

Serial 101
Territory Parks and Wildlife Conservation Amendment Bill 2019
Ms Moss

A Bill for an Act to amend the *Territory Parks and Wildlife
Conservation Act 1976*

NORTHERN TERRITORY OF AUSTRALIA

TERRITORY PARKS AND WILDLIFE CONSERVATION
AMENDMENT ACT 2019

Act No. [] of 2019

Table of provisions

1	Short title	1
2	Commencement	1
3	Act amended	1
4	Section 9 amended (Interpretation)	1
5	Section 74 amended (Protection, &c., of wildlife and natural features of private land)	2
6	Section 92 amended (Appointment of conservation officer, &c.)	2
7	Section 93A amended (Function of conservation officers and honorary conservation officers)	4
8	Section 93B amended (Powers of conservation officers and honorary conservation officers)	4
9	Act further amended	5
10	Repeal of Act	5

Schedule Act further amended



NORTHERN TERRITORY OF AUSTRALIA

Act No. [] of 2019

An Act to amend the *Territory Parks and Wildlife Conservation Act 1976*

[Assented to [] 2019]
[Introduced [] 2019]

The Legislative Assembly of the Northern Territory enacts as follows:

1 Short title

This Act may be cited as the *Territory Parks and Wildlife Conservation Amendment Act 2019*.

2 Commencement

This Act commences on the day after the day on which the Administrator's assent to this Act is declared.

3 Act amended

This Act amends the *Territory Parks and Wildlife Conservation Act 1976*.

4 Section 9 amended (Interpretation)

(1) Section 9(1)

insert

Aboriginal corporation means a corporation registered under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (Cth).

Aboriginal ranger means a person employed within an Aboriginal ranger group by an Aboriginal corporation or a Land Council.

authorising body means a Land Council, Land Trust, Aboriginal corporation, traditional Aboriginal owner, or other entity or person that has the legal authority to determine where an Aboriginal ranger can exercise their powers.

Land Council, see section 22(1).

land owner includes a person who is a lessee of, or holds any other interest in, land.

Land Trust, see section 22(1).

traditional Aboriginal owner, see section 22(1).

5 Section 74 amended (Protection, &c., of wildlife and natural features of private land)

(1) Section 74, heading

omit

, &c.,

insert

etc.

(2) Section 74(2)

omit

6 Section 92 amended (Appointment of conservation officer, &c.)

(1) Section 92, heading

omit

, &c.

insert

or honorary conservation officer

(2) Section 92(1)

omit

all words after "appoint"

insert

the following as a conservation officer:

- (a) an officer or employee of the Commission;
- (b) an Aboriginal ranger.

- (3) Section 92(2), after "appoint"

insert

the following as an honorary conservation officer

- (4) Section 92(2)(a)

omit

section 91; or

insert

section 91;

- (5) Section 92(2)(b)

omit

Territory,

insert

Territory.

- (6) Section 92(2)

omit

as an honorary conservation officer.

- (7) Section 92(3)

omit

Notwithstanding subsections (1) and (2)

insert

Despite subsection (2)

(8) Section 92(3)

omit

such

insert

any

7 Section 93A amended (Function of conservation officers and honorary conservation officers)

(1) Section 93A, before "It"

insert

(1)

(2) Section 93A, at the end

insert

(2) Aboriginal rangers are recognised as being highly qualified for providing the functions of conservation officers because of their traditional, cultural and technical skills.

8 Section 93B amended (Powers of conservation officers and honorary conservation officers)

(1) After section 93B(1)

insert

(1A) Prior to determining, under subsection (1), the powers and conditions to be conferred on a conservation officer appointed under section 92(1)(b), the Director must consult the employer of the conservation officer and obtain written authority from that employer endorsing the powers and conditions of appointment.

(2) Section 93B(3)(a)

omit

in relation to him or her

-
- (3) Section 93B(3)(b)
omit, insert
- (b) must exercise their powers subject to the conditions determined under this section.
- (4) After section 93B(4)
insert
- (5) The Director may, by written notice, place one or more of the following conditions on the powers of a conservation officer appointed under section 92(1)(b):
- (a) the conservation officer may exercise their powers in a specified geographical area;
- (b) the conservation officer may exercise their powers in an area subject to an agreement under section 73 or 74.
- (6) If specifying a geographical area under subsection (5)(a), the Director must not include:
- (a) an area of Aboriginal Land under the *Aboriginal Land Rights (Northern Territory) Act 1976* (Cth) as an area in which the conservation officer may exercise their powers unless the Director receives written consent from an authorising body that the conservation officer may exercise their powers on the land; and
- (b) an area of private land unless the land owner, Land Council or Land Trust has given the Director written consent.

9 Act further amended

The Schedule has effect.

10 Repeal of Act

This Act is repealed on the day after it commences.

Schedule Act further amended

section 9

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
Part I, heading	Part I Preliminary	Part 1 Preliminary matters
Part II, heading	Part II	Part 2
Part III, heading	Part III	Part 3
Part IIIA, heading	Part IIIA	Part 3A
Part IV, heading	Part IV	Part 4
Part VI, heading	Part VI	Part 6
Part VIII, heading	Part VIII	Part 8
Part X, heading	Part X Miscellaneous	Part 10 Miscellaneous matters
