Environment Protection and Biodiversity Conservation Amendment (2026 Measures No. 1) Regulations 2026

I, the Honourable Sam Mostyn AC, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 20 August 2026

Sam Mostyn AC
Governor-General

By Her Excellency's Command

Murray Watt
Minister for the Environment and Water

OPC67736 - A

Contents

1 Name

This instrument is the *Environment Protection and Biodiversity Conservation Amendment (2026 Measures No. 1) Regulations 2026*.

2 Commencement

(1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	**Column 2**	**Column 3**
Provisions	**Commencement**	**Date/Details**
1. The whole of this instrument	24 August 2026.	24 August 2026

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

(2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Environment Protection and Biodiversity Conservation Act 1999*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Part 1—Main amendments

Environment Protection and Biodiversity Conservation Regulations 2025

1 Before regulation 2A.01

Insert:

Division 1—Accreditation of management or authorisation frameworks

2 Regulation 2A.01 (heading)

Omit “**management arrangements**”, substitute “**management or authorisation frameworks**”.

3 Subregulation 2A.01(1)

Omit “management arrangement”, substitute “management or authorisation framework”.

4 Subregulation 2A.01(2)

Repeal the subregulation, substitute:

(2) For the purposes of subparagraph 33(3)(b)(ii) of the Act, the prescribed criterion is that law is the *Fisheries Management Act 1991* or the *Torres Strait Fisheries Act 1984*.

(2AA) For the purposes of paragraph 33(3)(d) of the Act, the following criteria are prescribed:

(a) the framework must be endorsed by the Minister under an agreement made under section 146 of the Act;

(b) the framework must be in the form in which it was endorsed.

5 Subregulation 2A.01(2A)

Omit “Paragraph (2)(c) does not apply to an amendment of an accredited management arrangement”, substitute “Paragraph (2AA)(b) does not apply to an amendment of an accredited management or authorisation framework”.

6 Paragraph 2A.01(2A)(a)

Omit “arrangement” (wherever occurring), substitute “framework”.

7 After regulation 2A.01

Insert:

2A.01A Criteria for accreditation of management or authorisation framework

For the purposes of paragraph 33(3)(d) of the Act, the prescribed criterion is that the framework requires each decision maker, in deciding whether to approve an action or class of actions in accordance with the framework, to have regard to any bioregional plan or bioregional guidance plan the decision maker considers relevant.

2A.01B Accreditation of management or authorisation framework—prescribed national environmental standards

For the purposes of paragraphs 33(3)(e) and (f) of the Act, the following national environmental standards are prescribed:

(a) the *National Environmental Standard (Matters of National Environmental Significance) 2026*, as in force from time to time;

(b) the *National Environmental Standard (Environmental Offsets) 2026*, as in force from time to time;

(c) the *National Environmental Standard (Community Engagement) 2026*, as in force from time to time;

(d) the *National Environmental Standard (Data and Information) 2026*, as in force from time to time.

8 Regulation 2A.02

Repeal the regulation, substitute:

2A.02 Publication of determination about minor amendments to an accredited management or authorisation framework

For the purposes of subsection 36A(3) of the Act, a determination must be published on the Department's website.

9 After regulation 2A.02

Insert:

Division 2—Actions covered by Ministerial declarations and NOPSEMA management or authorisation frameworks

2A.02A NOPSEMA management or authorisation framework

For the purposes of paragraph 36G(2)(b) of the Act, the following regulations are prescribed:

(a) the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009*;

(b) the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2023*.

2A.02B Declaration in relation to NOPSEMA management or authorisation framework—prescribed national environmental standards

For the purposes of paragraphs 36H(2)(a) and (b) of the Act, the following national environmental standards are prescribed:

(a) the *National Environmental Standard (Matters of National Environmental Significance) 2026*, as in force from time to time;

(b) the *National Environmental Standard (Community Engagement) 2026*, as in force from time to time;

(c) the *National Environmental Standard (Data and Information) 2026*, as in force from time to time.

10 Before regulation 2A.03

Insert:

Division 3—Making or revoking declarations that actions do not need approval under Part 9 of the Act

11 Part 2B (heading)

Repeal the heading, substitute:

Part 2B—Management or authorisation frameworks accredited for a bilateral agreement

12 Heading to Part 2B (note)

Omit “a management plan accredited in accordance with subsection 46(3)”, substitute “a management or authorisation framework that is accredited under subsection 46(2)”.

13 Regulation 2B.01 (heading)

Omit “**management plans**”, substitute “**management or authorisation frameworks that are management plans**”.

14 Subregulation 2B.01(1)

Omit “a management plan”, substitute “a management or authorisation framework that is a management plan”.

15 Subregulation 2B.01(1) (note)

Repeal the note.

16 Subregulation 2B.01(2)

Repeal the subregulation, substitute:

Criteria for management or authorisation framework that is a management plan

(2) For the purposes of paragraph 46(3)(d) of the Act, the criteria set out in subregulations (3) and (5) are prescribed in relation to the management or authorisation framework that is a management plan.

17 Subregulations 2B.01(3) and (4)

Repeal the subregulations, substitute:

(3) The development of the management or authorisation framework that is a management plans must involve:

(a) public consultation for a period of at least 20 business days; and

(b) consultation with any particular groups that:

(i) have a special interest in the property or place; or

(ii) are likely to be especially affected by the management or authorisation framework that is a management plan for the property or place.

Note: Subsection 46(3) and sections 51 (for a World Heritage property) and 51A (for a National Heritage place) of the Act also set out relevant requirements about accreditation of management or authorisation frameworks.

18 Subregulation 2B.01(5) (heading)

Omit "*management plan*", substitute "*management or authorisation framework that is a management plan*".

19 Subregulation 2B.01(5)

Omit "management plan", substitute "management or authorisation framework that is a management plan".

20 Subregulation 2B.01(6)

Repeal the subregulation (not including the heading), substitute:

(6) For the purposes of subparagraph 46(3)(b)(ii) of the Act, the prescribed criterion, for a management or authorisation framework that is a management plan, is that the law must be capable of protecting the relevant World Heritage or National Heritage values of the property or place.

21 At the end of Part 2B

Add:

2B.02 Criteria for accreditation of management or authorisation framework for a bilateral agreement

For the purposes of paragraph 46(3)(d) of the Act, the prescribed criterion is that the framework requires each decision maker, in deciding whether to approve an action or class of actions in accordance with the framework, to have regard to any bioregional plan or bioregional guidance plan the decision maker considers relevant.

