



Australian Capital Territory

# Environment Legislation Amendment Act 2025

A2025-28

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Authorised by the ACT Parliamentary Counsel—also accessible at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)

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Australian Capital Territory

# Environment Legislation Amendment Act 2025

**A2025-28**

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An Act to amend legislation about the environment

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The Legislative Assembly for the Australian Capital Territory enacts as follows:

## Part 1 Preliminary

### 1 Name of Act

This Act is the *Environment Legislation Amendment Act 2025*.

### 2 Commencement

This Act commences on the 14th day after its notification day.

*Note* The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](#), s 75 (1)).

### 3 Legislation amended

This Act amends the legislation mentioned in parts 2 to 11.

## Part 2                      Biosecurity Act 2023

### 4                      New section 232A

*insert*

#### **232A                      Applying, adopting or incorporating documents in regulations and instruments**

- (1) A regulation or instrument may apply, adopt or incorporate (with or without change or modification)—
  - (a) a law, an Australian Standard or an Australian/New Zealand Standard as in force from time to time; or
  - (b) another instrument as in force from time to time.
- (2) The [Legislation Act](#), section 47 (5) and (6) do not apply to a document applied, adopted or incorporated under subsection (1).
- (3) The director-general must ensure that an instrument applied, adopted or incorporated under subsection (1) (b) is—
  - (a) available for inspection by anyone without charge during ordinary business hours at an ACT government office; or
  - (b) accessible on an ACT government website, or by a link on an ACT government website.
- (4) An instrument applied, adopted or incorporated under subsection (1) (b) is not enforceable by or against the Territory or anyone else unless it is made accessible in accordance with subsection (3).

**5 New part 16B***insert***Part 16B Transitional—Environment  
Legislation Amendment Act 2025****234F Meaning of *commencement day*—pt 16B**

In this part:

*commencement day* means the day the *Environment Legislation Amendment Act 2025*, section 4 commences.

**234G Applied, adopted or incorporated instruments**

- (1) This section applies to a law, an Australian Standard or another instrument that, before the commencement day, was applied, adopted or incorporated (an *applied instrument*) by—
  - (a) the *Biosecurity (National Livestock Identification System) Regulation 2025*; or
  - (b) the *Biosecurity Regulation 2025*; or
  - (c) a statutory instrument made under the *Biosecurity (National Livestock Identification System) Regulation 2025*; or
  - (d) a statutory instrument made under the *Biosecurity Regulation 2025*.
- (2) The applied instrument is taken to have been applied, adopted or incorporated under section 232A.

**234H Expiry—pt 16B**

This part expires 1 year after the commencement day.

*Note* A transitional provision is repealed on its expiry but continues to have effect after its repeal (see [Legislation Act](#), s 88).



**6**      **Reviewable decisions**  
**Schedule 1, item 13, column 3***omit*

order

*substitute*

notice

## Part 3                      Biosecurity (National Livestock Identification System) Regulation 2025

### 7                      Incorporating, applying or adopting documents Section 92

*omit*

### 8                      Dictionary, definition of *NLIS Cattle Standards*, note 1

*substitute*

*Note 1*    The NLIS Cattle Standards do not need to be notified under the [Legislation Act](#) because s 47 (6) does not apply to them (see [Act](#), s 232A). However, they must be made available to the public as required by the [Act](#), s 232A (3).

### 9                      Dictionary, definition of *NLIS Sheep and Goat Standards*, note 1

*substitute*

*Note 1*    The NLIS Sheep and Goat Standards do not need to be notified under the [Legislation Act](#) because s 47 (6) does not apply to them (see [Act](#), s 232A). However, they must be made available to the public as required by the [Act](#), s 232A (3).

## Part 4 Biosecurity Regulation 2025

### 10 Definitions—div 2.2 Section 7 (2), definition of *AS 5008*, note 1

*substitute*

*Note 1* AS 5008 does not need to be notified under the [Legislation Act](#) because s 47 (6) does not apply to it (see [Act](#), s 232A).

### 11 Section 7 (2), definition of *National Standard for Recycling Used Cooking Oil for Animal Feed*, note 1

*substitute*

*Note 1* The National Standard for Recycling Used Cooking Oil for Animal Feed does not need to be notified under the [Legislation Act](#) because s 47 (6) does not apply to it (see [Act](#), s 232A). However, it must be made available to the public as required by the [Act](#), s 232A (3).

