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LEGISLATIVE COUNCIL

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Natural Resources Access Regulator Bill 2017

First print

Proposed amendments

No. 1 Background of Board members

Page 3, clause 5 (3), line 15. Insert "conservation and" after "resources".

No. 2 Background of Board members

Page 3, clause 5 (3), line 16. Insert "and knowledge of indigenous interests in natural resources" after "relevant".

No. 3 Additional functions of the Regulator

Page 4, clause 10. Insert after line 19:

(a) to oversee the exercise of enforcement powers under the natural resources management legislation,

No. 4 Additional functions of the Regulator

Page 4, clause 10. Insert after line 23:

- (c) to provide the Minister and the Independent Pricing and Regulatory Tribunal with advice on the amount of fees and charges that may be imposed on the holders of access licences under the Water Management Act 2000.
- No. 5 Register of offences

Page 4, clause 10 (d), lines 27 and 28. Omit all words on those lines.

No. 6 Register of offences

Page 4. Insert after line 35:

11 Register of offences

- (1) The Regulator is to keep a register containing the following details in relation to offences committed under the natural resources management legislation:
 - (a) the name of the person who committed any such offence,
 - (b) the date on which the offence was committed and the property (if any) where the offence occurred,
 - (c) a summary of the offence.

- (2) The details are to be included in the register as soon as practicable after the offence is committed.
- (3) The Regulator is to make the register publicly available in such manner as the Regulator considers appropriate.
- (4) For the purposes of this section, an offence under the natural resources management legislation is committed by a person if:
 - (a) the person is found guilty by a court of having committed the offence (whether or not it convicts the person for the offence or imposes any penalty), or
 - (b) an amount is paid under a penalty notice in respect of the offence, or
 - (c) a penalty notice enforcement order under the *Fines Act 1996* is made against the person in respect of the offence.

No. 7 6-monthly reports

Page 5, clause 12, lines 1 to 12. Omit all words on those lines. Insert instead:

12 6-monthly reports

- (1) The Regulator is to provide a report on its work and activities to the Minister every 6 months.
- (2) Without limiting subsection (1), each report must include the following:
 - (a) details of notices, orders and directions issued under the natural resources management legislation in connection with the enforcement of that legislation during the 6 month period to which the report relates,
 - (b) such other particulars as may be prescribed by the regulations.
- (3) A report under this section is to be provided to the Minister and made publicly available by the Regulator as soon as practicable after the end of the 6 month period to which the report relates.
- (4) A report that is required under this section may be included in any annual report of the Regulator required under any other Act.

No. 8 Establishment of separate staff agency

Page 8. Insert after line 24:

18 Amendment of Government Sector Employment Act 2013 No 40

Schedule 1 Public Service agencies

Insert in alphabetical order in Part 3:

Natural Resources Access Regulator Staff Agency

Chief Regulatory Officer of the Natural Resources Access Regulator. The Minister administering the *Natural Resources Access Regulator Act 2017* is to exercise the employer functions of the Government in relation to the Chief Regulatory Officer.