2B.03 Management or authorisation framework accredited for a bilateral agreement—prescribed national environmental standards

For the purposes of paragraphs 46(3)(e) and (f) of the Act, the following national environmental standards are prescribed:

(a) the *National Environmental Standard (Matters of National Environmental Significance) 2026*, as in force from time to time;

(b) the *National Environmental Standard (Environmental Offsets) 2026*, as in force from time to time;

(c) the *National Environmental Standard (Community Engagement) 2026*, as in force from time to time;

(d) the *National Environmental Standard (Data and Information) 2026*, as in force from time to time.

22 Regulation 3.06

Omit "The bilateral", substitute "For the purposes of paragraph 50(b) of the Act, the bilateral".

23 At the end of Division 3.3 of Part 3

Add:

3.07 Prerequisite to declaration—prescribed national environmental standards

For the purposes of paragraph 47(2)(b) of the Act, the following national environmental standards are prescribed:

(a) the *National Environmental Standard (Matters of National Environmental Significance) 2026*, as in force from time to time;

(b) the *National Environmental Standard (Environmental Offsets) 2026*, as in force from time to time;

(c) the *National Environmental Standard (Community Engagement) 2026*, as in force from time to time;

(d) the *National Environmental Standard (Data and Information) 2026*, as in force from time to time.

24 Regulation 4.01

Repeal the regulation.

25 Subregulation 4.02(1)

Omit "A referral", substitute "For the purposes of section 72 of the Act, a referral".

26 Subregulation 4.03(1)

Omit "A referral", substitute "For the purposes of section 72 of the Act, a referral".

27 At the end of Part 4

Add:

4.05 Requirements to obtain Minister's agreement to take minor or preparatory action

Requirements to obtain Minister's agreement

(1) For the purposes of paragraph 74AA(2A)(b) of the Act, the requirements for obtaining the Minister's agreement are:

(a) the proposed action for which the Minister's agreement is sought is a component of a larger action that the Minister has:

(i) decided, under subsection 75(1) of the Act, is a controlled action; or

(ii) not yet decided, under subsection 75(1) of the Act, is or is not a controlled action;

(b) the person makes an application for the Minister's agreement that is:

(i) in writing; and

(ii) made in the approved form (if any);

(c) the application is accompanied by the information or documents specified in subregulation (2).

Information or documents to accompany an application

(2) The application must be accompanied by the following:

(a) a description of the proposed action, including any activities that would be carried out in taking that action;

(b) a description of the larger action, of which the proposed action is a component, including:

(i) the identification number allocated by the Department to the larger action; and

(ii) the title of the larger action that is the same title as the referral for that action; and

(iii) if the Minister has decided, under subsection 75(1) of the Act, that the larger action is a controlled action—the name of the designated proponent of the larger action (if the designated proponent is not the person making the application);

(c) a description of the location where the proposed action is to be taken, within the proposed project area of the larger action, including any relevant spatial data;

(d) any survey data relevant to the proposed action;

(e) the timeframe within which the proposed action is intended to substantially commence;

(f) information about why the person considers that the proposed action needs to be taken prior to the assessment and approval of the larger action;

(g) information about why the person considers that the proposed action is a minor or preparatory component of the larger action;

(h) either:

(i) information, including documentary evidence (if available), on the nature and extent of the impacts the proposed action will have, or is likely to have, on a matter protected by a provision of Part 3 of the Act; or

(ii) evidence that the proposed action will not have, or is not likely to have, any impacts on a matter protected by a provision of Part 3 of the Act;

(i) if any consultation was undertaken in relation to the proposed action, or the larger action, including after the decision (if any) under section 75 of the Act has been made—details of that consultation;

(j) details of the measures (if any) the person intends to take to repair or mitigate damage that may or will be caused by the proposed action to a matter protected by a provision of Part 3 of the Act, including the timeframe within which such measures would be taken.

When application is taken to be withdrawn

(3) The application for the Minister's agreement is taken to be withdrawn if:

(a) after the application is made, the Minister decides, under subsection 75(1) of the Act, that the larger action, of which the proposed action is a component, is not a controlled action; or

(b) the Minister has made a decision under section 74A of the Act to not accept the referral of the larger action, of which the proposed action is a component; or

(c) the referral of the larger action, of which the proposed action is a component, is withdrawn under section 170C of the Act.

Timeframe for Minister's decision

(4) The Minister must decide whether or not to agree that the person can take the proposed action within 20 business days of the following:

(a) if the application is made after the Minister has decided, under subsection 75(1) of the Act, that the larger action, of which the proposed action is a component, is a controlled action—the day the application for the Minister's agreement is made;

(b) if the application is made before the Minister has so decided—the day the Minister makes that decision.

Minister may agree to action if satisfied of certain matters

(5) The Minister may agree that the person can take the proposed action if and only if the Minister is satisfied of the following matters:

(a) that the proposed action is a component of a larger action that the Minister has decided is a controlled action under subsection 75(1) of the Act;

(b) that any impacts the proposed action will have, or is likely to have, on a matter protected by a provision of Part 3 of the Act that is a controlling provision for the larger action are minor and repairable;

(c) that it is appropriate for the person to take the proposed action before the larger action has been assessed and approved;

(d) if the Minister has previously agreed that the person can take one or more actions that are a minor or preparatory component of the same larger action—that the proposed action, when taken together with those actions previously agreed to, is still a minor or preparatory component of the larger action.

Notice of Minister's decision

(6) The Minister must, as soon as practicable after making the decision about whether the person can take the proposed action, give written notice of the decision to the person and publish a copy of the notice on the Department's website.

(7) If the Minister agrees to the person taking the proposed action, the notice given under subregulation (6) must include the following:

(a) a description of the action (the ***agreed action***) that the Minister has agreed that the person can take;

(b) a description of the larger action of which the agreed action is a minor or preparatory component;

(c) a description of the location where the agreed action is to take place within the project area of the larger action;

(d) the day the Minister's decision comes into effect, which must not be a day earlier than the day after the decision is made.

(8) If the Minister does not agree to the person taking the proposed action, the notice given under subregulation (6) must include the reasons for the decision.

28 Regulation 4AA.01

Repeal the regulation.

29 Subregulation 4A.01(1)

Repeal the subregulation, substitute:

(1) For the purposes of subsection 78C(3) of the Act, the publication must be on the Department's website.

30 At the end of Part 4A

Add:

4A.02 Information for application to reconsider decision that action is not controlled action because taken in particular manner

For the purposes of paragraph 79A(2)(c) of the Act, the following information is prescribed:

(a) reasons, including documentary evidence (if available), why the person considers the identified manner is no longer appropriate for the action;

(b) information, including documentary evidence (if available), on the nature and extent of the impacts the action will have, or is likely to have, on a matter protected by a provision of Part 3 of the Act if the action is taken in the different manner proposed under paragraph 79A(2)(b) of the Act;

(c) information on any consultation the person has undertaken on that different manner.

31 After Part 4A

Insert:

Part 4B—Lapsing of decision that action is not a controlled action

4B.01 Information or documents for request to extend date of lapsing of decision that action is not a controlled action

For the purposes of subparagraph 79G(2)(c)(ii) of the Act, the following information or documents are prescribed:

(a) the reasons why the taking of the action will not have substantially commenced before the fifth anniversary of the date of the notice of the decision under section 77 of the Act (the ***initial notice***);

(b) a proposed later date on which the decision under section 75 of the Act, that the action is not a controlled action, ceases to be in force, which must not be a date later than the tenth anniversary of the date of the initial notice;

(c) information, including documentary evidence (if available), about:

  (i) any steps the person is taking, or intends to take, to ensure the taking of the action will substantially commence by the proposed date referred to in paragraph (b); and

  (ii) a proposed timeline for the taking of those steps;

(d) the information (if any) required to accompany the request that is commercially-sensitive and should not be disclosed.

32 Before Division 5.1A of Part 5

Insert:

Division 5.1—Greenhouse gas emissions information

5.01 Greenhouse gas emissions information

(1) For the purposes of subparagraph 84A(2)(a)(ii) of the Act, the prescribed amount is 100,000 carbon dioxide equivalent tonnes for a financial year.

(2) For the purposes of subparagraph 84A(2)(b)(ii) of the Act, the prescribed amount is 100,000 carbon dioxide equivalent tonnes for a financial year.

33 Subregulation 5.13A(1) (definition of *stage 4*)

Omit "by relevant Commonwealth, State or Territory officials".

34 Subregulations 7.03(1) and (2)

Repeal the subregulations, substitute:

(1) For the purposes of paragraph 194E(3)(a) of the Act, a notice must be published on the Department's website.

(2) For the purposes of paragraph 194E(3)(b) of the Act, a nomination must be made in the approved form.

35 Subregulation 7.03(3)

Omit "For paragraph 194E(3)(c)", substitute "For the purposes of paragraph 194E(3)(c)".

36 Paragraph 7.04(1)(d)

Omit ", if available".

37 At the end of subregulation 7.04(2)

Add:

; (c) information that demonstrates that Indigenous peoples' knowledge, including knowledge about cultural significance, has been considered in relation to the nomination.

38 At the end of subregulation 7.05(2)

Add:

; (c) information that demonstrates that Indigenous peoples' knowledge, including knowledge about cultural significance, has been considered in relation to the nomination.

39 At the end of subregulation 7.06(1)

Add:

; (i) information that demonstrates that Indigenous peoples' knowledge, including knowledge about cultural significance, has been considered in relation to the nomination.

40 Regulation 7.07

Repeal the regulation, substitute:

7.07 Notice inviting comments on items in finalised priority assessment list

(1) For the purposes of paragraph 194M(4)(a) of the Act, a notice must be published on the Department's website.

(2) For the purposes of paragraph 194M(4)(b) of the Act, comments must be made in the approved form.

41 Regulation 7.09

Repeal the regulation, substitute:

7.09 Identification of critical habitat to be listed on the register

(1) For the purposes of subsection 207A(1) of the Act, the Minister must, when making or adopting a recovery plan for a species or an ecological community, consider whether to list critical habitat, that is identified in the recovery plan for that species or ecological community, on the register.

(2) Before listing habitat on the register as registered critical habitat, the Minister must:

(a) consider any advice from the Scientific Committee about whether the habitat is critical habitat for a listed threatened species or listed threatened ecological community; and

(b) if the critical habitat is not in a Commonwealth area, be satisfied that reasonable steps have been taken to consult with the owner of the property where that critical habitat is located.

42 Subregulation 7.10(1)

Omit "For subsection 207A(1) of the Act, a description of habitat listed in the register", substitute "For the purposes of subsection 207A(1) of the Act, a description of critical habitat listed on the register".

43 Paragraph 7.10(1)(a)

Omit "the habitat", substitute "the critical habitat".

44 Subregulation 7.10(2)

Repeal the subregulation, substitute:

(2) The register must be published on the Department's website.

45 Regulations 7.10A and 7.10B

Repeal the regulations, substitute:

7.10A Publication of notice

(1) For the purposes of paragraph 269AA(8)(a) of the Act, a notice must be published on the Department's website.

(2) For the purposes of paragraph 269AA(8)(b) of the Act, comments must be made in the approved form.

7.10B Publication of recovery plan decision

For the purposes of subsection 269AA(9) of the Act, the publication must be on the Department's website.

46 Subregulation 7.11(1)

Omit "For paragraph 270(2)(j) of the Act, a recovery plan must", substitute "For the purposes of paragraph 270(2)(j) of the Act, a recovery plan for the whole or part of a listed threatened species or listed threatened ecological community must".

47 Paragraph 7.11(1)(a)

Omit "species or ecological communities for which it", substitute "the species or community, or relevant part of it, for which the plan".

48 Paragraph 7.11(1)(b)

Omit "habitat that are critical to the survival of the species or ecological communities", substitute "critical habitat for the species or community, or relevant part of it".

49 Paragraph 7.11(1)(c)

Omit "ecological communities", substitute "community, or relevant part of it,".

50 Paragraph 7.11(1)(d)

After "threatening process", insert "that is relevant to the persistence and recovery of the species or community, or relevant part of it".

51 Paragraph 7.11(2)(a)

Omit "ecological community", substitute "community, or relevant part of it".

52 Paragraph 7.11(2)(b)

Omit "ecological community", substitute "community, or relevant part of it".

53 Subregulation 7.11(3)

Repeal the subregulation.

54 Regulation 7.12

Omit "For paragraph 271(2)(g) of the Act, a threat abatement plan must", substitute "For the purposes of paragraph 271(2)(g) of the Act, a threat abatement plan for the whole, or one or more parts, of a key threatening process must, to the extent practicable,".

55 Paragraph 7.12(a)

Omit "key threatening process concerned", substitute "key threatening process or the relevant parts of the process".

56 Subparagraph 7.12(a)(ii)

Omit "habitat listed in the register of critical habitat kept under section 207A of the Act", substitute "registered critical habitat".

57 Subparagraph 7.12(a)(iii)

After "process", insert ", or the relevant parts of the process,".

58 At the end of regulation 7.12

Add:

Note: See the definition of ***registered critical habitat*** in section 207A of the Act.

59 Paragraph 8.05(2)(d)

Omit "a lookout", substitute "an observer to look out".

60 Subregulation 8.05(3)

Omit "3 vessels", substitute "2 vessels".

61 Subregulation 8.05(4)

Omit "(other than a calf)".

62 Paragraph 8.05(4)(b)

Omit "of the vessel", substitute "of the vessel to a constant speed of less than 6 knots".

63 Subregulation 8.05(5)

Omit "(other than a calf)".

64 Subregulation 8.08(3)

Repeal the subregulation, substitute:

(3) Subregulation (1) does not apply to the discarding of bycatch by a commercial fisher if the discarding occurs:
   (a) at least 50 metres away from a dolphin; or
   (b) at least 100 metres away from a whale.

65 After Part 8

Insert:

Part 8AA—Protection statements

8AA.01 Criteria for protection statements for listed threatened species and listed threatened ecological communities

For the purposes of paragraph 298A(2)(b) of the Act, the following criteria are prescribed:

(a) that the protection statement provides effective guidance for decision makers;

(b) that the protection statement is likely to improve the protection of the listed threatened species or listed threatened ecological community, or relevant part of that species or community;

(c) that the protection statement is based, to the extent practicable, on scientifically robust and representative information.

Note: For the purposes of paragraph (b), see the definition of ***improve the protection*** in the Dictionary.

8AA.02 Additional matters for making protection statements

For the purposes of paragraph 298A(3)(e) of the Act, the following matters are prescribed:

(a) any unacceptable impacts (within the meaning of section 527F of the Act) for the species or community;

(b) if one or more annual reports have been prepared under subsection 177DI(1) of the Act that identifies the species or community, or relevant part of it, as an impacted protected matter for which a general restoration action was not available under paragraph 177DI(2)(h) of the Act—the most recent annual report containing that information.

8AA.03 Other information to be included in protection statements

For the purposes of paragraph 298B(2)(e) of the Act, the following information is prescribed:

(a) information about the nature and scale of impacts on the species or community, or a relevant part of that species or community, that would or would likely constitute a significant impact on the species or community or part of that species or community;

(b) information on best practice for surveys or measures to avoid or mitigate impacts on the species or community or relevant part of that species or community;

(c) information on restoration or compensation priorities, including any priority restoration actions, for the species or community or relevant part of that species or community.

8AA.04 Matters to be considered in a review of protection statement

For the purposes of paragraph 298H(4)(a) of the Act, the following matters are prescribed:

(a) the extent to which the protection statement provides effective guidance for decision makers and persons proposing to take an action;

(b) the extent to which the protection statement is contributing to the protection of the listed threatened species or listed threatened ecological community or relevant part of that species or community;

(c) the extent to which the protection statement is based on scientifically robust and representative information.

66 Subparagraph 9.03(4)(e)(ii)

Omit “a management plan that is an accredited management plan”, substitute “a management or authorisation framework that is accredited”.

67 Paragraph 9.03(4)(l)

Omit “158(3) or 303A(3)”, substitute “157H(1) or 302A(1)”.

68 Paragraph 9A.09(b)

Repeal the paragraph.

69 Paragraph 9A.10(b)

Omit “specimen will not be used primarily for commercial purposes after it is”, substitute “specimen, or progeny or products of the specimen, will not be used primarily for commercial purposes after the specimen, or progeny or products of the specimen, are”.

70 Paragraph 9A.10(g)

Omit “or Tasmanian devil”, substitute “, Tasmanian devil or echidna”.

71 Paragraph 9A.11(c)

Omit “specimen is not used primarily for commercial purposes after it is”, insert “specimen, or progeny or products of the specimen, are not used primarily for commercial purposes after the specimen, or progeny or products of the specimen, are”.

72 Paragraph 9A.11(f)

Omit “or Tasmanian devil”, substitute “, Tasmanian devil or echidna”.

73 Paragraph 9A.12(1)(h)

Omit “or Tasmanian devil”, substitute “, Tasmanian devil or echidna”.

74 Subparagraph 9A.13(1)(a)(i)

Omit “household pet”, substitute “household pet for a period of not less than 3 years immediately preceding the export”.

75 Paragraph 9A.13(1)(b)

Omit “3 animals are being exported”, substitute “3 animals per household are being exported”.

76 At the end of subregulation 9A.13(1)

Add:

; and (c) the exporter has owned and kept the animal in accordance with any applicable State or Territory law for a period of not less than 3 years immediately preceding the export.

77 Subregulation 9A.13(2)

Omit "household pet", substitute "household pet for a period of not less than 3 years immediately preceding the import".

78 After paragraph 9A.24(1)(b)

Insert:

(ba) for an animal that can be reproduced sexually and asexually—either or both of the following apply:

(i) its parents transferred gametes, by mating or otherwise, in a controlled environment;

(ii) its parents were in a controlled environment when the animal began to develop; and

79 Subregulation 9A.24(2)

Repeal the subregulation, substitute:

(2) In this regulation:

animal that is reproduced asexually means an asexual species as defined by or under CITES.

controlled environment means an environment that:

(a) is managed to produce animals of a particular species; and

(b) has boundaries that are designed to prevent animals, eggs or gametes of the species from entering or leaving; and

(c) provides for artificial life support that may include, for example, artificial housing, temperature control, waste removal, health care, protection from predators and artificially supplied food.

80 Regulation 10.01BC

Repeal the regulation, substitute:

10.01BC Publication of Minister's decision on listing of place under threat of a significant adverse impact

For the purposes of subsection 324JQ(7) of the Act, the publication must be on the Department's website.

81 Regulation 10.01D (note)

Omit "subregulation 16.05A(5)", substitute "subregulation 16.05A(2)".

82 Division 10.2A of Part 10

Repeal the Division.

83 Regulation 10.03AE

Repeal the regulation, substitute:

10.03AE Publication of Minister's decision on listing of place under threat of a significant adverse impact

For the purposes of subsection 341JP(7) of the Act, the publication must be on the Department's website.

84 Subparagraph 12.06(1)(g)(ii)

Omit "a management plan that is an accredited management plan", substitute "a management or authorisation framework that is accredited".

85 After Division 14.1A of Part 14

Insert:

Division 14.1B—Audits

Subdivision 14.1B.1—Definitions and key concepts

14.01J Definitions

In this instrument:

licensing body means a body responsible for:

(a) the licensing, registration, accreditation or certification of auditors; or

(b) the standards of professional conduct of auditors.

Subdivision 14.1B.2—Compliance audits

14.01K Matters relating to the conduct of compliance audit

For the purposes of paragraph 462D(3)(a) of the Act, an auditor must conduct a compliance audit:

(a) as expeditiously as reasonably practicable; and

(b) in a way that results in minimal interference with the activities being audited.

14.01L Process to be followed after compliance audit has been completed

(1) For the purposes of paragraph 462D(3)(b) and subsection 462D(4) of the Act, an auditor conducting a compliance audit must:

(a) as soon as reasonably practicable after completing the audit:

(i) notify the relevant person for the compliance audit under subsection 462C(1) or (2) of the Act, orally or in writing, that the audit has been completed; and

(ii) prepare a written report in relation to the audit in accordance with the requirements in subregulations (2) and (3); and

(b) if the auditor is not a member of the staff of NEPA—within 10 business days (or another period agreed by the CEO) after completing the audit, give a copy of the written report to:

(i) the CEO; and

(ii) the relevant person for the compliance audit under subsection 462C(1) or (2) of the Act.

(2) The report must include the following:
- (a) the name of the auditor;
- (b) the day on which the audit commenced and the day on which the audit was completed;
- (c) the name of the relevant person for the compliance audit under subsection 462C(1) or (2) of the Act;
- (d) a description of the activities audited;
- (e) a description of the scope of the audit;
- (f) the findings of the audit.

(3) If the auditor is not a member of the staff of NEPA, the report must also include:
- (a) a declaration by the auditor that the auditor is independent of the person being audited; and
- (b) details of the total time (in hours) the auditor spent conducting the audit.

Note: Sections 137.1 and 137.2 of the *Criminal Code* create offences for providing false or misleading information or documents.

Subdivision 14.1B.3—Register of auditors

14.01M Requirements for registration of auditor

(1) For the purposes of subparagraph 462G(2)(b)(ii) of the Act, the following matters are prescribed:
- (a) whether the individual has a bachelor degree, a masters degree or a doctoral degree (or equivalent) that:
  - (i) is conferred by a university or an equivalent institution of higher learning; and
  - (ii) is relevant, in the opinion of the CEO, to functions performed by registered auditors under the Act;
- (b) whether the individual has appropriate knowledge of:
  - (i) Commonwealth, State or Territory laws relating to the environment; and
  - (ii) auditing practice and procedure in relation to environmental issues;
- (c) whether the individual has experience and proficiency in conducting environmental audits under a Commonwealth, State or Territory law relating to the environment during the 5 years immediately preceding the day the individual applied for registration as an auditor;
- (d) whether the individual has the competencies necessary to:
  - (i) properly conduct an audit under the Act; and
  - (ii) prepare reports in relation to an audit under the Act;
- (e) whether the individual has been convicted of an offence, or been ordered to pay a pecuniary penalty for a contravention of a civil penalty provision, against a Commonwealth, State or Territory law involving fraud or dishonesty;
- (f) whether the individual is the subject of a current or pending investigation or disciplinary action by a licensing body.

Spent convictions

(2) Nothing in this regulation affects the operation of Part VIIC of the *Crimes Act 1914*.

Note: Part VIIC of the *Crimes Act 1914* includes provisions that, in certain circumstances, relieve persons from the requirement to disclose spent convictions and require persons aware of such convictions to disregard them.

14.01N Form and content of register

For the purposes of paragraph 462G(4)(a) of the Act, the register of auditors must:

(a) be in electronic form; and

(b) include the following information in relation to an individual registered as an auditor:

(i) the individual's name;

(ii) the individual's contact details, including phone number and email address;

(iii) if the individual is employed by an organisation—the name and contact details (including a phone number and an email address) of the organisation;

(iv) the day on which the individual was registered;

(v) the day on which the individual's registration expires;

(vi) if the individual has previously had their registration suspended or has been deregistered—details of that suspension or deregistration;

(vii) any other information the CEO considers is relevant to the individual's registration as an auditor.

14.01P Publication of register

For the purposes of paragraph 462G(4)(b) of the Act, the register must be published on the NEPA's website.

Subdivision 14.1B.4—Registration of auditors

14.01Q Manner, form and content of applications for registration

(1) For the purposes of paragraph 462G(4)(c) of the Act, an application for registration as an auditor must:

(a) be made in the approved form;

(b) include the following information:

(i) the name of the individual making the application (the ***applicant***);

(ii) the applicant's date of birth;

(iii) the applicant's business address (not being a post office box) or, if the applicant does not have a business address, the applicant's residential address;

(iv) the applicant's contact details, including phone number and email address;

(v) if the applicant is registered (however described) as an auditor under a Commonwealth, State or Territory law relating to the environment—details of that registration;

(vi) details of any circumstances that could impact the applicant's independence or objectivity as an auditor;

(vii) details of any licence, registration, accreditation or certification (however described) issued or granted to the applicant by a licensing body;

(viii) if the applicant has been issued or granted a licence, registration, accreditation or certification (however described) by a licensing body—details of any current or pending investigation or disciplinary action in relation to the applicant by that body.

(2) The application must also be accompanied by the following:

(a) evidence that the applicant is, or will be, covered by adequate professional indemnity insurance against any liabilities the applicant may incur as a result of conducting audits as a registered auditor;

(b) evidence of the applicant's ability to exercise professional, objective and impartial judgement in relation to the conduct of an audit under the Act;

(c) evidence (to the extent available) in relation to the matters prescribed by subregulation 14.01M(1);

(d) a declaration signed by the applicant to the effect that:

(i) the information contained in the application is true and correct; and

(ii) any actual or perceived conflicts of interest that the applicant may have will be appropriately managed.

Note: Sections 137.1 and 137.2 of the *Criminal Code* create offences for providing false or misleading information or documents.

(3) The CEO may, by notice in writing, request further information or evidence from the applicant about any matter relevant to the application.

(4) The notice must:

(a) set out each matter in relation to which information or evidence is requested; and

(b) specify a reasonable period within which the information or evidence is to be provided.

(5) The CEO is not required to consider the application, or may cease considering the application if the applicant does not comply with the CEO's request for further information or evidence under subregulation (3) within the period specified in the notice for the purposes of paragraph (4)(b).

14.01R Duration of registration

For the purposes of paragraph 462G(4)(l) of the Act, if the CEO registers an individual as an auditor under subsection 462G(2) of the Act, the registration:

(a) comes into force on the day the individual is registered in the register of auditors kept under section 462G of the Act; and

(b) remains in force for the period of 3 years beginning on the day the individual's registration comes into force, unless the individual is deregistered earlier.

14.01S Review of registration

(1) For the purposes of paragraph 462G(4)(f) of the Act, the CEO may, at any time after an individual is registered in the register of auditors kept under section 462G of the Act, review the registration of the individual (the ***registered auditor***).

(2) If the CEO intends to review a registered auditor's registration, the CEO must give written notice of that intention to the registered auditor.

(3) The notice must set out:

(a) the reasons for the review; and

(b) the scope of the review; and

(c) the information and documents (if any) that the registered auditor is required to provide for the review.

