, Minister for Infrastructure and Regional Development, make the following instrument under subsection 65B(1) of the *Aviation Transport Security Act 2004*.

Dated 3 December 2015

A blue ink signature of Warren Truss, written in a cursive style.

Warren Truss
Minister for Infrastructure and Regional Development

1 Name of instrument

This instrument is the *Aviation Transport Security (Prohibited Cargo—Somalia) Instrument 2015*.

2 Commencement

This instrument commences on the day after it is registered.

3 Definitions

In this instrument:

Act means the *Aviation Transport Security Act 2004*.

Note: Expressions used in this instrument have the same meanings they have in the Act, including the following:

- Australian territory;
- aviation industry participants;
- cargo.

4 Application

This instrument applies to aviation industry participants.

5 Prohibited cargo

A person to whom this instrument applies must not bring, or cause to be brought, into Australian territory cargo that has originated from, or that has transited through, the Federal Republic of Somalia.

EXPLANATORY STATEMENT

AVIATION TRANSPORT SECURITY (PROHIBITED CARGO – SOMALIA) INSTRUMENT 2015

Aviation Transport Security Act 2004

The *Aviation Transport Security Act 2004* (the Act) establishes a regulatory framework to safeguard against unlawful interference with civil aviation in Australia. The Act gives effect to Australia's obligations under Annex 17 to the Convention on International Civil Aviation (Chicago Convention) by establishing a regulatory framework to safeguard against unlawful interference with aviation in Australia. The Act establishes minimum security requirements for civil aviation in Australia by imposing obligations on persons engaged in civil aviation-related activities, including activities related to the handling and transport of air cargo.

In May 2013, the Act was amended to enable the Minister to prohibit the carriage of certain cargo into Australian territory on an aircraft through the use of a disallowable instrument. Subsection 65B(1) of the Act allows the Minister to prohibit the entry of specified kinds of cargo into Australian territory for the purposes of safeguarding against unlawful interference with aviation.

Subsection 65B(2) specifies that, without limiting subsection 65B(1), an instrument made under that subsection may relate to all or any of the following:

- (a) some or all of a class of persons to whom the Act applies;
- (b) cargo originating from a particular country;
- (c) cargo transiting through a particular country;
- (d) cargo packaged in a particular way;
- (e) cargo that meets, or is more or less than, a specified weight; and
- (f) cargo that comes within a specified weight range.

The purpose of the Aviation Transport Security (Prohibited Cargo –Somalia) Instrument 2015 is to prohibit all cargo originating from, or transiting through, the Federal Republic of Somalia from entry into Australian territory.

This instrument applies to aviation industry participants, as defined in the Act.

Failure to comply with this instrument is an offence under section 65C of the Act.

This instrument is a legislative Instrument for the purpose of the *Legislative Instruments Act 2003*.

This instrument commences on the day after registration.

Consultation

The Minister for Infrastructure and Regional Development has consulted with the Foreign Affairs Minister and the Trade Minister. Other consultations were not undertaken as this legislative instrument is required as a matter of urgency and because of an issue of national

security. These are both grounds for exemption to undertake consultation under paragraphs 18(2)(b) and 18(2)(d) of the *Legislative Instruments Act 2003* respectively.

Authority:
Subsection 65B(2) of the
Aviation Transport Security Act 2004

ATTACHMENT

Statement of Compatibility with Human Rights

Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011

Aviation Transport Security (Prohibited Cargo –Somalia) Instrument 2015

This Legislative Instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

Overview of the legislative instrument

This Legislative Instrument prohibits all cargo originating from, or transiting through, the Federal Republic of Somalia from entry into Australian territory.

Human rights implications

This legislative instrument does not engage any of the applicable rights or freedoms.

Conclusion

This legislative instrument is compatible with human rights as it does not raise any human rights issues.

WARREN TRUSS
Minister for Infrastructure and Regional Development