

1989

LEGISLATIVE ASSEMBLY FOR THE ACT  
NATURE CONSERVATION (AMENDMENT) BILL 1989  
SUPPLEMENTARY EXPLANATORY MEMORANDUM

(Amendment to be moved on behalf of the Government)

Circulated by authority of the Minister for Housing and Urban Services

MS Ellnor Grassby MLA

This memorandum supplements the Explanatory Memorandum presented to the Assembly in May 1989

## Nature Conservation (Amendment) Bill 1989

The Nature Conservation (Amendment) Bill 1989 (the Bill) was presented to the Assembly on 24 May 1989 and the Bill was agreed to in principle on that date.

The Bill will introduce a number of amendments to the Nature Conservation Act 1980 (the Act). Some of these amendments relate to international agreements the Commonwealth has entered into to protect migratory birds.

Clause 23 paragraph (a) of the Bill will insert a new subsection 42(1) into the Act. The new subsection will state that a person shall not, except in accordance with a permit or licence, pick plants that have a special protection status, are restricted wildlife or are wildlife growing or unleased land. If the plant picked has special protection status, the penalty for picking it will be \$10,000 or five years imprisonment or both. In any other case, the penalty was to be \$5,000 or two years imprisonment or both.

The amendment to clause 23 will alter the penalty provision to state that where a plant does not have special protection status but where the court finds that the defendant intended to sell it, the penalty will be \$5,000 or two years imprisonment or both and in any other case the penalty will be \$2,500 or imprisonment for one year or both.

The amendment will not have any financial impact.