

**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.

**SCHEDULE** Sections 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".

**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*]