

Information sheet

Biodiscovery

Biodiscovery Collection Authorities

This document contains information on taking native biological resources for biodiscovery from State lands and Queensland waters.

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 the *Compliance code for taking native biological material under a collection authority* (the Compliance 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 native biological resources for biodiscovery purposes must obtain a collection authority (biodiscovery) from the Department of Environment and Science (DES).

It is an 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 Compliance Code.

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

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.

DES maintains a public register of collection authorities granted, 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 lands or 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.

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 for biodiscovery.

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

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 Science, Strategy and Partnerships. 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.

Collection authorities cannot be renewed and require a new application to be submitted once an authority has reached its maximum term.

How do I apply for a collection authority?

To apply for a collection authority, you must complete a *Collection authority (biodiscovery) application form* and submit it for assessment to DES, together with any other information required.

For further information, refer to the DES Information sheet *Completing an application form for a collection authority (biodiscovery)* and the *Compliance code- taking native biological material under a collection authority* (<https://environment.des.qld.gov.au/licences-permits/plants-animals/biodiscovery>).

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 may take 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. Please note that where Native Title consultation must take place, the time taken to finalise an application may also be impacted. Please note that the chief executive is taken to have decided to refuse an application if the chief executive fails to decide the application within 40 business days after receiving it.

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 Compliance Code. Where an application is inconsistent with the Compliance Code, it will be referred to relevant experts for further advice.

Applications are also assessed in line with the Commonwealth *Native Title Act 1993* (NTA) and the associated work procedures maintained by the Department of Resources. Please note that an application may be refused if it cannot be validly granted in line with the NTA.

Further information

For more information regarding biodiscovery in Queensland, please contact the Science Strategy and Partnerships Team at qldscience@des.qld.gov.au. Information on benefit sharing agreements can be obtained from the Queensland Government website:

<https://www.business.qld.gov.au/industries/science-it-creative/science/biodiscovery/agreement>.

For more information regarding collection authorities please contact palm@des.qld.gov.au who will relay your query to the appropriate team.

The Compliance Code is available from the DES website:

<https://environment.des.qld.gov.au/licences-permits/plants-animals/biodiscovery>.

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

Human Rights Act 2019

The department is committed to respecting, protecting and promoting human rights. Under the [Human Rights Act 2019](#), the department has an obligation to act and make decisions in a way that is compatible with human rights and, when making a decision, to give proper consideration to human rights. When acting or making a decision under this policy, officers must comply with that obligation (refer to [Comply with Human Rights Act](#)).

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.

Approved By

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Signature

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