

# Nature Conservation Legislation Amendment Regulation 2025

Explanatory notes for SL 2025 No. 125

made under the

*Nature Conservation Act 1992*

## General Outline

### Short title

*Nature Conservation Legislation Amendment Regulation 2025*

### Authorising law

Section 17 of the *Acts Interpretation Act 1954*  
Section 143B and 175 of the *Nature Conservation Act 1992*.

### Policy objectives and the reasons for them

The objective of the *Nature Conservation Legislation Amendment Regulation 2025* (Amendment Regulation) is to ensure authorities for low-risk activities under the *Nature Conservation (Animals) Regulation 2020* (Animals Regulation), the *Nature Conservation (Plants) Regulation 2020* (Plants Regulation) and the *Nature Conservation (Protected Areas Management) Regulation 2024* (PAM Regulation) (Nature Conservation Regulations) can continue to be dealt with automatically through the use of an electronic system.

The Nature Conservation and Other Legislation Amendment Bill 2025 was passed by the Legislative Assembly on 28 August 2025 and received assent on 4 September 2025. *The Nature Conservation and Other Legislation Amendment Act 2025* (Amendment Act) amended the *Nature Conservation Act 1992* (NC Act) to provide clear and contemporary provisions to support the use of electronic systems to automatically process particular matters, including authorities administered by the Act. The Amendment Regulation aligns with certain provisions of the Amendment Act, which establishes that a regulation may prescribe authorities that may be automatically dealt with by electronic systems.

## **Achievement of policy objectives**

The Amendment Regulation will achieve its objective of maintaining the ability to automatically deal with authorities for particular low-risk activities by establishing contemporary provisions under the Nature Conservation Regulations to allow electronic systems to be used for the purpose of automatically dealing with relevant authorities, in a way that satisfies administrative law principles and regulatory obligations. ‘Dealing with’ an authority means issued, granted, given, amended, cancelled or renewed without the use of human judgement at the point of decision.

The Amendment Regulation amends the permitting framework of the Animals Regulation to contemporise and more transparently set out the process for using electronic systems to automatically issue, amend, cancel, or renew native animal pet keeping and trade licences. The Amendment Regulation also makes minor changes to align the use of electronic systems under the Plants Regulation. Consequential amendments are made to the PAM Regulation to prescribe camping permits for automatically dealing as required by the Amendment Act.

## **Consistency with policy objectives of authorising law**

The Amendment Regulation is consistent with the objective of the NC Act – that is, to ensure the conservation of nature while allowing for the involvement of First Nations peoples in the management of protected areas in which they have interest under Aboriginal tradition or Ailan Kastom.

The Amendment Regulation is also consistent with the NC Act requirements regarding automatic dealing with particular authorities. The Amendment Act inserted a new section 143B which allows a regulation to prescribe authorities to be dealt with automatically by the operation of an electronic system, and the way this may be done.

Additionally, in accordance with section 143B(2), as inserted by the Amendment Act, the Minister for the Environment and Tourism and Minister for Science and Innovation is satisfied that matters prescribed by the Amendment Regulation do not have a detrimental effect on achieving the object of NC Act as outlined below.

Authorities can be granted for the keep and trade of captive-bred native animals, including standard licences for pets, specialised licences for hobbyists and advanced licences for larger keeping and trade purposes. In establishing the keep and trade licensing framework for captive-bred animals, these licences were considered to have no impact on the conservation of nature. For low-risk activities, those that do not involve dangerous animals (i.e., venomous snakes), these licences are suitable to be automatically dealt with by the electronic system as they do not involve the take, keep or use of protected animals from wild populations and authorities require mandatory online record keeping obligations to support monitoring and compliance actions, which supports meeting the object of the NC Act.

There is no detrimental effect on achieving the object of the NC Act by prescribing camping permits as a relevant authority for continuing their automatic issue. These permits are prescribed for consistency with the new framework and are only issued for locations which have been assessed and determined as suitable for camping by the Department of the Environment, Tourism, Science and Innovation (the department) and typically established

specifically for such activities in full consideration of the department's obligations under the NC Act. An electronic system is only able to grant a camping permit in an area shown in the system where there is available capacity for the nominated period.

The electronic systems to deal with relevant authorities automatically have been approved by the chief executive, as required by section 143BA inserted by the Amendment Act.

Section 17 of the *Acts Interpretation Act 1954* provides for the exercise of powers between enactment and commencement. This provision is appropriate for the Minister for the Environment and Tourism and Minister for Science and Innovation to consider matters under section 143B of the Amendment Act and for the Governor in Council to make the Amendment Regulation.

## **Inconsistency with policy objectives of other legislation**

The Amendment Regulation is not inconsistent with any other legislation.

## **Alternative ways of achieving policy objectives**

Achieving the policy objectives through legislation is the only feasible option.

In relation to amendments to the Animals Regulation, alternative ways of achieving the policy objectives were considered, including maintaining status quo and non-legislative means.

