

Information sheet

Biodiscovery

Biodiscovery collection outside of a Protected Area, outside of a Forestry Reserve, and outside of a Marine Park

*This document contains information on taking State native biological resources for biodiscovery from State lands and Queensland waters **with respect only to areas outside of a Protected Area, outside of a Forestry Reserve, and outside of a Marine Park.***

What is biodiscovery?

Biodiscovery is the collection of native biological material from State land or State waters for the analysis of molecular, biochemical or genetic information about native biological material for the purpose of commercialising the material; or to use the material in any way for gain. Biodiscovery activities are regulated under the *Biodiscovery Act 2004* (the Act).

What can I collect?

Small quantities of living or dead plants, algae, animals and micro-organisms may be taken for biodiscovery, as specified in Section 5 of the *Compliance code for taking native biological material under a collection authority* (the Code). Taxa listed as restricted in Section 3.5 of the code are unable to be taken as part of a code-compliant collection.

How can I become authorised to collect?

Any biodiscovery entity wanting to take and use State native biological resources for biodiscovery purposes must obtain a collection authority (biodiscovery) from:

- the Department of Environment and Science (DES) **with respect to areas outside of a Protected Area, outside of a Forestry Reserve, and outside of a Marine Park**, or
- the Queensland Parks and Wildlife Service (QPWS) **with respect to areas within a Protected Area and/or within a Forestry Reserve and/or within a Marine Park.**

If you propose to collect from both within and outside these areas you will need to apply to both Departments. No fees apply to applications for biodiscovery collection authorities.

It is a serious offence under the Act to take for biodiscovery purposes without a valid collection authority.

The holder of a collection authority, and/or their agents, may collect the native biological resources specified on the collection authority. The person (or persons) collecting need not be the holder of the collection authority if they are collecting on behalf of the holder. Collection must still comply with all conditions listed on the authority, including the code.

Collection authorities cannot be transferred or renewed. They may be suspended, amended or cancelled.

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Who can apply for a collection authority (biodiscovery)?

Persons or corporations involved in biodiscovery research¹, the commercialisation of native biological material, or the products of biodiscovery research, can apply for a collection authority. Collection authority holders, and/or their agents, must be competent and possess the necessary certification, licences, training, skills, experience, equipment and qualifications to collect biodiscovery material.

A biodiscovery plan (either draft or final), detailing proposed biodiscovery activities, must be submitted with the application for a collection authority. For more information on developing a biodiscovery plan, contact Science & Office of the Chief Scientist (SOCS) - <http://www.business.qld.gov.au>.

DES maintains a public register of collection authorities granted by DES, listing the name of the authority holder, the date of issue and term of the authority.

Where can I collect?

The holder and/or their agents may collect from areas specified on the collection authority.

Under the Act, applications can be made to collect for biodiscovery purposes on most State land or Queensland waters. In summary, State land is all land in Queensland other than freehold land, freeholding leases or lands subject to a native title determination granting rights of exclusive possession. It includes national parks, road reserves and state forests. Queensland waters are all waters within the limits of the State or coastal waters including water reserves and marine parks. Note, however, the advice above regarding the correct Department where an application should be lodged.

Under section 7 of the Act, if a collection authority is issued to a person to collect native biological material, that person is not required to obtain a licence, permit or other authority under another Act to collect the material.

The Act does not apply to collecting for biodiscovery on freehold lands, or scientific research for non-biodiscovery purposes. These activities will continue to be managed by other permit types under the *Nature Conservation Act 1992*.

When can I collect?

It is a condition of a collection authority that the holder, or a person acting for the holder, must not take native biological material under the authority unless a benefit sharing agreement (BSA) concerning the material is in force. A BSA is entered into with the State of Queensland through SOCS. Further, the holder, or a person acting for the holder, must first negotiate access to collection sites with relevant land/water managers.

A collection authority can be granted for up to three years. However, it lapses one year after issue if a BSA has not been entered into within this period.

How do I apply for a collection authority?

To apply for a collection authority **with respect to sites outside of a Protected Area, outside of a Forestry Reserve, and outside of a Marine Park**, you must complete a *Collection authority (biodiscovery) application form* and submit it for assessment to DES, together with any other information required, including your draft or approved biodiscovery plan. Please allow up to 40 business days for your application to be processed.

¹ Biodiscovery research means the analysis of molecular, biochemical or genetic information about native biological material for the purpose of commercialising the material.

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To apply for a collection authority **with respect to areas within a Protected Area and/or within a Forestry Reserve and/or within a Marine Park**, you must complete a *Collection authority (biodiscovery) application form* and submit it for assessment to QPWS.

Authorisation to collect from both within and outside these areas will necessarily require the grant of two collection authorities (DES and QPWS). No fees apply to applications for biodiscovery collection authorities.

For further information refer to the DES Information sheet *Completing an application form for a Collection authority (biodiscovery)* (<http://www.DES.qld.gov.au/licences-permits/plants-animals/documents/is-bd-completing-appn-collection.pdf>) and the code (<http://www.DES.qld.gov.au/licences-permits/plants-animals/biodiscovery.html>).

How much does a collection authority cost?

Fees do not currently apply to a collection authority (biodiscovery).

How long will it take to obtain a collection authority?

It takes up to 40 business days to process an application, during which time further information may be requested to finalise your application. Where further information is required, the assessment of your application may take longer.

How are collection authority applications assessed?

Applications are assessed to ensure the proposed collection activities for biodiscovery are sustainable, and have only minor and inconsequential impacts on the environment from which the material is taken.

All applications received will be assessed for compliance with the code. Where an application is inconsistent with the code, it will be referred to relevant experts for further advice.

Further information

For more information on collection authorities **with respect to sites outside of a Protected Area, outside of a Forestry Reserve, and outside of a Marine Park** please contact the DES Customer Service Team on 1300 130 372 or via e-mail palm@DES.qld.gov.au.

The code is available from the DES website <http://www.DES.qld.gov.au/licences-permits/plants-animals/biodiscovery.html>.

Information on biodiscovery plans and benefit sharing agreements can be obtained from the Queensland Government website <https://publications.qld.gov.au/dataset/biodiscovery-plan-guidelines-and-template>.

The Act can be accessed from the Queensland government website www.legislation.qld.gov.au.

Disclaimer

While this document has been prepared with care it contains general information and does not profess to offer legal, professional or commercial advice. The Queensland Government accepts no liability for any external decisions or actions taken on the basis of this document. Persons external to the Department of Environment and Science should satisfy themselves independently and by consulting their own professional advisors before embarking on any proposed course of action.

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