

Information sheet

Threatened Species

Commercial wildlife licence (protected plants)

Overview

In Queensland, all plants that are native to Australia are 'protected plants' under the *Nature Conservation Act 1992* (the Act). The Department of Environment and Heritage Protection (EHP) administer the Act to ensure that protected plants (including whole plants, plant parts and seeds) are not illegally removed from the wild or traded.

The harvesting and use of most protected plants from the wild is regulated by a licensing system. Persons who wish to harvest protected plants from the wild for any purpose are required by law to obtain a licence, permit or authority from EHP or have an exemption under a regulation or conservation plan. A licence or authority may also be required to propagate or sell protected plants.

The various types of licences relating to protected plants will be addressed in a series of information sheets. This information sheet focuses on the legislative requirements associated with obtaining a commercial wildlife licence (protected plants).

What is a commercial wildlife licence?

This licence is issued under the Act and authorises the licensee to buy and sell certain protected plants or plant parts taken from the wild by holders of a commercial wildlife harvesting licence or commercial wildlife licence. It does not authorise the taking of protected plants from the wild.

What activities are authorised by a commercial wildlife licence?

This licence allows a person to:

- purchase whole protected plants or plant parts from the holder of a commercial wildlife harvesting licence for a commercial purpose;
- Trade in legally obtained seed or other propagating material from Type B restricted plants or plants parts see Appendix 1; or
- sell protected plants or plant parts where the whole plant or plant part has been –
 - taken by the holder of a commercial wildlife harvesting licence;
 - bought from a person who holds a licence for the whole plant or plant part;
 - bought from an authorised cultivator or propagator; or
 - brought into Queensland under a wildlife movement permit or movement advice and is tagged, where required, by the state from which the whole plant or plant part was obtained.

Who can apply for a licence?

Applicants for a commercial wildlife licence for protected plants may be:

- Any individual who is at least 18 years of age; or
- A corporation with an office in Queensland.

Applicants must be able to demonstrate knowledge, or ability relevant to the activity to be licensed may apply for a licence.

How do I apply for a licence?

To apply for a licence, you will need to complete an application form and submit the application form along with the correct licence fee. The form can be downloaded from <http://www.ehp.qld.gov.au/licences-permits/plants-animals/> or obtained by contacting the Permit and Licence Management on 1300 130 372 or by email at palm@ehp.qld.gov.au.

You can lodge an application at your nearest EHP office in person or mail it to Permit and Licence Management at GPO Box 2454, Brisbane QLD 4001.

How long will it take to obtain a licence?

Your application will be decided within 40 business days after the application is received if no additional information is required.

If your application requires additional information or consultation, you will be notified within 20 business days after the application is received and requested to provide further information. A further 20 business days is granted for the applicant to provide the requested information.

What will it cost?

Fees and charges relating to this activity include:

- Licence (there is no refund of these fees once a licence is issued);
- Record books;
- Licence amendment fee (change of address is free); and
- Tags.

Under certain circumstances, the licence fee may be halved if the licence holder is also the owner of the property from where the plants are to be harvested, or the person has a Sales Permit under the *Forestry Act 1959* to take the plants on a State forest, timber reserve or forest reserve. Fees are not refundable once a licence has been issued.

A full schedule of fees and charges can be downloaded from the *Nature Conservation (Administration) Regulation 2006* accessed from

<http://www.ehp.qld.gov.au/licences-permits/plants-animals/>

How long does the licence last?

A licence can be granted for a period of up to 3 years.

Can the licence be transferred?

No. Licenses are not transferable.

Do I need to use tags?

A commercial wildlife licence holder who offers for sale a type A restricted plant (see Appendix 1) that was taken from the wild, or raised from seed or other propagating material taken from the wild, must attach a tag to the plant.

Tags are available from your nearest EHP office.

What records do I need to keep?

The holder of a commercial wildlife licence must give the chief executive a six-monthly return of operations submitted within 14 days at the end of each six months, starting from the date the licence commences. You must use the return forms provided by the chief executive. These can be obtained at <http://www.ehp.qld.gov.au/licences-permits/plants-animals/> or your nearest EHP office.

You must also keep a copy of the return form and produce this for inspection under the Act if requested by a conservation officer.

If there is a change in the number or species of protected plants or plant parts kept for sale, the licensee must, by the close of business on the day of the change, enter the change in the record book.

Definitions

Take includes, in relation to a plant—gather, pluck, cut, pull up, destroy, dig up, fell, remove or injure the plant or any part of the plant; or attempt to do an act mentioned in (a) above.

Propagate means to cause plants to multiply by any process of natural reproducing from the parent stock.

Authorised propagator means a person approved under section 299 to be an authorised propagator – *Nature Conservation (Wildlife Management) Regulation 2006*.

Authorised cultivator means a person approved under section 299 to be an authorised propagator – *Nature Conservation (Wildlife Management) Regulation 2006*.

Further information

For further information, contact Permit and Licence Management on 1300 130 372 or by email at palm@ehp.qld.gov.au.

References

Nature Conservation Act 1992

Nature Conservation (Administration) Regulation 2006

Nature Conservation (Protected Plants) Conservation Plan 2000

Nature Conservation (Wildlife Management) Regulation 2006

Appendix 1

1. Type A restricted plants (Schedule 7, *Nature Conservation (Administration) Regulation 2006*)

- (a) a plant of the family Orchidaceae (other than *Spathoglottis plicata*)
- (b) a plant of the genus *Xanthorrhoea*
- (c) a plant of the genus *Myrmecodia*
- (d) a plant of the genus *Hydnophytum*
- (e) a plant of the family Cycadaceae
- (f) a plant of the family Zamiaceae
- (g) a plant of the genus *Huperzia*
- (h) a plant of the genus *Platynerium*
- (i) a plant of the genus *Brachychiton*
- (j) a plant of the genus *Livistona*

2. Type B restricted plants (Schedule 7, *Nature Conservation (Administration) Regulation 2006*)

- (a) an endangered plant
- (b) a vulnerable plant
- (c) a plant of the family Cycadaceae
- (d) a plant of the family Zamiaceae