

Export Control (Hardwood Wood Chips) Amendment Regulations 1999 (No. 1) 1999 No. 87

EXPLANATORY STATEMENT

STATUTORY RULES 1999 NO. 87

Issued by the Authority of the Minister for Forestry and Conservation

Export Control Act 1982

Export Control (Hardwood Wood Chips) Amendment Regulations 1999 (No. 1)

The *Export Control Act 1982* (the Act) commenced in 1982 in order to provide for the control of the export of certain prescribed goods.

Section 25 of the Act provides that the Governor-General may make regulations for the purpose of the Act. The Export Control (Unprocessed Wood) Regulations, the Export Control (Hardwood Wood Chips) Regulations 1996 (the '1996 Regulations'), and the Export Control (Regional Forest Agreements) Regulations (the 'RFA Regulations') provide necessary support to the Act by prescribing export licensing arrangements for unprocessed wood and woodchips.

The Schedule to the 1996 Regulations (the 'Schedule') originally described eleven forest regions to which both the 1996 Regulations and the RFA Regulations refer. Under the 1996 Regulations, transitional and other export licences are restricted to a specified region or regions, as described in the Schedule. Under the RFA Regulations, export licensing controls on unprocessed wood and woodchips derived from native forests for a specified region, as described in the Schedule, are effectively removed while ever that region is covered by an Regional Forest Agreement ('RFA').

The RFA process is a dynamic one and, over time, government parties have found that certain of the original regional boundaries described in the Schedule were not appropriate for some of the regions. The 1996 Regulations were amended twice in 1998 to amend the boundary descriptions for the Central Highlands, Gippsland and North East regions in Victoria, as well as including three new regions - the Eden Region in New South Wales, the South East Queensland region in Queensland and the South West Forest Region in Western Australia.

The Export Control (Hardwood Wood Chips) Amendment Regulations 1999 No. (the 'Amendment Regulations') adds to the Schedule descriptions of two new regions - the Upper North East and Lower North East Regions in New South Wales - and amends the boundary of the Eden Region in New South Wales; all of which have been agreed between the relevant government parties.

The two new regions in New South Wales comprise a large part of the North Region, which is currently described in the Schedule. Reference to the North Region has not been omitted from the Schedule to ensure that a transitional licence issued under the 1996 Regulations for the North Region remains operative until 31 December 1999, if required.

The boundary of the Eden Region in New South Wales has been amended from that currently in the Schedule to accurately reflect the boundary within which the comprehensive regional assessment has been made during the RFA process. As this is a minor amendment that has no direct impact on sourcing arrangements for any licence issued under the 1996 Regulations, the previous description for the Eden Region has been simply replaced by the new description.

Details of the 1999 Amendment Regulations are as follows:

Regulation 1 provides that the name of these regulations is the *Export Control (Hardwood Wood Chips) Amendment Regulations 1999 (No. 1)*

Regulation 2 provides that these regulations commence on gazettal.

Regulation 3 provides that the 1996 Regulations are amended as set out in Schedule 1 of these regulations.

Schedule 1, Item [1] makes appropriate amendments to item 3, paragraph (d) of Schedule 1 of the 1996 Regulations by amending the boundary description for the Eden Region in New South Wales and including boundary descriptions for the Lower North East and Upper North East Regions in New South Wales.