



New South Wales

# Kosciuszko Wild Horse Heritage Repeal Bill 2025

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

## Overview of Bill

The object of this Bill is to repeal the *Kosciuszko Wild Horse Heritage Act 2018* and dissolve the Wild Horse Community Advisory Panel.

## Outline of provisions

**Clause 1** sets out the name, also called the short title, of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on the date of assent to the proposed Act.

**Clause 3** repeals the *Kosciuszko Wild Horse Heritage Act 2018* (the *former Act*).

## Schedule 1      Amendment of National Parks and Wildlife Act 1974 No 80

**Schedule 1** amends the *National Parks and Wildlife Act 1974* to provide that—

- (a) the adopted wild horse heritage management plan in force immediately before the repeal of the former Act is taken, until a proclaimed transition date, to be a plan of management under the *National Parks and Wildlife Act 1974*, Part 5 for Kosciuszko National Park, and
- (b) from the proclaimed transition date, the Kosciuszko National Park plan of management must include objectives and performance measures relating to the management of wild horses in the park.

The schedule also provides that the Wild Horse Community Advisory Panel is taken, until the proclaimed transition date, to be an advisory committee under the *National Parks and Wildlife Act 1974*, Part 3. From the proclaimed transition date, the Wild Horse Community Advisory Panel is dissolved and members of the panel will cease to hold office from that date and are not entitled to compensation because of that loss of office.



New South Wales

# Kosciuszko Wild Horse Heritage Repeal Bill 2025

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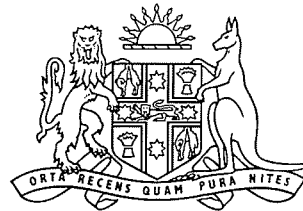
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*This PUBLIC BILL, originated in the LEGISLATIVE ASSEMBLY and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

*Legislative Assembly*

*Clerk of the Legislative Assembly*



New South Wales

# **Kosciuszko Wild Horse Heritage Repeal Bill 2025**

No           , 2025

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## **A Bill for**

An Act to repeal the *Kosciuszko Wild Horse Heritage Act 2018*; to make consequential amendments to the *National Parks and Wildlife Act 1974*; and for related purposes.

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*The LEGISLATIVE COUNCIL has this day agreed to this Bill with/without amendment.*

*Legislative Council*

*Clerk of the Parliaments*

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**Tabling copy**

<b>The Legislature of New South Wales enacts—</b>	1
<b>1 Name of Act</b>	2
This Act is the <i>Kosciuszko Wild Horse Heritage Repeal Act 2025</i> .	3
<b>2 Commencement</b>	4
This Act commences on the date of assent to this Act.	5
<b>3 Repeal of Act</b>	6
The <i>Kosciuszko Wild Horse Heritage Act 2018</i> No 24 is repealed.	7

## Schedule 1      Amendment of National Parks and Wildlife Act 1974 No 80

### Schedule 3 Savings, transitional and other provisions

Insert at the end of the schedule, with appropriate part and clause numbering—

## Part      Provisions consequent on enactment of Kosciuszko Wild Horse Heritage Repeal Act 2025

### Definitions

In this part—

**transition date** means—

- (a) a date between 1 January 2027 and 1 July 2027 appointed by proclamation, or
- (b) otherwise—1 July 2027.

**Wild Horse Community Advisory Panel** means the Wild Horse Community Advisory Panel constituted under the *Kosciuszko Wild Horse Heritage Act 2018*, Schedule 1.

### Wild horse heritage management plan taken to be plan of management

- (1) The adopted wild horse heritage management plan in force immediately before the repeal of the *Kosciuszko Wild Horse Heritage Act 2018* is taken, until the transition date, to be a plan of management under this Act, Part 5 for Kosciuszko National Park.
- (2) The Minister may by order, at any time, amend the adopted wild horse heritage management plan.
- (3) The *Interpretation Act 1987*, sections 40 and 41 apply to an order made under subclause (2) in the same way as those sections apply to a statutory rule.
- (4) To avoid doubt, the adopted plan continued by this clause prevails over another plan of management under this Act, Part 5 for Kosciuszko National Park to the extent of an inconsistency.
- (5) On or before the transition date, if the Kosciuszko National Park plan of management does not include objectives and performance measures relating to the management of wild horses in the park, the Minister must amend the plan of management to include objectives and performance measures relating to the management of wild horses in the park, including details of the methods by which the wild horse population must be monitored.
- (6) To avoid doubt—
  - (a) the Minister may amend the Kosciuszko National Park plan of management without a recommendation of the responsible authority, and
  - (b) despite section 73B(4), the Minister is not required to instruct the responsible authority to cause the amendment to be prepared, and
  - (c) section 73B(7) does not apply to the amendment.

### Wild Horse Community Advisory Panel taken to be advisory committee

- (1) The Wild Horse Community Advisory Panel is taken to be an advisory committee under this Act, Part 3 until the transition date.

- (2) For subclause (1), the *Kosciuszko Wild Horse Heritage Act 2018*, Schedule 1 continues to apply until the transition date. 1  
2
- (3) On the transition date— 3
  - (a) the Wild Horse Community Advisory Panel is dissolved, and 4
  - (b) the persons holding office as members of the Wild Horse Community Advisory Panel cease to hold office as members. 5  
6
- (4) A person who ceases to hold office under this clause is not entitled to compensation because of that loss of office. 7  
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