### 12 Offence—Newcastle disease vaccination` Section 18 (3), definition of *Newcastle disease vaccination program*, note 1

*substitute*

*Note 1* The National Newcastle Disease Management Plan does not need to be notified under the [Legislation Act](#) because s 47 (6) does not apply to it (see [Act](#), s 232A). However, it must be made available to the public as required by the [Act](#), s 232A (3).

### 13 Condition—compliance with code of practice Section 38 (2), definition of *Australian Honey Bee Industry Biosecurity Code of Practice*, note 1

*substitute*

*Note 1* The Australian Honey Bee Industry Biosecurity Code of Practice does not need to be notified under the [Legislation Act](#) because s 47 (6) does not apply to it (see [Act](#), s 232A). However, it must be made available to the public as required by the [Act](#), s 232A (3).

**14**      **Dealing with certain vaccines is regulated dealing—Act,  
s 88**  
**Section 42 (3), definition of *agvet code*, note 1**

*substitute*

*Note 1*    The Agvet Code of the ACT does not need to be notified under the [Legislation Act](#) because s 47 (6) does not apply to it (see [Act](#), s 232A).

**15**      **Miscellaneous**  
**Part 9**

*omit*

## Part 5 Commissioner for Sustainability and the Environment Act 1993

### 16 State of the environment report Section 19 (3)

*omit*

within 6 months after the day of receiving a state of the environment report

*substitute*

within 6 months after the day the Minister presents a state of the environment report to the Legislative Assembly under section 22

## Part 6                      Energy Efficiency (Cost of Living) Improvement Act 2012

### 17                      Codes of practice                             Section 25 (1) and (2), notes

*omit*

### 18                      Section 25 (3) and notes

*substitute*

- (3) An approved code of practice may apply, adopt or incorporate (with or without change or modification)—
  - (a) a law, an Australian Standard or an Australian/New Zealand Standard as in force from time to time; or
  - (b) another instrument as in force from time to time.
- (4) The [Legislation Act](#), section 47 (5) and (6) do not apply to an instrument applied, adopted or incorporated under subsection (3).
- (5) The administrator must ensure that an instrument applied, adopted or incorporated under subsection (3) (b) is—
  - (a) available for inspection by anyone without charge during ordinary business hours at an ACT government office; or
  - (b) accessible on an ACT government website, or by a link on an ACT government website.
- (6) An instrument applied, adopted or incorporated under subsection (3) (b) is not enforceable by or against the Territory or anyone else unless it is made accessible in accordance with subsection (5).

## Part 7 Fisheries Act 2000

### 19 Meaning of *suitability information* about a person—pt 4 Section 24, definition of *suitability information*, paragraph (a) (vii), example 3

*substitute*

3 [Biodiversity Conservation Act 2016](#) (NSW)

### 20 Return of things seized Section 72H (2) (b)

*omit*

waste manager

*substitute*

director-general

## Part 8 Lakes Act 1976

### 21 Application Section 5

*omit*

Territory land

*substitute*

territory land

### 22 Section 5, note 1

*omit*

*Lakes Ordinance 1976 (Cwlth)*

*substitute*

*[Australian Capital Territory National Land \(Lakes\) Ordinance 2022](#) (Cwlth)*

### 23 Use of power boats—other people Section 29 (7)

*omit*

*Lakes Ordinance 1976 (Cwlth), section 26*

*substitute*

*[Australian Capital Territory National Land \(Lakes\) Ordinance 2022](#) (Cwlth), section 27*



**24      Restrictions—power boats**  
**Section 30 (3), note**

*omit*

*Lakes Ordinance 1976 (Cwlth), s 26*

*substitute*

*[Australian Capital Territory National Land \(Lakes\) Ordinance 2022 \(Cwlth\), s 27](#)*

**25      Agreements for use of lake areas**  
**Section 35 (4)**

*omit*

*Lakes Ordinance 1976 (Cwlth), section 33*

*substitute*

*[Australian Capital Territory National Land \(Lakes\) Ordinance 2022 \(Cwlth\), section 34](#)*

