



Environment and Heritage Legislation Amendment Act Regulations 2007¹

Select Legislative Instrument 2007 No. 334

I, PROFESSOR MARIE BASHIR, AC, CVO, Administrator of the Government of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Environment and Heritage Legislation Amendment Act (No. 1) 2006*.

Dated 4 October 2007

MARIE BASHIR
Administrator

By Her Excellency's Command

MALCOLM BLIGH TURNBULL
Minister for the Environment and Water Resources

1 Name of Regulations

These Regulations are the *Environment and Heritage Legislation Amendment Act Regulations 2007*.

2 Commencement

These Regulations are taken to have commenced on 20 February 2007.

3 Definition

In these Regulations:

Act means the *Environment and Heritage Legislation Amendment Act (No. 1) 2006*.

commencement day means the day that these Regulations commence.

ecological community has the same meaning that it has in section 528 of the *Environment Protection and Biodiversity Conservation Act 1999*.

old process means the process for the establishment of a list of threatened ecological communities set out in Subdivision A, Division 1 of Part 13 of the *Environment Protection and Biodiversity Conservation Act 1999* immediately before the species commencement time.

species commencement time has the same meaning that it has in item 37 of Schedule 2 to the Act.

4 Application and savings — inclusion in list of threatened ecological community

For item 58 of Schedule 2 to the Act, if:

(a) before the species commencement time:

- (i) an item was included in the list of threatened ecological communities made under section 181 of the *Environment Protection and Biodiversity Conservation Act 1999*; and

- (ii) the item was deleted from the list due to the operation of section 32 the *Legislative Instruments Act 2003*; and
 - (b) item 38 of Schedule 2 of the Act does not apply to the item;
- then, despite the amendments made by the Act to the *Environment Protection and Biodiversity Act 1999*, on the commencement day, the old process for including items in the list applies to the item.

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See www.frli.gov.au.