Section 11 – *Biodiscovery Act 2004*

Collection authority (biodiscovery)

# Important information for applicants

Use this form to apply to the Department of Environment and Science (the department) for a collection authority (biodiscovery) for the taking and using of native biological material for biodiscovery, regardless of whether or not the material is taken from State land or Queensland waters.

Information that you provide in this form will assist your application to be processed as prescribed by the *Biodiscovery Act 2004* (the Act). Your application must be assessed in accordance with the Act. **Your application may take up to 30 business days to process.**

Before completing your application form, please read information materials available on the department’s website at <https://environment.des.qld.gov.au/licences-permits/plants-animals/biodiscovery>. Relevant documentation includes:

* Information sheet: Biodiscovery collection authorities;
* Information Sheet: Completing an application form for a collection authority (biodiscovery); and
* Compliance Code for taking native biological material under a collection authority(the Compliance Code).

Important notes regarding a collection authority (biodiscovery) and a benefit sharing agreement:

* Collection of native biological resources authorised under a collection authority (biodiscovery) cannot commence until a benefit sharing agreement or memorandum for a new biodiscovery activity is in place with the State; has been negotiated with the Science Development team; and land access has been negotiated with the land manager.
* A collection authority (biodiscovery) lapses one (1) year after it is issued if a benefit sharing agreement or a memorandum concerning the native biological material the subject of the authority, is not entered into within the one (1) year period.

It is recommended applicants discuss the project with the Science Development team, email [qldscience@qld.gov.au](mailto:qldscience@qld.gov.au), or contact Permits and Licensing on 1300 130 372, option 4.

Before lodging this application, you should also be familiar with the requirements of the Act which is available from the Office of the Queensland Parliamentary Counsel website at <http://www.legislation.qld.gov.au>.

**Privacy statement for collection authorities (biodiscovery)**

Information you provide, assists the department in administering collection authorities granted under the *Biodiscovery Act 2004.* Some of the information may be referred to other expert areas of the department, such as the Queensland Herbarium, for advice on your application.

Personal information in relation to your application and permit will not be disclosed to any other parties without your consent, unless authorised or required by law.

More information on our commitment to privacy is available on the departments <https://www.des.qld.gov.au/legal/privacy.html>. For specific privacy information or enquiries please email [privacy@des.qld.gov.au](mailto:privacy@des.qld.gov.au).

# Part A – Applicant information

An authority may only be granted to an individual acting independently of a corporation or partnership, or to a corporation. