



Endangered Species Protection (Consequential Amendments) Act 1992

No. 195 of 1992

**An Act to make certain amendments of Acts in connection
with the enactment of the *Endangered Species Protection
Act 1992***

[Assented to 21 December 1992]

The Parliament of Australia enacts:

Short title

1. This Act may be cited as the *Endangered Species Protection (Consequential Amendments) Act 1992*.

Commencement

2. This Act commences on the day on which the *Endangered Species Protection Act 1992* commences.

Consequential amendments of Acts

3. The Acts specified in the Schedule are amended as set out in the Schedule.

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SCHEDULE

Section 3

CONSEQUENTIAL AMENDMENTS OF ACTS

Environment Protection (Impact of Proposals) Act 1974

After section 5:

Insert:

Endangered species etc.

“5A.(1) Without limiting the scope of section 5, a matter is taken, for the purposes of that section, to be a matter affecting the environment to a significant extent if it could threaten with extinction, or significantly impede the recovery of, a listed native species or a listed ecological community.

“(2) Despite subsection (1), for the purposes of section 5, an act is not taken, merely because it could affect a listed native species or a listed ecological community, to be a matter affecting the environment to a significant extent if it is expressly permitted under a recovery plan, or a threat abatement plan, that is in force under the *Endangered Species Protection Act 1992*.

“(3) In this section:

‘listed ecological community’ and ‘listed native species’ have the same meanings as in the *Endangered Species Protection Act 1992*;
‘permitted’ includes required;
‘recovery plan’ and ‘threat abatement plan’ have the same meanings as in the *Endangered Species Protection Act 1992*.”.

National Parks and Wildlife Conservation Act 1975

Paragraph 16(1)(h):

Omit “and”.

After paragraph 16(1)(h):

Insert:

“(ha) any other functions conferred on the Director under any other Act; and”.

Paragraph 42(6)(b):

After “animal” insert “or plant”.

Subparagraph 44B(4)(a)(iv):

Omit “granting”, substitute “issuing”.

Subsection 44E(2):

Omit “substantially”.

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SCHEDULE—continued

After subsection 52(1):

Insert:

“(1A) The report must include the report prepared by the Director under section 48 of the *Endangered Species Protection Act 1992*.”.

[*Minister's second reading speech made in—*
House of Representatives on 4 November 1992
Senate on 26 November 1992]