Maintaining status quo (i.e. continue current automated processes and make no regulatory changes) is inconsistent with the achieving objectives of the Amendment Act to provide the ability for regulations to prescribe authorities to be automatically dealt with by electronic systems. It is not feasible to continue to automatically deal with animal authorities under existing arrangements because to do so would likely be unlawful and there are potentially significant risks associated with the absence of a regulatory framework that legally supports the use of electronic systems to support administrative processes.

A non-regulatory approach would involve the cessation of the use of electronic systems for the automatic granting of animal authorities, and instead moving towards manual assessment by departmental officers. This would result in potential impacts to business, community and government. Without the ability to assess and grant authorities in a timely fashion, applicants may experience delays in issue of authorities, which could affect a person's ability to purchase a pet native animal or undertake trade. Further, manually assessing all authorities could potentially have flow on resourcing impacts for those more complex authorities which require greater oversight.

For example, the auto-grant function generates approximately 6,500 animal related authorities per year, based on 2024 data, and significant resources would be required to manually process between 20-30 authorities per day. This is considered an ineffective use of government resourcing given the low-risk nature of the activities and would be especially inefficient considering the availability of an existing online platform to assist with processing applications, noting that a digital approach is already widely adopted across government.

The preferred legislative approach is to establish a regulatory framework that supports current administrative processes for automatically dealing with low-risk animal authorities to maintain business continuity for industry, community and government. This approach is consistent with the enabling provisions under the Amendment Act to accommodate the use of electronic systems to automatically deal with prescribed authorities. While minor system changes will be required to improve the current electronic system used for automatically generating animal authorities, the changes will have no material impact on the way people apply for authorities and interact with the system, maintaining business as usual.

The amendments to the PAM Regulation are consequential amendments, necessitated by the new provisions in the Amendment Act. Making the amendments to prescribe camping permits is the only way to meet the policy objective of continuing the use of an automated system for these permits in protected areas.

## **Benefits and costs of implementation**

As per *The Queensland Government Better Regulation Policy*, it was determined that the proposal is minor and machinery in nature and does not impose any regulatory impact on business or community. The amendments reinforce existing departmental practices which reduces resourcing costs to government and reduces unnecessary administrative burden on business and community. No further regulatory impact analysis is required.

## **Consistency with fundamental legislative principles**

The Amendment Regulation is consistent with fundamental legislative principles. It has sufficient regard to the rights and liberties of individuals. While an automatic framework for dealing with particular authorities is established under regulation, it does not limit the reasonable and fair treatment of a person by limiting them from applying if they cannot access an electronic system. For example, if a person is not able to access an electronic system requiring online application for an animal authority, the department will allow a person to access a manual form for the same application process. The information provided in the manual form can be entered into the system as if the person were entering the details themselves, and will not be subject to any more assessment than a person applying online for an automatic application. Similarly, a person may apply for a camping permit for a camping area by accessing the departmental system via the department's website, by telephoning the Queensland Government call centre on 13QGOV or via specified Queensland Parks and Wildlife Service offices and booking agents.

The Amendment Regulation is consistent with the principles of natural justice. Despite the prescribed authorities being subject to automated processes, the NC Act provides that these are taken to have been dealt with by the chief executive and are therefore subject to review rights and proceedings like non-automated authorities.

## **Consultation**

Stakeholders were not specifically consulted on the Amendment Regulation, although a consultation draft was provided to the Health, Environment and Innovation Committee to support its consideration of the NC Act amendments. The legislative amendments support the ongoing use of current administrative processes and are considered minor and consequential in

nature. The policy intent for the permitting framework remains unchanged, including the rights and obligations attached to authorities.

The Office of Best Practice Regulation was notified of the proposal.

# Notes on provisions

## Part 1 Preliminary

### Clause 1 Short title

This clause states that the regulation may be cited as the *Nature Conservation Legislation Amendment Regulation 2025*.

### Clause 2 Commencement

This clause states that the regulation commences on 2 October 2025.

## Part 2 Amendment of Nature Conservation (Animals) Regulation 2020

### Clause 3 Regulation amended

This clause specifies that this part amends the *Nature Conservation (Animals) Regulation 2020*. Clause 3 also notes that schedule 1 makes other minor and consequential amendments to the *Nature Conservation (Animals) Regulation 2020*.

### Clause 4 Amendment of s 5 (Meaning of *relevant person*)

This clause amends section 5 to update the meaning of *relevant person* to reflect that a person in charge of a corporation and an incorporated association is a relevant person for the holder of an animal authority, whether for the licensed premises or the activity.

### Clause 5 Amendment of s 63 (Dealing with amphibians)

This clause amends section 63 to update referencing to a departmental code of practice to provide drafting consistency throughout the regulation.

### Clause 6 Replacement of s 80 (Notification of particular changes)

This clause replaces section 80 and inserts new sections 80 and 80A to establish two processes for notifying the chief executive of particular changes to an animal authority.

#### **Section 80 Notification of particular changes in authority management system**

Section 80 has been replaced to allow a holder of an animal authority to use the authority management system to update particular information about their authority. This provision contemplates the use of the authority management system to notify the chief executive of a relevant change without requiring an amendment application to the chief executive.

#### **Section 80A Notification of particular changes by application for amendment**

Section 80A maintains the requirement to notify particular changes by applying to the chief executive for an amendment of the authority, or applying automatically using the authority management system.

