

Australian Capital Territory

Nature Conservation (Fees) Determination 2017

Disallowable instrument DI2017-156

made under the

Nature Conservation Act 2014, s 368 (Determination of fees etc)

EXPLANATORY STATEMENT

Section 368 of the *Nature Conservation Act 2014* (the *Act*) permits the Minister to determine fees for the purposes of the Act.

The purpose of this instrument is to determine the fees for licences and entry fees under the Act for the 2017-18 financial year.

The instrument waives the payment of daily entry fees to the Tidbinbilla Nature Reserve on Australia Day and Tidbinbilla Open Day; and waives entry fees to Tidbinbilla Nature Reserve that would otherwise be payable by pedestrians and cyclists.

A new nil fee has been added to the instrument. Item 1.7 of Part 1 of the Schedule has been added to set a nil fee for the issuing of a licence concerning the take of a native animal where it is done for the purpose of take and release on behalf of the Territory. This nil fee will apply in circumstances where an entity is required to take a native animal while performing a service for the Territory, such as the retrieval of snakes from private properties by licensed serviced providers working on behalf of the Territory. The fee is set at nil to reflect that the Territory receives a benefit from this work being done by private service providers, as it used to be undertaken by the Parks and Conservation Service.

The regulatory fees in the determination have been increased by 2% for the 2017-18 financial year based on the wage price index as per government's advice, appropriate rounding has been made in relation to increases.

The instrument commences on 1 July 2017.

This instrument revokes the *Nature Conservation (Fees) Determination 2016* (DI2016-179).

A determination made under section 368 of the Act is a disallowable instrument and must be presented to the Legislative Assembly within 6 sitting days after its notification pursuant to section 64 of the *Legislation Act 2001*.

Regulatory Impact Statement (RIS)

A RIS is not required for this fee determination due to section 36 (1) (k) of the Legislation Act, which provides that a RIS need not be prepared for an amendment of a fee consistent with announced government policy.

Human Rights

The Standing Committee on Justice and Community Safety (Legislative Scrutiny Role) terms of reference require consideration of human rights impacts, among other matters. In this case, no human rights are impacted.