(4) The CEO may include a requirement in the notice for the registered auditor to respond to the notice within the period specified in the notice, which must be at least 21 days after the day the notice is given.

(5) On receiving the notice, the registered auditor must provide all reasonable facilities and assistance to the CEO for an effective review.

Subdivision 14.1B.5—Suspension of registration and deregistration

14.01T Suspension of registration

CEO may suspend registration

(1) For the purposes of paragraph 462G(4)(g) of the Act, the CEO may, by notice (the ***suspension notice***) in writing given to a registered auditor, suspend the individual's registration as an auditor if the CEO reasonably believes any of the following:

(a) that it is appropriate to do so, having regard to the following:

(i) the matters prescribed by subregulation 14.01M(1);

(ii) any other matter the CEO considers relevant to the individual's suitability to be a registered auditor;

(b) that the registered auditor has failed to adequately and properly conduct one or more audits under the Act.

Show cause notice

(2) Before suspending the registered auditor's registration, the CEO must give written notice (the ***show cause notice***) to the registered auditor of the CEO's intention to suspend the auditor's registration.

(3) The show cause notice must:

(a) set out the grounds for the proposed suspension; and

(b) specify the proposed period of suspension; and

(c) invite the registered auditor to make written submissions, within the period specified in the notice, as to why the auditor's registration should not be suspended; and

(d) if the CEO considers that there are activities the registered auditor may undertake to avoid the suspension—specify those activities and the period within which those activities must be undertaken.

(4) The period specified in the show cause notice for the purposes of paragraph (3)(c) must be reasonable, having regard to all the circumstances of the case, being a period not less than 60 days after the day the notice is given.

(5) The CEO may, in writing, extend the period referred to in paragraph (3)(c) at any time before the end of that period:

(a) on written request by the registered auditor; or

(b) on the CEO's own initiative.

CEO must consider registered auditor's submissions

(6) In deciding whether to suspend the registered auditor's registration, the CEO must have regard to any written submissions made by the registered auditor within the period specified in the show cause notice, or if the period has been extended, the extended period.

Matters to be included in suspension notice

(7) If the CEO decides to suspend the registered auditor's registration, the suspension notice must include:

(a) the grounds for the suspension; and

(b) the day on which the suspension takes effect and the period of the suspension.

Spent convictions

(8) Nothing in this regulation affects the operation of Part VIIC of the *Crimes Act 1914*.

Note: Part VIIC of the *Crimes Act 1914* includes provisions that, in certain circumstances, relieve persons from the requirement to disclose spent convictions and require persons aware of such convictions to disregard them.

14.01U Effect of suspension of registration

If the CEO suspends an individual's registration as an auditor under regulation 14.01T:

(a) the individual is taken not to be a registered auditor during the period of the suspension specified in the suspension notice; and

(b) the CEO must, as soon as practicable after suspending the individual's registration, cause particulars of the suspension to be recorded, in respect of the individual, on the register of auditors kept under section 462G of the Act.

14.01V Deregistration

CEO may deregister an auditor

(1) For the purposes of paragraph 462G(4)(h) of the Act, the CEO may, by notice (the ***deregistration notice***) in writing given to an individual registered as an

auditor, deregister the individual if the CEO reasonably believes any of the following:

(a) that it is appropriate to do so, having regard to the following:

(i) the matters prescribed by subregulation 14.01M(1);

(ii) any other matter the CEO considers relevant to the individual's suitability to be a registered auditor;

(b) that the individual has failed to adequately and properly conduct one or more audits under the Act.

Show cause notices

(2) Before deregistering the individual, the CEO must give written notice (the ***show cause notice***) to the individual of the CEO's intention to deregister the individual.

(3) The show cause notice must:

(a) set out the grounds for the proposed deregistration; and

(b) invite the individual to make written submissions, within the period specified in the notice, as to why the individual should not be deregistered; and

(c) if the CEO considers that there are activities the individual auditor may undertake to avoid the deregistration—specify those activities and the period within which those activities must be undertaken.

(4) The period specified in the show cause notice for the purposes of paragraph (3)(b) must be reasonable, having regard to all the circumstances of the case, being a period not less than 60 days after the day the notice is given.

(5) The CEO may, in writing, extend the period referred to in paragraph (3)(b) at any time before the end of that period:

(a) on written request by the individual; or

(b) on the CEO's own initiative.

CEO must consider registered auditor's submissions

(6) In deciding whether to deregister the individual, the CEO must have regard to any written submissions made by the individual within the period specified in the show cause notice, or if the period has been extended, the extended period.

Matters to be included in deregistration notice

(7) If the CEO decides to deregister the individual, the deregistration notice must include:

(a) the grounds for the deregistration; and

(b) the day on which the deregistration takes effect.

Spent convictions

(8) Nothing in this regulation affects the operation of Part VIIC of the *Crimes Act 1914*.

Note: Part VIIC of the *Crimes Act 1914* includes provisions that, in certain circumstances, relieve persons from the requirement to disclose spent convictions and require persons aware of such convictions to disregard them.

14.01W Effect of deregistration

If the CEO deregisters an individual under regulation 14.01V:

(a) the individual ceases to be a registered auditor on the day on which the deregistration takes effect; and

(b) the CEO must, as soon as practicable after the deregistration takes effect, cause the following to be removed from the register of auditors kept under section 462G of the Act:

(i) the name of the deregistered individual;

(ii) any other particulars entered in the register in relation to the deregistered individual.

Subdivision 14.1B.6—Conditions of registration

14.01X Process for imposing conditions on registration

(1) For the purposes of paragraphs 462J(3)(a) and (e) of the Act, the CEO may impose conditions on an individual's registration at the time the CEO registers the individual in the register of auditors kept under section 462G of the Act or at any later time.

(2) Before imposing conditions on an individual's registration, the CEO must give written notice to the auditor.

(3) The notice must:

(a) set out the proposed conditions; and

(b) set out the reasons for imposing the proposed conditions; and

(c) invite the individual to make written submissions, within a reasonable period specified in the notice, on the proposed conditions.

(4) In deciding whether to impose the proposed conditions on the individual's registration as an auditor, the CEO must have regard to any written submissions made by the individual within the period specified in the notice.

14.01Y Notification of decision to impose conditions on registration

For the purposes of paragraph 462J(3)(b) of the Act, if the CEO decides to impose conditions on an individual's registration as an auditor, the CEO must, as soon as practicable after making the decision, do both of the following:

(a) give written notice to the individual of:

(i) the conditions imposed on the individual's registration; and

(ii) the day on which the conditions take effect, which must not be a day earlier than the day after the notice is given;

(b) record the conditions, in respect of the individual's registration, on the register of auditors kept under section 462G of the Act.