### Clause 7 Replacement of ch 4, pt 3, div 1 (Grant and restrictions on grant)

This clause replaces division 1 with two new divisions. Division 1 (Authorisation for

automatic dealing with licence) provides the mechanism for standard licences to be automatically dealt with for the purposes of section 143B of the *Nature Conservation Act 1992* (the NC Act). Division 1A (Grant or automatic issue and restrictions on grant or automatic issue) maintains existing arrangements for dealing with standard licences.

**Section 88A Standard licence prescribed for automatic issue, amendment and renewal—Act, s143B**

Section 88A states that a standard licence is prescribed for the purposes of 143B(1)(a) and (b) of the NC Act as a relevant authority that can be automatically issued, amended and renewed by the authority management system.

**Section 89 Grant or automatic issue of licence**

Section 89 states that a standard licence can be automatically issued in addition to being granted by the chief executive, and is subject to the restrictions stated in section 90 and other matters stated in chapter 5, parts 1 and 2.

**Section 90 Restrictions on grant or automatic issue of licence**

Section 90 ensures the existing authority restrictions on granting a standard licence continue to apply to automatically issuing a licence.

**Clause 8 Replacement of ch 4, pt 4, div 1 (Grant and restrictions on grant)**

This clause replaces division 1 with two new divisions. Division 1 (Authorisation for automatic dealing with licence) provides the mechanism for specialised licences to be automatically dealt with for the purposes of section 143B of the NC Act. Division 1A (Grant or automatic issue and restrictions on grant or automatic issue) maintains existing arrangements for dealing with specialised licences.

**Section 99A Specialised licence prescribed for automatic issue, amendment and renewal—Act, s143B**

Section 99A states that a specialised licence is prescribed for the purposes of 143B(1)(a) and (b) of the NC Act as a relevant authority that can be automatically issued, amended and renewed by the authority management system.

**Section 100 Grant or automatic issue of licence**

Section 100 states that a specialised licence can be automatically issued in addition to being granted by the chief executive, and is subject to the restrictions stated in sections 101 to 101B and other matters stated in chapter 5, parts 1 and 2.

**Section 101 Restrictions on grant or automatic issue of licence**

Section 101 ensures the existing authority restrictions on granting a specialised licence continue to apply to automatically issuing a licence.

**Section 101A Additional restrictions on grant by chief executive**

Section 101A ensures the existing authority restriction that the person must be an adult to be granted a specialised licence for a dangerous animal continues to apply. It also requires that the person has the knowledge, experience and facilities necessary to keep the dangerous animal in the way required under the relevant departmental code of practice.

**Section 101B Additional restrictions on automatic issue**

Section 101B places additional restrictions to ensure a specialised licence cannot be automatically issued for a dangerous animal.

**Clause 9 Replacement of ch 4, pt 5, div 1 (Grant and restrictions on grant)**

This clause replaces division 1 with two new divisions. Division 1 (Authorisation for automatic dealing with licence) provides the mechanism for advanced licences to be automatically dealt with for the purposes of section 143B of the NC Act. Division 1A (Grant or automatic issue and restrictions on grant or automatic issue) maintains existing arrangements for dealing with advanced licences.

**Section 112A Advanced licence prescribed for automatic issue, amendment and renewal—Act, s143B**

Section 112A states that an advanced licence is prescribed for the purposes of 143B(1)(a) and (b) of the NC Act as a relevant authority that can be automatically issued, amended and renewed by the authority management system.

**Section 113 Grant or automatic issue of licence**

Section 100 states that an advanced licence can be automatically issued in addition to being granted by the chief executive, and is subject to the restrictions stated in sections 114 to 114B and other matters stated in chapter 5, parts 1 and 2.

**Section 114 Restrictions on grant or automatic issue of licence**

Section 114 ensures the existing authority restrictions on granting an advanced licence continue to apply to automatically issuing a licence.

**Section 114A Additional restrictions on grant by chief executive**

Section 114A ensures the existing authority restriction that the person must be an adult to be granted an advanced licence for a dangerous animal, continues to apply. It also requires that the person has the knowledge, experience and facilities necessary to keep the dangerous animal in the way required under the relevant departmental code of practice.

**Section 114B Additional restrictions on automatic issue**

Section 114B places additional restrictions to ensure an advanced licence cannot be automatically issued for a dangerous animal.

**Clause 10 Replacement of ch 5, pts 1 and 2**

This clause replaces parts 1 and 2 to clearly differentiate the application process for automatically issuing animal authorities (part 1) and granting animal authorities by the chief executive (part 2). This clause also inserts new part 2A which maintains existing suitability provisions.

**Part 1 Automatic issue of prescribed animal authorities**

New part 1 establishes the application process for automatic issue of animal authorities prescribed under 143B of the NC Act.

**Section 234 Application and purpose of part**

Section 234 states that part 1 applies to automatically issuing an animal authority (a prescribed authority) using the authority management system under section 143B of



the NC Act, including the way in which a prescribed authority may be automatically issued under section 143B of the NC Act.

### **Section 235 Making applications**

Section 235 states the application requirements that must be met for a prescribed authority to be automatically issued by the authority management system, including how the person (the applicant) has complied with application requirements.

### **Section 236 Automatic issue of authorities**

Section 236 states that a prescribed authority must be issued to the person (the applicant) by the system if they make all required declarations, meet all chapter 4 conditions, have a proposed premises in the State and state the matters in section 237. This section also clarifies that an automatically issued authority is still subject to the conditions of authority under chapter 4 and standard conditions.

### **Section 237 Matters stated for issue of authorities**

Section 237 prescribes the matters that must be stated in the application for a prescribed authority to be issued automatically by the authority management system. Given the low-risk nature of authorities for pet keeping and trade of captive-bred animals (standard, specialised and advanced licences), this provision focuses on matters relevant to a person's suitability to undertake activities, particularly relating to prior convictions and compliance breaches. If the person (the applicant) fails to respond to any of the prescribed matters, the application will not proceed and is not considered a refusal (a decision) for the purposes of internal and external review proceedings under part 8A of the NC Act. If the applicant responds to a prescribed matter in a way that prevents the authority management system from automatically issuing an authority, the application may be directed to an authorised officer for further assessment and decision under part 2.

### **Section 238 Particular applications to be decided by chief executive**

Section 238 establishes an alternate pathway for applications made for a prescribed authority to be automatically issued and the authority cannot be issued by the authority management system. There are prescribed matters that must be stated by the person (the applicant) to determine if a person is suitable to be issued an authority automatically. If the applicant responds to a prescribed matter in a way that prevents the authority management system from automatically issuing an authority, the application will be directed to the chief executive under part 2. For example, if the applicant states that they have accumulated 10 or more demerit points within 3 years of making the application, the application will be directed to an authorised officer for a decision based on further consideration of the applicant's suitability to hold a relevant authority, and is treated as a reviewable decision under part 8A of the NC Act.

## **Part 2 Grant of animal authorities**

New part 2 maintains the existing application process for granting of animal authorities by the chief executive.

### **Section 239 Requirements for application**

Section 239 maintains the existing application requirements for an animal authority made to the chief executive. This section continues the requirement that the

application must be in the approved form, which includes forms approved for use by the authority management system, and be supported by enough information to enable the application to be decided by the chief executive.

#### **Section 240 Restrictions on grant**

Section 240 maintains the existing chief executive restrictions on granting animal authorities. Section 240(1)(b) has also been inserted to clarify that the chief executive cannot grant a standard licence, specialised licence or an advanced licence if the proposed premises is not in the State.

#### **Section 241 Matters chief executive must consider**

Section 241 maintains the existing matters the chief executive must consider when deciding an application for an animal authority. In addition to the mandatory considerations for deciding an application, the chief executive may have regard to anything else the chief executive considers appropriate to achieve the object of the NC Act.

#### **Section 242 Chief executive may require further information or document**

Section 242 maintains the existing process for the chief executive to request further information from the applicant in order to decide the application for an animal authority. This section also states that if the applicant does not comply with the chief executive's request for further information, the application is taken to be withdrawn.

#### **Section 243 Amending application**

Section 243 maintains the existing arrangements for the applicant to amend the application for an animal authority if the chief executive is yet to make a decision and agrees to the amendment.

#### **Section 244 Chief executive to decide application**

Section 244 maintains the existing requirements for the chief executive to make a decision on an application for an animal authority.

#### **Section 245 Steps to be taken after application decided**

Section 245 maintains the existing process to be taken by the chief executive once a decision is made to grant or refuse an animal authority for an application. It also clarifies that a document may be given to the applicant by the system, or in another way, for the animal authority.

#### **Section 246 Continuing obligations relating to keeping and using animals**

Section 246 maintains existing arrangements for the chief executive to impose obligations on the holder of certain animal authorities that continue after the authority ends. The chief executive can only impose these ongoing obligations (conditions) on animal authorities that authorise a person to take, buy or accept a live protected animal and then move the animal to another state.

#### **Section 247 Continuing obligations relating to particular interstate movements**

Section 247 maintains existing arrangements for the chief executive to impose obligations on the holder of a movement permit that continue after the permit ends. The chief executive can only impose these obligations (conditions) when the movement permit authorised the movement of a live protected animal out of the state.

**Part 2A Suitability**

New part 2A maintains the existing framework for the chief executive to determine when a person is not suitable to hold an animal authority.

**Section 247A Purpose of part**

Section 247A states the purpose of part 2A

**Section 247B Suitability based on convictions**

Section 247B maintains the process for determining suitability of a person to hold an animal authority based on convictions.

**Section 247C Suitability based on other matters**

Section 247C maintains the chief executive's ability to determine the suitability of a person to hold an animal authority based on the person's ability to carry out activities in a competent and ethical manner, including a demerit point process as a method of determination.

**Section 247D Accumulation of demerit points**

Section 247D retains the system for applying demerit points to a person who is given an infringement notice under the *State Penalties Enforcement Act 1999* for a wildlife offence.

**Clause 11 Amendment of s 248 (Form)**

This clause amends section 248 to state that more than 1 animal authority may be granted, or automatically issued, using 1 document.

**Clause 12 Amendment of s 249 (Matters to be stated in animal authority)**

This clause amends section 249 to improve consistency in wording with the Nature Conservation (Plants) Regulation 2020 (section 111) in relation a person being in charge of an authority.

**Clause 13 Insertion of new ch 5, pt 5, div 1, hdg**

This clause inserts a new heading for division 1 – Preliminary.

**Clause 14 Insertion of new ch 5, pt 5, div 2 and new div 3, hdg**

This clause inserts new divisions 2 and 3 to clearly differentiate the application process for automatically renewing renewable licences (division 2) and other renewals by application to the chief executive (division 3).

**Division 2 Automatic renewals**

New division 1 establishes the application process for automatic renewal of animal authorities prescribed under 143B of the NC Act.

**Section 257B Application and purpose of division**

Section 257B states that division 2 applies to automatically renewing an animal authority that is prescribed to be a renewable licence (a *prescribed renewable licence*) using the authority management system under section 143B of the NC Act, and prescribes the way in which a prescribed renewable licence may be automatically renewed under 143B of the NC Act.

**Section 257C Applications for renewal**

Section 257C states the application requirements that must be met for an existing licence (a prescribed renewable licence) to be automatically renewed by the authority management system, including when the application must be made and how the person (the applicant) has complied with application requirements. This section also states that the existing licence continues to be valid from the day the licence would have ended until either one of the following actions occurs – the application is withdrawn, or the applicant receives the renewed licence, or is given a notice to state that the licence cannot be automatically renewed and will be decided by the chief executive. Subsection (4) also clarifies that this section does not prevent the existing licence from being cancelled or suspended.

**Section 257D Automatic renewal of licences**

Section 257D states that an existing licence must be renewed if the person (the applicant) complies with the matters stated in section 257E and makes all required declarations. This section also clarifies that an automatically renewed licence is still subject to the conditions of authority (chapter 4). This section also clarifies that the term of the renewed licence is taken to have commenced immediately after the day the existing licence ends.

**Section 257E Matters stated for renewal of licence**

Section 257E prescribes the matters that must be stated in the application for an existing licence to be renewed automatically by the authority management system. If the person (the applicant) fails to respond to any of the prescribed matters, the application will not proceed and is not considered a refusal (a decision) for the purposes of internal and external review proceedings under part 8A of the NC Act. If the applicant responds to a prescribed matter in a way that prevents the authority management system from automatically renewing a licence, the application may be directed to an authorised officer for further assessment and decision under division 3.

**Section 257F Particular applications to be decided by chief executive**

Section 257F establishes an alternate pathway for applications made for an existing licence to be automatically renewed and the renewed licence cannot be issued by the authority management system. There are prescribed matters that must be stated by the person (the applicant) to determine if a person is suitable to have their licence automatically renewed (see section 237). If the applicant responds to a prescribed matter in a way that prevents the authority management system from automatically renewing a licence, the application will be directed to the chief executive under division 3. For example, if the applicant states that they have failed to comply with a condition of their existing licence, the application will be directed to an authorised officer for a decision based on further consideration of the applicant's suitability to continue to hold the relevant licence, and is treated as a reviewable decision under part 8A of the NC Act.

**Clause 15 Amendment of s 260 (Considering and deciding application)**

This clause amends section 260 to ensure the chief executive has regard to declaration requirements when a renewal application is made using the authority management system, and also corrects section referencing.

**Clause 16 Relocation and renumbering of s 261 (When intended activities are not substantially the same as existing activities)**

This clause renumbers existing section 261 to section 257A and is relocated to chapter 5, part 5, division 1.

**Clause 17 Amendment and renumbering of s 262 (Steps to be taken after application decided)**

This clause inserts a new subsection to clarify that a document may be given to the applicant by the system, or in another way. The clause also renumbers the section to section 261.

**Clause 18 Insertion of new ch 5, pt 6, div 1A**

This clause inserts a new division (Division 1A – Preliminary) to facilitate the inclusion of an automatic amendment process in division 2. Division 1A includes new section 262 to define a *licence type amendment*.

**Clause 19 Insertion of new ch 5, pt 6, div 2, sdiv 1, hdg**

This clause inserts a new subdivision heading (Subdivision 1 – Preliminary) to facilitate inclusion of an automatic amendments, and includes existing section 264, which states the application of division 2.

**Clause 20 Amendment of s 264 (Application of division)**

This clause amends section 264 consistent with the new definition of *licence type amendment* in division 1A.

**Clause 21 Insertion of new ch 5, pt 6, div 2, sdiv 2 and new sdiv 3, hdg**

This clause inserts new subdivisions 2 and 3 to clearly differentiate the application process for automatically amending animal authorities (subdivision 2) and other amendments by application to the chief executive (subdivision 3).

**Subdivision 2 Automatic amendments**

New subdivision 2 establishes the application process for automatically amending an animal authority (a prescribed authority) prescribed under 143B of the NC Act.

**Section 264A Definition for subdivision**

This section defines a *relevant amendment* applicable to this subdivision.

**Section 264B Application and purpose of subdivision**

Section 264B states that subdivision 2 applies to automatically amending a prescribed authority and prescribes the way in which these authorities may be automatically renewed under 143B of the NC Act.

