

NORTHERN TERRITORY OF AUSTRALIA
BIOLOGICAL RESOURCES REGULATIONS

As in force at 14 February 2007

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NORTHERN TERRITORY OF AUSTRALIA

This reprint shows the Regulations as in force at 14 February 2007. Any amendments that commence after that date are not included.

BIOLOGICAL RESOURCES REGULATIONS

Regulations under the *Biological Resources Act*

1. Citation

These Regulations may be cited as the *Biological Resources Regulations*.

2. Commencement

These Regulations commence on the commencement of the *Biological Resources Act 2006*.

3. CEO is permit issuing authority

For the definition of "permit issuing authority" in section 4(1) of the Act, the CEO is prescribed in relation to biological resources for which a permit cannot be issued by either of the Agencies mentioned in paragraphs (a) and (b) of the definition.

4. Fee for certificate of provenance

(1) For section 36(1) of the Act, the fee prescribed for the issue of a certificate of provenance is 200 revenue units plus 20 revenue units for each sample to which the certificate relates.

Example for subregulation (1)

Species X, taken from 4 different locations, would constitute 4 samples.

(2) The fee is not refundable if the certificate is revoked.

5. Records of samples

For section 42(2) of the Act, records mentioned in section 42(1) sent within 28 days after collection of samples, or a longer period as arranged with the CEO, will be taken to have been sent within a reasonable time.

6. Transfer of samples for biodiscovery

A bioprospector, or a person who has acquired a sample of biological resources under the Act, who proposes to transfer a sample or part of a sample to another party for use in biodiscovery, must give the CEO the following details in writing:

- (a) the unique identifier for the sample;
- (b) the quantity of sample to be transferred;
- (c) the proposed date of transfer;
- (d) the names and addresses of other persons to whom the sample, or part of the sample, is to be transferred.

7. Disposal of samples not required for biodiscovery

(1) For section 43(2) of the Act, samples not required for biodiscovery may be disposed of only as follows:

- (a) in a destructive manner so that all DNA is destroyed;
- (b) by giving the samples to a recognised museum for display or taxonomic purposes only.

(2) When sending the record and details of the disposal to the CEO, the bioprospector must state the method and date of disposal, and the number or quantity of samples disposed of.

8. Other fees

(1) The fee payable for a matter under the Act is as specified in Column 2 of the Schedule opposite the item description in Column 1.

Note for subregulation (1)

See also regulation 4 for the fee in relation to a certificate of provenance.

(2) The CEO may waive a fee (other than a fee under regulation 4) if the CEO considers it appropriate.

Biological Resources Regulations

SCHEDULE

Regulation 8

FEEs

Item description	Fee
Issue of a permit by CEO (regulation 3)	50 revenue units

ENDNOTES

1. KEY

Key to abbreviations

amd = amended

bl = by-law

ch = Chapter

div = Division

exp = expires/expired

Gaz = *Gazette*

hdg = heading

ins = inserted

om = omitted

pt = Part

r = regulation/rule

renum = renumbered

rep = repealed

s = section

sch = Schedule

sdiv = Subdivision

SL = Subordinate Legislation

sub = substituted

2. LIST OF LEGISLATION

***Biological Resources Regulations* (SL No. 3, 2007)**

Notified

7 February 2007

Commenced

14 February 2007 (r 2 and s 2 *Biological Resources Act 2006*
(Act No. 31, 2006) and *Gaz* G7, 14 February 2007, p 3)