**26      Commercial activities in lake area**  
**Section 36 (2), note**

*omit*

*Lakes Ordinance 1976 (Cwlth), s 33*

*substitute*

*[Australian Capital Territory National Land \(Lakes\) Ordinance 2022 \(Cwlth\), s 35](#)*

**27**      **Meaning of *appropriate lifejacket*—div 5.2**  
**Section 41, definition of *appropriate lifejacket*,**  
**paragraph (a) (ii) and note**

*omit*

RMS

*substitute*

TfNSW

**28**      **New section 41 (2)**

*insert*

(2) In this section:

**TfNSW**—see the [Transport Administration Act 1988](#) (NSW),  
section 3.

**29**      **Dictionary, note 2**

*omit*

- Territory land

*substitute*

- territory land

**30**      **Dictionary, definition of *Commonwealth Minister***

*omit*

*Lakes Ordinance 1976* (Cwlth)

*substitute*

[Australian Capital Territory National Land \(Lakes\) Ordinance 2022](#)  
(Cwlth)

**31 Dictionary, definition of *lake*, paragraph (b), note**

*omit*

*Lakes Ordinance 1976* (Cwlth)

*substitute*

*Australian Capital Territory National Land (Lakes) Ordinance 2022* (Cwlth)

**32 Dictionary, definition of *RMS***

*omit*

## Part 9                      National Environment Protection Council Act 1994

### **33            Sections 8 (3) and 10 (3)**

*omit*

shall

*substitute*

must

### **34            Council may make national environment protection measures Section 13 (2) (b)**

*omit*

*Motor Vehicle Standards Act 1989* (Cwlth)

*substitute*

*Road Vehicle Standards Act 2018* (Cwlth)

### **35            Sections 13 to 17 etc**

*omit*

shall

*substitute*

must

*in*

- sections 13 to 17
- section 19
- sections 22 to 24
- section 27

- sections 36 and 37
- section 40
- section 56

**36 Section 58 heading**

*substitute*

**58 Special provisions relating to reports etc prepared under the Public Governance, Performance and Accountability Act 2013****37 Section 58**

*omit*

*Commonwealth Authorities and Companies Act 1997* (Cwlth),  
section 9 shall

*substitute*

*Public Governance, Performance and Accountability Act 2013*  
(Cwlth), section 46 must

**38 Review of operation of Act  
Section 63 (1)**

*omit*

shall

*substitute*

must

**39 Schedule 1 heading, reference**

*substitute*

(see dict, def *agreement*)

## Part 10 Nature Conservation Act 2014

### 40 Chapter 6 exceptions New section 153 (2) (b) (iia) and (iib)

*insert*

- (iia) an emergency declaration under the [Biosecurity Act 2023](#), section 38 (1) (Emergency declarations); or
- (iib) a control declaration under the [Biosecurity Act 2023](#), section 51 (1) (Control declarations); or

### 41 Direction to leave reserve Section 325 (1) and note

*substitute*

- (1) This section applies if—
  - (a) a person is in a reserve; and
  - (b) a conservation officer believes on reasonable grounds that the person—
    - (i) has acted in an offensive way; or
    - (ii) has acted in a way that creates a public nuisance; or
    - (iii) has committed, is committing or is about to commit an offence against this Act.

## Part 11 Water Efficiency Labelling and Standards (ACT) Act 2015

### 42 Application of Commonwealth administrative laws to applied provisions Section 17 (5)

*omit*

*Administrative Appeals Tribunal Act 1975* (Cwlth)

*substitute*

*Administrative Review Tribunal Act 2024* (Cwlth)

### 43 Section 17 (5)

*omit*

part 4A (Appeals and references of questions of law to the Federal Court of Australia)

*substitute*

part 7 (Appeals and references of questions of law to Federal Court)

### 44 Dictionary, definition of *Commonwealth administrative laws*, paragraph (a)

*substitute*

(a) the *Administrative Review Tribunal Act 2024* (other than part 7);

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## Endnotes

**1 Presentation speech**

Presentation speech made in the Legislative Assembly on 7 May 2025.

**2 Notification**

Notified under the [Legislation Act](#) on 12 November 2025.

**3 Republications of amended laws**

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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I certify that the above is a true copy of the Environment Legislation Amendment Bill 2025, which was passed by the Legislative Assembly on 22 October 2025.

Clerk of the Legislative Assembly

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