**Section 264C Applications for amendment**

Section 264C states the application requirements that must be met for a prescribed authority to be automatically amended by the authority management system, including how the person (the applicant) has complied with application requirements.

**Section 264D Automatic amendment of authorities**

Section 264D states that the relevant amendment must be made if the person (the applicant) complies with the matters stated in section 264E and makes all the required declarations. However, the effect of the amendment does not depend on the

amendment being stated on the authority. It also clarifies that, for a licence type amendment, the amendment does not change the term of the authority.

**Section 264E Matters stated for amendment of authority**

Section 264E prescribes the matters that must be stated in the application for amending a prescribed authority.

**Section 264F Particular applications to be decided by chief executive**

Section 264F establishes an alternate pathway for applications made for a prescribed authority to be automatically amended and the authority cannot be amended by the authority management system. In these circumstances, such as a child wanting to change their residential address, the person (the applicant) must be notified that the animal authority cannot be automatically amended. The application must be decided by the chief executive and is considered a reviewable decision under part 8A of the NC Act if an information notice is given to the applicant.

**Subdivision 3 Other amendments**

New subdivision 3 maintains the application process for amending animal authorities by the chief executive.

**Clause 22 Amendment of s 265 (Application for amendment)**

This clause amends section 265 to state that the application must be in the approved form and accompanied by the prescribed fee for the application.

**Clause 23 Amendment of s 268 (Considering and deciding application)**

This clause amends section 268 to state that if the amendment is a licence type amendment (see section 262), the chief executive may make the amendment if, under chapter 4 and part 2, the animal authority, as amended, is able to be granted to the holder. Clause 23 also makes it clear that if the application to amend an animal authority was made using the authority management system, the chief executive can only make the amendment if the holder makes all the required declarations.

**Clause 24 Amendment of s 269 (Steps to be taken after application decided)**

This clause inserts a new subsection that clarifies that a document may be given to the applicant by the system, or in another way.

**Clause 25 Amendment of s 270 (Grounds for amendment)**

This clause inserts a note to refer to section 275A in relation to immediate cancellation of automatically issued animal authorities.

**Clause 26 Amendment of s 274 (Grounds)**

This clause amends section 274 to include new grounds for suspending or cancelling an automatically issued animal authority. This clause also inserts a note to refer to section 275A in relation to immediate cancellation of automatically issued animal authorities.

**Clause 27 Insertion of new ch 5, pt 6, div 5A**

This clause inserts a new division titled 'Division 5A – Immediate cancellation of particular animal authorities' to provide the chief executive the ability to immediately cancel an animal authority that was automatically issued, renewed or amended by the authority management system.

**Section 275A Cancellation of automatically issued, renewed or amended authorities on particular grounds**

New section 275A states that the chief executive may decide to immediately cancel an animal authority if the chief executive believes the authority was automatically issued, automatically renewed or automatically amended because of false or misleading information. As the issuing of animal authorities occurs automatically by the authority management system, which is applicant driven, this provision ensures post-issue compliance actions are proportionate for deliberately providing fraudulent information to obtain an authority. The person (authority holder) must be given an information notice of the decision to cancel the animal authority and is treated as a reviewable decision under part 8A of the NC Act.

In addition, an animal authority can be immediately cancelled if the chief executive believes the authority was automatically issued, automatically renewed or automatically amended because the authority management system malfunctioned.

**Clause 28 Amendment of s 279 (Replacement)**

This clause amends section 279 to state that an application to replace a destroyed, damaged, lost or stolen animal authority can be made using the authority management system or be in writing. It also clarifies that a document may be given to the applicant by the system, or in another way.

**Clause 29 Amendment of s 280 (Surrender)**

This clause amends section 280 to state that a notice of surrender must be given using the authority management system or be in writing. The requirement to return the authority to the chief executive has also been removed as this requirement is outdated given that electronic systems are used to disseminate relevant documents.

**Clause 30 Amendment of s 337 (Definitions for chapter)**

This clause amends the definition *approved electronic record system* to include the authority management system in relation to a record kept for a standard licence, specialised licence or an advanced licence.

**Clause 31 Insertion of new ch 10, pt 6**

This clause inserts a new part 6 (Authority management system).

**Section 376 Authorised persons assisting applicants with using authority management system**

This section clarifies that an application for an animal authority is still considered properly made and valid if an authorised person enters the information into the system on behalf of the applicant.

**Clause 32 Insertion of new ch 12, pt 8**

This clause inserts new part 8 to provide transitional provisions for the *Nature Conservation Legislation Amendment Regulation 2025*.

### **Section 431 Undecided applications relating to particular animal authorities**

Section 431 states that the regulation, as in force from the commencement, applies to any undecided or withdrawn application for an animal authority, or an application to renew or amend an animal authority.

### **Clause 33 Amendment of sch 7 (Dictionary)**

This clause amends schedule 7 – Dictionary to define the following terms: *applicant particulars, associate, authority management system, corresponding authority, licence type amendment, person in charge, prescribed authority, prescribed renewable licence, relevant amendment, relevant day* and *required declaration*.

