EXPLANATORY STATEMENT

Issued by the Authority of the Minister for the Environment and Water Resources

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

Proclamation

The Environment and Heritage Legislation Amendment Act (No. 1) 2006 (the EHLA Act) amends the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) to make the EPBC Act more efficient, effective and flexible; to allow for the use of more strategic approaches; improve processes and environmental outcomes; and to provide greater certainty in decision-making.

The table in subsection 2(1) of the EHLA Act sets out the commencement dates for the various provisions in the Act. In particular, items 2, 4, 7, 9, 13 and 15 of the table provide that items 1 to 606, 608 to 780, 783 to 807, 809 to 835, 839 and 840, and 846 to 869 respectively of Schedule 1 to the EHLA Act will commence on a day or days to be fixed by Proclamation. However, if any of these provisions do not commence within the period of 6 months beginning on the day on which the EHLA Act received Royal Assent, they will commence on the first day after the end of that period. Royal Assent was provided on 12 December 2006.

On 1 January 2007, items 605, 837, 839, 852 and 853 of the EHLA Act commenced, and on 15 January 2007, item 763 of the EHLA Act commenced.

The purpose of the Proclamation is to fix 19 February 2007 as the day on which items 1 to 604, 606, 608 to 762, 764 to 780, 783 to 807, 809 to 835, 840, 846 to 851, and 854 to 869 of Schedule 1 to the EHLA Act commence.

Consultation was unnecessary for this instrument as it is of a machinery nature only.

The Proclamation is a legislative instrument for the purposes of the Legislative Instruments Act 2003.