14.01Z Review of conditions on registration

(1) For the purposes of paragraph 462J(3)(c) of the Act, a registered auditor may make a request to the CEO, in the approved form, to review a condition imposed on the individual's registration as an auditor.

(2) If a request to review a condition is made under subregulation (1), the CEO must:
  (a) determine whether the condition is still appropriate; and
  (b) if the CEO is satisfied that the condition is not appropriate—consider whether to vary or revoke the condition under regulation 14.01ZA.

14.01ZA Variation or revocation of conditions on registration

(1) For the purposes of paragraph 462J(3)(d) of the Act, the CEO may, at any time, vary or revoke the conditions imposed on an individual's registration as an auditor if the CEO is satisfied that it is appropriate to do so.

(2) Before varying or revoking a condition imposed on an individual's registration, the CEO must give written notice to the auditor.

(3) The notice must:
  (a) set out the proposed variation or revocation of the condition; and
  (b) set out the reasons for the proposed variation or revocation; and
  (c) invite the individual to make written submissions, within a reasonable period specified in the notice, on the proposed variation or revocation.

(4) In deciding whether to vary or revoke a condition on the individual's registration as an auditor, the CEO must have regard to any written submissions made by the individual within the period specified in the notice.

(5) The CEO must, as soon as practicable after varying or revoking a condition on an individual's registration as an auditor, do both of the following:
  (a) give written notice to the registered auditor of:
    (i) the variation or revocation; and
    (ii) the day on which the variation or revocation take effect, which must not be a day earlier than the day after the notice is given;
  (b) record the variation or revocation, in respect of the individual's registration, on the register of auditors kept under section 462G of the Act.

86 Paragraph 16.01(1)(a)

Repeal the paragraph.

87 Paragraph 16.01(1)(b)

Repeal the paragraph, substitute:
  (b) subsection 45(4);

88 Paragraph 16.01(1)(f)

Repeal the paragraph, substitute:
  (f) subsection 63(5);

89 Paragraphs 16.01(1)(j), (k) and (l)

Repeal the paragraphs, substitute:
  (j) paragraph 145A(8)(b);
  (k) paragraph 155(4)(b);

90 Regulation 16.02

Repeal the regulation, substitute:

16.02 Publication requirements

The material must be published on the Department's website.

91 Subregulations 16.05A(2), (4) and (5)

Repeal the subregulations, substitute:

(2) The material to which subregulation (1) applies must be published on the Department's website.

92 Regulation 16.06

Repeal the regulation.

93 Paragraphs 16.07(1)(a) and (b)

Repeal the paragraphs.

94 Paragraph 16.07(2)(a)

Repeal the paragraph.

95 Paragraph 16.07(2)(b)

Omit "for each State or other self-governing Territory—".

96 Paragraph 16.07(2)(c)

Omit "paragraphs (1)(a) and (d)", substitute "paragraph (d)".

97 Subregulation 19.01A(1)

Repeal the subregulation, substitute:

(1) The Minister may, by signed instrument, delegate any or all of the Minister's powers (except this power of delegation) or functions under these Regulations to any of the following persons:
- (a) an APS employee in the Department;
- (b) the CEO;
- (c) a member of the staff of NEPA.

98 Subregulation 19.01A(3)

Repeal the subregulation, substitute:

(3) The Secretary may, by signed instrument, delegate any or all of the Secretary's powers (except this power of delegation) or functions under these Regulations to any of the following persons:
- (a) an APS employee in the Department;
- (b) the CEO;
- (c) a member of the staff of NEPA.

99 At the end of Part 19

Add:

19.03 Review of rulings

For the purposes of subsection 514YS(2) of the Act, the following matters are prescribed:

(a) any previous application of the ruling by persons (***decision makers***) performing a function or exercising a power under the Act or these regulations, including:
    (i) whether any decision makers acted inconsistently with the ruling; and
    (ii) for each case (if any) of a decision maker acting inconsistently with the ruling—how the decision maker acted inconsistently with the ruling and the reasons given by the decision maker for that inconsistency;
(b) whether application of the ruling has supported the effective administration of the Act;
(c) any of the following that have been made since the ruling was made, varied or last reviewed (whichever is later) and that are relevant to the ruling:
    (i) amendments to this instrument, a national environmental standard or any other instrument made under the Act;
    (ii) any national environmental standard or other instrument made under the Act;
(d) any other rulings made under section 514YM or 514YN of the Act, which affect, interact with or are inconsistent with, the ruling that is the subject of the review;
(e) any other matters the persons undertaking the review consider relevant.

100 Item 1.01 of Schedule 1 (definition of *decision-maker*)

Omit “relevant State or Territory agency, authority or person who makes a decision under the specified State process”, substitute “person who makes a decision under the specified manner of assessment”.

101 Paragraph 4.01(b) of Schedule 1

Omit “by a State or Territory agency or authority”, substitute “under the specified manner of assessment”.

102 Item 6.04 of Schedule 1

Omit “by a State or Territory or an agency of a State or Territory”, substitute “under the specified manner of assessment”.

103 Item 2.03 of Schedule 4A (table item 3, column headed “Specimen”)

Omit “Crocodile”, substitute “Crocodilian”.

104 Item 2.03 of Schedule 4A (at the end of the table)

Add:

7	Agarwood specimens	Up to: (a) 1 kg of woodchips per person; and (b) 24 ml of oil per person; and

(c) either:
(i) 2 sets of beads or prayer beads per person; or
(ii) 2 necklaces or bracelets per person

105 Item 3.01 of Schedule 4A

Omit "CITES II specimen", substitute "CITES II specimen or a CITES III specimen".

106 Paragraph (f) of Schedule 5A

After "assess the", insert "condition of the".

107 Subparagraph 1.01(b)(ii) of Schedule 6

Omit "and sustainable".

108 Item 1.03 of Schedule 6

Repeal the item, substitute:

1.03 Wetland management should make provision, if appropriate, for the involvement of:
(a) people who have a particular interest in the wetland; and
(b) people who may be affected by the management of the wetland; and
(c) Indigenous people who have an interest in the wetland.

109 After item 1 of Schedule 6

Insert:

1A Ramsar Information Sheet

1A.01 A Ramsar Information Sheet must be prepared for each declared Ramsar wetland, in accordance with the Ramsar Convention.

1A.02 The Ramsar Information Sheet for a declared Ramsar wetland must:
(a) describe the location and area of the wetland, and include appropriate maps; and
(b) describe the ecological character of the wetland; and
(c) state the characteristics that make it a wetland of international importance under the Ramsar Convention; and
(d) describe the threats to the wetland; and
(e) describe the monitoring and management arrangements for the wetland.

