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**THE PARLIAMENT OF THE COMMONWEALTH OF
AUSTRALIA**

SENATE

**ENVIRONMENTAL REFORM (CONSEQUENTIAL PROVISIONS)
BILL 1998**

SUPPLEMENTARY EXPLANATORY MEMORANDUM

**Amendments and New Clauses to be Moved on Behalf of
the Government**

**(Circulated by authority of the Minister for the Environment and Heritage,
Senator the Hon. Robert Hill)**

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**ENVIRONMENTAL REFORM (CONSEQUENTIAL PROVISIONS)
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**NOTES ON AMENDMENTS AND NEW CLAUSES TO BE
MOVED ON BEHALF OF THE GOVERNMENT**

Clause 1

1. Amendments to the Environment Reform (Consequential Provisions) Bill 1998 (Consequential Provisions Bill) effected by clause 58 will amend the *Corporate Law Economic Reform Act 1999* and the *Public Service Act 1999*. This amendment provides that those provisions will not commence until the *Corporate Law Economic Reform Act 1999* or *Public Service Act 1999* commence, whichever is relevant.

Clauses 2, 3, 4, and 5

2. These are technical corrections.

Clause 7

3. This amendment takes account of altered clause references as a result of amendments to the Environment Protection and Biodiversity Conservation Bill (EPBC Bill).

Clause 8

4. This amendment provides that a management plan for a Park was given to the Minister under the *National Parks and Wildlife Conservation Act 1975* immediately before the commencement of the new Act, it is considered to have been given to the Minister under the new Act on the day that the new Act commences.

Clause 9

5. This amendment takes account of the amendment to the EPBC Bill which allows Board members nominated by traditional owners to withhold consent to the appointment to the Board of a person nominated by the Northern Territory (see notes on clause 445). Deadlines for the Minister to appoint a person nominated by the Northern Territory to a Board are adjusted accordingly.

Clause 10

6. This amendment deletes a clause from the Environment Reform (Consequential Provisions) Bill 1998 (Consequential Provisions Bill). The deleted clause is redundant because the statutory office of the Director will be retained, and the assets will remain with the Director.

Clause 11

7. This amendment continues the operation of conservation zones proclaimed under the *National Parks and Wildlife Conservation Act 1975* as if they had been proclaimed as conservation zones under the proposed new *Environment Protection and Biodiversity Conservation Act*.

Clause 12

8. This amendment takes account of altered clause references as a result of amendments to the EPBC Bill.

Clause 13

9. This amendment inserts explanatory notes.

Clauses 6, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 27, 28, 29, 30, 31, 32, 33, 34, 35, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 53, 54, 55 and 56

10. These amendments take account of the fact that the statutory office of the Director will not be abolished. Clauses of the Consequential Provisions Bill which remove reference to the Director are therefore either deleted, or amended so that they insert new definitions based on the EPBC Bill into the relevant Acts.

Clauses 21, 36, and 52.

11. These amendments take account of the fact that, as a result of amendments, it will be possible to proclaim conservation zones under the EPBC Bill, using similar provisions to those under the *National Parks and Wildlife Conservation Act 1975*. It is therefore unnecessary to remove reference to conservation zones in relevant Acts, although in some references to the *National Parks and Wildlife Conservation Act 1975* must be replaced with references to the proposed new *Environment Protection and Biodiversity Conservation Act*.

Clause 26

12. This amendment is consequential to the amendments effected by clauses 24 and 25.

Clause 57

13. This amendment takes account of amendments to the EPBC Bill which create additional offences.

Clause 58

14. These amendments to the Consequential Provisions Bill will have the effect of amending the EPBC Bill on commencement of the *Corporate Law Economic Reform Act 1999* and the *Public Service Act 1999*.