



New South Wales

National Parks and Wildlife Amendment (Illegal Forestry Operations) Bill 2012

Explanatory note

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

Overview of Bill

The object of this Bill is to amend the *National Parks and Wildlife Act 1974* (the *NPW Act*):

- (a) to create a new offence that involves contravening a provision of the NPW Act or the regulations in the course of carrying out forestry operations (which includes activities such as logging for timber production purposes), and
- (b) to increase the penalties applying to the offence under the NPW Act of contravening any condition or restriction attached to a licence or certificate issued under Part 6 (Licensing) of the *Threatened Species Conservation Act 1995*.

The new offence under the NPW Act will attract a maximum penalty of 2,000 penalty units (ie \$220,000) or imprisonment for 2 years, or both, which is, in most cases, substantially higher than the existing penalties for contravening a provision of the NPW Act or the regulations.

The maximum penalties applying to the offence under the NPW Act of contravening any condition or restriction attached to a licence or certificate issued under Part 6 of the *Threatened Species Conservation Act 1995* will be increased (in the case of an

National Parks and Wildlife Amendment (Illegal Forestry Operations) Bill 2012

Explanatory note

individual) from 100 penalty units (ie \$11,000) and 10 penalty units for each day the offence continues to 1,000 penalty units and 100 penalty units, respectively, and (in the case of a corporation) from 200 penalty units and 20 penalty units for each day the offence continues to 2,000 penalty units and 200 penalty units, respectively.

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.

Schedule 1 [2] contains the amendment to the NPW Act described in paragraph (a) of the above Overview and **Schedule 1 [1]** contains the amendment to the NPW Act described in paragraph (b) of the Overview.