

# GROUP BIOSECURITY PERMIT

## NSW Biosecurity Act 2015

I, Scott Charlton

in accordance with section 333 and 336 of the *Biosecurity Act 2015* (the Act), hereby grant a group biosecurity permit (group permit) to the following class of persons:

Persons in possession of brand-new unused grain harvesters (including the comb or front), and/or brand-new unused comb trailers (including the comb or front).

This group permit authorises the following conduct that, but for the group permit, would or might contravene a requirement imposed by or under the Act (subject to stated conditions of this group permit):

May import brand-new unused grain harvesters (including the comb or front) and/or comb trailers (including the comb or front) into the State from Queensland, without:

- 1- cleaning the equipment in the manner set out in Schedule 1 to the Biosecurity Order Permitted Activities 2019, and
- 2- providing a Record of Movement (Parthenium weed carrier) to an authorised officer declaring that the equipment has been cleaned in the manner set out in Schedule 1 of the Biosecurity Order Permitted Activities 2019, and
- 3 - attending an approved facility to have the equipment inspected by an authorised officer
- 4 - obtaining a Biosecurity Certificate from an authorised officer that certifies that (i) the authorised officer has received a copy of the Record of Movement (Parthenium weed carriers) for the equipment; and (ii) the equipment was inspected at an approved facility.

This group permit is subject to the following conditions:

The grain harvester and/or comb trailer must not:

- have been used to harvest grain or any other crop
- have entered or been driven in a paddock in Queensland
- contain plant material, mud, dust or soil.

The person in possession of the brand-new unused grain harvester and/or comb trailer must be able to furnish a Delivery Manifest that captures the following information:

- the shipper
- the receiver
- the origin
- the destination
- the serial number.

The paint near the feederhouse on the grain harvester must be unchipped and unmarked.

The tyres must have vent spews (also referred to as moulding extrusions, sprue nubs, tyre nibs, gate marks or nippers).

Commencement:

10 November 2021

Ends on:

9/11/2023

Scott Charlton

Authorised officers name



Signature

Authorised Officer

Role

8/11/2021

Date

NSW Department of Primary Industries

Agency

Failure to comply with the conditions of the group permit could result in a penalty notice or prosecution.  
The maximum penalty for an individual is \$1,100,000. The maximum penalty for a corporation is  
\$2,200,000.

This information is collected by the collecting agency identified in this form in relation to its functions under the *Biosecurity Act 2015*. This agency/s and the NSW Department of Industry may use and disclose this information as reasonably necessary for the purpose of performing biosecurity risk functions under, or reasonably contemplated by, the *Biosecurity Act 2015*.

## Guide to the Group Biosecurity Permit

### Information about the group biosecurity permit

This permit is issued under section 333 and section 336 of the *Biosecurity Act 2015* (the Act). A person is not guilty of an offence against this Act or the regulations under this Act if the person was authorised to engage in the conduct alleged to constitute the offence concerned by a permit in force under this Act.

It is an offence to contravene a condition of a permit.

### Penalty for not complying with the group biosecurity permit

The maximum penalty is:

- in the case of an individual—\$220,000 and, in the case of a continuing offence, a further penalty of \$55,000 for each day the offence continues, or
- in the case of a corporation—\$440,000 and, in the case of a continuing offence, a further penalty of \$110,000 for each day the offence continues.

The maximum penalty for an offence that is committed negligently is:

- in the case of an individual—\$1,100,000 and, in the case of a continuing offence, a further penalty of \$137,500 for each day the offence continues, or
- in the case of a corporation—\$2,200,000 and, in the case of a continuing offence, a further penalty of \$275,000 for each day the offence continues.

### Conditions of a group biosecurity permit

Under sections 348, 349 and 350 of the Act, an authorised officer may impose conditions on a permit at the time of granting or renewing a permit, or at any other time by variation to the permit. The conditions of a permit may include (but are not limited to) conditions for insurance cover, conditions for biosecurity audits, and conditions requiring financial assurances.

### Limitations of a group biosecurity permit

A permit does not authorise any conduct in contravention of an emergency order, or a biosecurity direction given in the case of an emergency unless the permit is an emergency permit and the permit is expressed to apply in relation to the emergency concerned.

An authorised officer is not authorised to grant, renew, suspend or cancel an:

- *Emergency permit*, which authorises conduct that, but for the permit, would or might contravene an emergency order, or a biosecurity direction in the case of an emergency, and that is expressed to apply to the emergency concerned.
- *Prohibited matter permit*, which authorises dealing with biosecurity matter that is prohibited matter

### Variation of a group biosecurity permit

Under section 344 of the Act, an authorised officer may, at any time, vary a permit by notice in writing. The variation includes the imposition of new conditions on a permit, the substitution of a condition, or the omission or amendment of conditions.

An application for variation to this permit can be made by the permit holder in an approved form and must be accompanied by any relevant information or evidence that the decision maker requires.

### Refusal to grant / renew a group biosecurity permit

An authorised officer may on application or using their own initiative, renew or refuse to renew a permit. Section 346 of the Act sets out matters that the Secretary may consider when making a decision to renew or refuse a permit. An authorised officer must give an applicant written or oral notice of a decision to renew or refuse to renew permit. If a notice is provided orally, a written confirmation of the decision must be provided as soon as practicable.

### Suspension or cancellation of a group biosecurity permit

An authorised officer may, by notice, suspend or cancel a permit if the authorised officer is satisfied that there are grounds for the suspension or cancellation of the permit. Section 352 of the Act sets out general grounds for suspension or cancellation of a permit.

A person may also apply for the suspension or cancellation of a permit.

### Rights of appeal

No appeal can be laid against any decision about a group permit.

For all biosecurity matters please contact NSW Department of Primary Industries on 1800 680 244 or [biosecurity@dpi.nsw.gov.au](mailto:biosecurity@dpi.nsw.gov.au).