### **Clause 34 Other amendments**

This clause provides that Schedule 1 also amends the *Nature Conservation (Animals) Regulation 2020*, which include a range of consequential amendments.

## **Part 3 Amendment of Nature Conservation (Plants) Regulation 2020**

### **Clause 35 Regulation amended**

This clause specifies that this part amends the *Nature Conservation (Plants) Regulation 2020*.

### **Clause 36 Amendment of s 5 (Meaning of *relevant person*)**

This clause amends section 5 to update the meaning of *relevant person* to reflect that a person in charge for a corporation is a relevant person for the holder of a plant authority.

### **Clause 37 Replacement of s 64 (Notification of particular changes)**

This clause replaces section 64 and establishes two processes for notifying the chief executive of particular changes to a plant authority.

#### **Section 64 Notification of particular changes in authority management system**

Section 64 has been replaced to allow a holder of a plant authority to use the authority management system to update particular information about their authority. This provision contemporises the use of the authority management system to notify the chief executive of a relevant change without requiring an amendment application to the chief executive.

#### **Section 64A Notification of particular changes by application for amendment**

Section 64A maintains the requirement to notify particular changes by applying to the chief executive for an amendment of the authority (see section 117).

### **Clause 38 Amendment of s 96 (Restrictions on grant)**

This clause inserts a new subsection that states an additional condition of restriction on grant for an application for a plant authority made using the authority management system – the chief executive must not grant the authority if the applicant does not make a required declaration.

### **Clause 39 Amendment of s 101 (Suitability based on convictions)**

This clause amends section 101(1)(a)(iv) to ensure consistent use of terminology by replacing ‘State or country’ with ‘jurisdiction’.



**Clause 40 Amendment of s 102 (Suitability based on other matters)**

This clause amends section 102 to define the term ‘corresponding authority’ in relation to determining a person’s suitability based on holding equivalent authorities in another state or jurisdiction. This amendment maintains existing suitability requirements and provides drafting consistency with the Animals Regulation.

**Clause 41 Amendment of s 109 (Steps to be taken after application decided)**

This clause amends section 109 to clarify that a document mentioned in this section can be given to the applicant by using the authority management system, or in another way.

**Clause 42 Amendment of s 111 (Matters to be stated in plant authority)**

This clause amends section 111(1)(j) to clarify that this section also applies to a person in charge of the authority.

**Clause 43 Amendment of s 117 (Application for amendment)**

This clause amends section 117 to state that application for an amendment to a plant authority must be made using the approved form, which includes forms approved for use by the authority management system

**Clause 44 Amendment of s 118 (Considering and deciding application)**

This clause inserts a new part to state that if the application was made using the system, the chief executive may make the amendment only if the holder makes all required declarations, and renumbers other sections.

**Clause 45 Amendment of s 119 (Steps to be taken after application decided)**

This clause amends section 119 to clarify that a document mentioned in this section can be given to the applicant by using the authority management system, or in another way.

**Clause 46 Amendment of s 128 (Replacement)**

This clause amends section 128 to state that an application to replace a destroyed, damaged, lost or stolen plant authority can be made using the authority management system or be in writing. Also, a document mentioned in this section can be given to the applicant by using the authority management system, or in another way.

**Clause 47 Amendment of s 129 (Surrender)**

This clause amends section 129 to state that a notice of surrender must be given using the authority management system or be in writing. The requirement to return the authority to the chief executive has also been removed as this requirement is outdated given that electronic systems are used to disseminate relevant documents.

**Clause 48 Insertion of new s 187**

This clause inserts a new section regarding the making of an application.

**Section 187 Authorised persons assisting applicants with using authority management system**

This section clarifies that an application for a plant authority is still considered properly made and valid if an authorised person enters the information into the system on behalf of the applicant.

**Clause 49 Amendment of sch 5 (Dictionary)**

This clause amends schedule 5 – Dictionary to define the following terms: *authority management system*, *person in charge* and *required declaration*.

**Part 4 Amendment of Nature Conservation (Protected Areas Management) Regulation 2024**

**Clause 50 Regulation amended**

This clause specifies that this part amends the *Nature Conservation (Protected Areas Management) Regulation 2024*.

**Clause 51 Amendment of ch 5, pt 2, div 1 hdg (Special process for camping areas)**

This clause amends the heading for Chapter 5, Part 2, division 1 by replacing the current heading with a new heading (Division 1 – Automatically granting camping permits for camping areas).

While the existing heading made it clear that the provisions in that division provided for a different process for obtaining a camping permit (compared with other protected area authorities in the subsequent divisions), the change to the heading has been made to more clearly identify that camping permits for camping areas are automatically granted.

**Clause 52 Insertion of new s 111A**

This clause inserts a new section into the regulation.

**Section 111A Camping permit for camping area prescribed for automatic granting—Act, s 143B**

Section 111A provides that a camping permit for a camping area is a relevant authority that may be automatically granted using the departmental system under section 143B(A)(a) of the NC Act. The clause also prescribes section 112 of the regulation for section 143B(1)(c) of the NC Act to outline the way in which camping permits may be automatically granted by using the departmental system.

