



COMPLIANCE AND ENFORCEMENT

1. BACKGROUND

It is an offence under Section 56 of the *Wet Tropics World Heritage Protection and Management Act 1993* to carry out certain activities that destroy forest products in the Wet Tropics World Heritage Area, without a licence, permit or other authority.

The *Wet Tropics Management Plan 1998* Part 3 - Control of Activities, identifies prohibited activities, allowed activities, and activities allowed under permit.

The appointment, and terms of appointment of authorised officers are contained in Part 5 of the *Wet Tropics World Heritage Protection and Management Act 1993* and investigation and enforcement procedures are covered in Part 6 of the *Wet Tropics World Heritage Protection and Management Act 1993*. Section 60 provides that any conservation officer appointed under the *Nature Conservation Act 1992* is an authorised officer under the *Wet Tropics World Heritage Protection and Management Act 1993*.

2. POLICY POSITION

The Wet Tropics Management Authority will enter into a Memorandum of Understanding with Queensland Parks & Wildlife covering the provision of compliance and enforcement services for the Wet Tropics World Heritage Area. The services to be provided by Queensland Parks & Wildlife will include -

- patrol and surveillance activities across the Wet Tropics World Heritage Area to ensure compliance with the provisions of the *Wet Tropics Management Plan 1998* and the *Wet Tropics World Heritage Protection and Management Act 1993*;
- investigation by conservation officers of reported or observed incidents within the Wet Tropics World Heritage Area, and the reporting of alleged offences to the Environmental Protection Agency legal compliance unit;
- assessment of reports and decision on action to be taken will be made by the Environmental Protection Agency legal compliance unit;
- consultation with the Wet Tropics Management Authority's Executive Director about decisions on subsequent legal proceeding to be taken by the Environmental Protection Agency legal compliance unit;
- the training of conservation officers in relation to the regulated activity and offence provision of the *Wet Tropics World Heritage Protection and Management Act 1993* and the *Wet Tropics Management Plan 1998*.

Decisions on whether to prosecute under the Wet Tropics Management Plan are to be authorised by the Executive Director of the Wet Tropics Management Authority.

3. INTERPRETATION

This policy only applies to possible offences under the *Wet Tropics World Heritage Protection and Management Act 1993* and subordinate legislation; eg. the *Wet Tropics Management Plan 1998*.

4. IMPLEMENTATION

The Wet Tropics Management Authority will enter into a Memorandum of Understanding with Queensland Parks & Wildlife detailing the provision of compliance and enforcement services by Queensland Parks & Wildlife over all tenures of the Wet Tropics World Heritage Area.

The costs of providing compliance and enforcement services will be negotiated annually through a service agreement.

All incidents observed by or reported to a Wet Tropics Management Authority staff member is to be reported to the Queensland Parks & Wildlife regional compliance officer using the relevant Queensland Parks & Wildlife form.

Wet Tropics Management Authority staff within the Planning and Conservation Program will undertake training necessary to be appointed as authorised officers under the *Wet Tropics World Heritage Protection and Management Act 1993*. The exercise of their compliance and enforcement responsibilities as authorised officers will be incidental to their usual role. Investigation reports into alleged offences by Area Conservation staff will be referred to the Environmental Protection Agency legal compliance unit through the Queensland Parks & Wildlife regional compliance officer. The prime responsibility for compliance and enforcement functions in the Wet Tropics World Heritage Area will be Queensland Parks & Wildlife conservation officers.

The Wet Tropics Management Authority will prepare appropriate identification cards for approval by the Minister (or delegate) and arrange for trained staff from Area Conservation to be appointed by the Minister (delegate) as authorised officers.

5. APPROVAL

Board Meeting Number 41
14 - 15 May 2001

Re-endorsed
Board Meeting Number 73
02-03 June 2008

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