Export Control (Hardwood Wood Chips) (1996) Regulations (Amendment)

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the Export Control Act 1982.

Dated 27 MAR 1998

WILLIAM DEANE
Governor-General

By His Excellency's Command,

JOHN ANDERSON
Minister for Primary Industries and Energy

1. Commencement
1.1 These Regulations commence on gazettal.

2. Amendment
2.1 The Export Control (Hardwood Wood Chips) (1996) Regulations are amended as set out in these Regulations.
3. New regulation 12A
3.1 After regulation 12, insert:

Reduction of authorised export mass for certain transitional licences

"12A. (1) If, after a transitional licence for a region (old region) is granted, a Regional Forest Agreement comes into force for a region that is, or includes, part of the old region:

(a) the validity of the licence is not affected only because the Agreement has come into force; and

(b) the Minister must decide whether, or to what extent, to reduce the authorised export mass for the licence.

"(2) In making a decision for paragraph (1) (b), the Minister must consider:

(a) the need to ensure that any reduction in the authorised export mass for the licence reflects the difference in suitability as a source of supply of wood chips between:

(i) the part of the old region not covered by the Agreement; and

(ii) the old region as a whole; and

(b) any other relevant matter known to the Minister.

"(3) Despite any reduction under subregulation (1), the authorised export mass for the licence is taken, for subregulation 10 (2), to be unchanged."

4. Schedule (Regions)
4.1 Item 2 (Victoria):
Before "West Region", insert "(a)".

4.2 Item 2 (Victoria):
Omit "Central Highlands Region, North East Region, Gippsland Region".
4.3 Item 2 (Victoria):
Add at the end:
"; and (b) Central Highlands Region—that is, the Central Highlands Regional Forest Agreement area delineated on Map 1 of the Central Highlands Regional Forest Agreement Directions Report, dated September 1997, published by the joint Commonwealth and Victorian Regional Forest Agreement (RFA) Steering Committee; and

(c) Gippsland Region—that is, the area delineated on the map of the Gippsland RFA Region dated 11 March 1998 published by the Forest Information Section of the Department of Natural Resources and Environment of Victoria; and

(d) North East Region—that is, the area delineated on the map of the North East RFA Region dated 11 March 1998 published by the Forest Information Section of the Department of Natural Resources and Environment of Victoria".

4.4 Item 3 (New South Wales):
Add at the end:
"; and (d) Eden Region—that is, the area of forest called the Eden Management Area by State Forests of New South Wales at the time of commencement of this paragraph".
5. Further amendments (Review of decisions under regulation 12A)

5.1 Amendments as set out in the following table:

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<tr>
<th>Provision amended</th>
<th>After</th>
<th>Insert</th>
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<tbody>
<tr>
<td>Regulation 34 (definition of “relevant person”, paragraph (d))</td>
<td>regulation</td>
<td>12A or</td>
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<tr>
<td>Regulation 34 (definition of “reviewable decision”, paragraph (a))</td>
<td>12,</td>
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<td>Subregulation 36 (1)</td>
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<td>Paragraph 37 (2) (c)</td>
<td>regulation</td>
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