THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

SENATE

ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION AMENDMENT (INDEPENDENT EXPERT SCIENTIFIC COMMITTEE ON COAL SEAM GAS AND LARGE COAL MINING DEVELOPMENT) BILL 2012

SUPPLEMENTARY EXPLANATORY MEMORANDUM

(Circulated by authority of the Minister for Sustainability, Environment, Water, Population and Communities, the Honourable Tony Burke, MP)
Environment Protection and Biodiversity Conservation Amendment (Independent Expert Scientific Committee on Coal Seam Gas and Large Coal Mining Development) Bill 2012

OUTLINE
This Bill amends the Environment Protection and Biodiversity Conservation Act 1999 (the EPBC Act) to establish an Independent Expert Scientific Committee (the Committee) on Coal Seam Gas and Large Coal Mining Development.

There are two amendments which are necessary to provide a workable regulatory framework. These items are:

- To remove the reference to a 1 July 2012 commencement date for the statutory committee. As the Bill did not pass through parliament in the Winter sittings it is necessary to replace this part with ‘A single day to be fixed by proclamation. However, if the provision(s) do not commence within the period of six months beginning on the day this Act receives the Royal Assent, they commence on the day after the end of that period.’

- The second proposed amendment is to amend Section 505C(5)(a) to clarify requirements with regard to expertise and qualifications for members of the Committee. This will require the Minister when appointing members to the Committee to ensure that ‘each member (other than the Chair) possesses appropriate scientific qualifications or expertise that the Minister considers relevant to the performance of the Committee’s functions.’

FINANCIAL IMPACT STATEMENT
This Bill will have no financial impact.

REGULATORY IMPACT STATEMENT
This Bill will have no regulatory impacts.
NOTES ON AMENDED CLAUSES

Clause 2: Commencement

1. Omit the cell at table item 2, page 2 and substitute with “A single day to be fixed by proclamation. However, if the provision(s) do not commence within the period of six months beginning on the day this Act receives the Royal Assent, they commence on the day after the end of that period.”

Schedule 1 – Amendment of the Environment Protection and Biodiversity Conservation Act 1999

Item 4: After Division 2A of Part 19

505C Establishment

2. In line 30 at (5)(a) insert, “or experience” after “qualifications”.