1A.03 The Ramsar Information Sheet for a declared Ramsar wetland must:
(a) be reviewed at intervals of not more than 6 years; and
(b) be confirmed or amended after each review.

110 Paragraph 2.02(a) of Schedule 6

Repeal the paragraph, substitute:

(a) include a summary of the wetland's ecological character from the Ramsar Information Sheet for the wetland prepared under item 1A; and

(aa) be informed by the Ramsar Information Sheet for the wetland prepared under item 1A; and

111 Paragraph 2.02(c) of Schedule 6

After "maintain", insert "and, where possible, enhance".

112 At the end of item 2 of Schedule 6

Add:

2.03 A management plan prepared under this item may be part of a larger management plan.

113 Paragraph (f) of Schedule 7A

After "assess the", insert "condition of the".

114 Dictionary

Insert:

improve the protection of a listed threatened species or listed threatened ecological community means to provide one or more additional protections than are provided by any recovery plan or approved conservation advice for the species or community.

licensing body has the meaning given by regulation 14.01J.

115 Dictionary (at the end of the definition of *prohibited vessel*)

Add:

; (g) a remotely operated craft.

Part 2—Application, saving and transitional provisions

Environment Protection and Biodiversity Conservation Regulations 2025

116 Part 20 (heading)

After "**Application**", insert "**, saving**".

117 Before regulation 20.01

Insert:

Division 1—Saving provisions relating to the Environment Protection and Biodiversity Conservation Regulations 2000

118 In the appropriate position in Part 20

Insert:

Division 2—Amendments made by the Environment Protection and Biodiversity Conservation Amendment (2026 Measures No. 1) Regulations 2026

20.04 Definitions

In this Division:

amending Part means Part 1 of Schedule 1 to the *Environment Protection and Biodiversity Conservation Amendment (2026 Measures No. 1) Regulations 2026*.

20.05 Application provisions—management or authorisation frameworks

(1) The amendments of regulation 2A.01 made by the amending Part apply in relation to a declaration under section 33 of the Act that is made or varied on or after the commencement of this regulation.

(2) Regulations 2A.01A and 2A.01B, as inserted by the amending Part, apply in relation to a declaration under section 33 of the Act that is made or varied on or after the commencement of this regulation.

(3) Regulation 2A.02, as substituted by the amending Part, applies in relation to a determination made under subsection 36A(1) of the Act on or after the commencement of this regulation.

20.06 Application provisions—management or authorisation framework accredited for a bilateral agreement

(1) The amendments of regulation 2B.01 made by the amending Part, apply in relation to a bilateral agreement entered into, or varied, on or after the commencement of this regulation.

(2) Regulations 2B.02 and 2B.03, as added by the amending Part, apply in relation to a bilateral agreement entered into, or varied, on or after the commencement of this regulation.

(3) Regulation 3.07, as added by the amending Part, applies in relation to a bilateral agreement that is entered into, or varied, on or after the commencement of this regulation.

20.07 Application provision—requirements to obtain Minister's agreement to take minor or preparatory action

An application under regulation 4.05, as added by the amending Part, may be made in relation to an action that is a minor or preparatory component of a larger action on or after the commencement of this regulation, whether the larger action was the subject of a decision under section 75 of the Act before, on or after that commencement.

20.08 Saving provision—request for reconsideration of decision

Regulation 4AA.01, as in force immediately before the commencement of this regulation, continues to apply on and after that commencement in relation to a reconsideration request made under section 78A of the Act before that commencement.

20.09 Application provision—reconsideration of decision

Subregulation 4A.01(1), as substituted by the amending Part, applies in relation to a reconsideration decision made under section 78C of the Act on or after the commencement of this regulation.

20.10 Application provisions—nominations for listing

(1) The amendments of regulations 7.03 to 7.06 made by the amending Part apply in relation to an assessment period that commences on or after the commencement of this regulation.

(2) The repeal and substitution of regulation 7.07 by the amending Part applies in relation to a notice published under section 194M of the Act on or after the commencement of this regulation.

20.11 Application provisions—register of critical habitat

(1) Subregulation 7.09(1), as substituted by the amending Part, applies in relation to a recovery plan that is made or adopted on or after the commencement of this regulation.

(2) Subregulation 7.09(2), as substituted by the amending Part, applies in relation to critical habitat listed on the register on or after the commencement of this regulation.

(3) The amendments of regulation 7.10 made by the amending Part apply in relation to critical habitat listed on the register on or after the commencement of this regulation.

20.12 Application provisions—recovery plans and threat abatement plans

(1) Regulations 7.10A and 7.10B, as substituted by the amending Part, apply in relation to the publication of a notice or decision on or after the commencement of this regulation.

(2) The amendments of regulations 7.11 and 7.12 made by the amending Part apply in relation to a recovery plan or a threat abatement plan made, varied or adopted on or after the commencement of this regulation.

20.13 Application provision—cetaceans

The amendments of regulations 8.05 and 8.08 made by the amending Part apply in relation to conduct occurring on or after the commencement of this regulation.

20.14 Application provision—offences in relation to protected species

The amendment of regulation 9.03 made by the amending Part applies in relation to conduct that occurs on or after the commencement of this regulation.

20.15 Application and transitional provisions—wildlife trade

(1) Except as provided by subregulation (2), the amendments of regulations 9A.09 to 9A.13 and 9A.24 made by the amending Part apply in relation to the import or export of goods, specimen or animals occurring on or after the commencement of this regulation.

(2) The amendments mentioned in subregulation (1) do not apply in relation to the import or export of goods, specimen or animals occurring on or after the commencement of this regulation if the import or export was the subject of a permit application made before that commencement.

20.16 Application provision—heritage places

The amendments of Part 10 made by the amending Part apply in relation to materials required to be published on or after the commencement of this regulation.

20.17 Application provision—activities that are not offences under Division 12.2

The amendment of regulation 12.06 made by the amending Part applies in relation to activities taken on or after the commencement of this regulation.

20.18 Application provisions—publication and purchase requirements

(1) The amendments of subregulation 16.01(1), made by the amending Part apply in relation to the publication of materials on or after the commencement of this regulation.

(2) Regulation 16.02, as substituted by the amending Part, applies in relation to the publication of materials on or after the commencement of this regulation.

(3) The amendment of regulation 16.05A made by the amending Part applies in relation to the publication of materials on or after the commencement of this regulation.

(4) The amendments of regulation 16.07 made by the amending Part apply in relation to the availability of a copy of a plan for purchase on or after the commencement of this regulation.

20.19 Application provision—CITES specimens

The amendments of Schedule 4A made by the amending Part apply in relation to the import or export of specimen occurring on or after the commencement of this regulation.