This clause is necessary as a consequence of new provisions in the NC Act that require a regulation to prescribe the relevant authorities which may be automatically issued, given, granted, amended, cancelled or renewed, and the way in which this may be done using an electronic system. This provides that the existing process for the automatic grant of camping permits for camping areas can continue to operate consistent with the new NC Act provisions.

The clause also includes a provision relocated from section 112 of the PAM Regulation that states that divisions 2 to 4 do not apply to camping permits for camping areas. These divisions include provisions regarding making applications, considering applications and deciding applications for other protected area authorities, which are subject to more detailed requirements than what is necessary for dealing with camping permits.

**Clause 53 Replacement of s 112 (Application for camping permit for camping area)**

This clause replaces section 112 with a new section that provides for a person to apply for, and be granted, a camping permit for a camping area by using the departmental system, and also specifies the way in which such an application must be made.

**Section 112 Application for camping permit area**

Section 112 provides that applications for camping permits for a camping area may be made using the departmental system which has been approved by the chief executive under section 143BA(1) of the NC Act. The departmental system can be accessed via the department's website, by telephoning the Queensland Government call centre on 13QGOV or via specified Queensland Parks and Wildlife Service offices and booking agents. The clause states that an application must include the 'required information', which is the applicant's name, the camping area, period of the permit, number of persons and vehicle number plate where relevant. The camping permit is granted when payment is made as required by the system, and a notice is provided to the person outlining the details of the permit and specifying a number to identify the permit.

**Clause 54 Amendment of s 114 (Requirements for application)**

Section 114 of the PAM Regulation outlines the requirements for a person making an application for a protected area authority. The term 'protected area authority' encompasses a number of different permit types (including camping permits) under the PAM Regulation, most of which have application requirements that are more detailed than what is required for camping permits. To clarify the different approaches between camping permits and other protected area authorities, this clause updates a note for section 114, which directs people to the division relevant to the way in which a camping permit for a camping area may be applied for and automatically granted.

**Clause 55 Insertion of new ch 5, pt 5, div 2, sdiv 1 (Automatically amending camping permits for camping areas)**

This clause inserts new subdivision 1 (Automatically amending camping permits for camping areas) to distinguish between the provisions relating to automated amendments and amendments decided by the chief executive.

This clause is necessary to support the new provisions in the NC Act that require a regulation to prescribe not only the type of relevant authorities which may be dealt with automatically, but also the way in which these relevant authorities may be dealt with using an electronic system.

**Section 128A Camping permit for camping are prescribed for automatic amendment—Act, s 143B**

Section 128A prescribes, for section 143B(1)(b) of the NC Act, a camping permit for a camping area as a type of relevant authority that may be automatically amended using the departmental system, and prescribes section 128B of the regulation for section 143B(1)(c) of the Act to outline the way in which camping permits may be automatically amended.

**Section 128B Application for amendment of camping permits for camping areas**

Section 128B outlines that an application for amendment to a camping permit for a camping area must be made on the departmental system (as per applications for camping permits) by stating the changes requested, and including any required additional fee. The section clarifies that the amendment is made by issuing the permit holder a notice with the amended details of the permit.

**Clause 56 Insertion of new ch 5, pt 5, div 2, sdiv 2, hdg (Amendments decided by chief executive)**

This clause inserts a new heading for subdivision 2 (Amendments decided by chief executive) to distinguish these provisions from those regarding amending camping permits in camping areas automatically (new subdivision 1).

**Clause 57 Amendment of s 129 (Application for amendment)**

This clause removes reference to amendments to camping permits for camping areas, as these are now dealt with in new section 128B.

**Clause 58 Amendment to s 130 (Considering and deciding application)**

This clause removes subsection (3) regarding amendments for camping permits in camping areas, as this process is now outlined in section 128B.

**Clause 59 Amendment of s 160 (Requirement to notify chief executive of particular changes and ask for amendment)**

This clause makes a minor change to remove the requirement for a person to formally apply to the chief executive and request an amendment of their protected area authority when they have a change of address. A person is still required to notify the department of a change of address, while any change of name, change of executive officer or change of person in charge, will still require assessment by the department prior to any amendment.

**Clause 60 Insertion of new ch 5, pt 10 (Using departmental system)**

This clause inserts part 10 (Using departmental system).

**Section 161A Authorised persons assisting applicants with using departmental system**

Section 161A clarifies that an application for a protected area authority is not invalidated if an authorised person enters information or documents into the departmental system with the consent of the applicant. For example, if the application was received on a hard copy approved form and a departmental employee (who is an authorised person) subsequently entered the information into the system. The section also clarifies that an application is not invalidated if an authorised person completes an application on the departmental system with the consent of the applicant, for example if a departmental employee enters information provided by an applicant over the telephone or in an email.

**Clause 61 Amendment of sch 10 (Dictionary)**

This clause amends the definition of 'departmental system' to make it clear that it includes an electronic system approved by the chief executive under section 143BA(1) of the NC Act for automatically granting or amending a camping permit in a camping area.

## **Schedule 1    Other amendments of Nature Conservation (Animals) Regulation 2020**

Schedule 1 progresses minor and consequential amendments to the Nature Conservation (Animals) Regulation 2020.

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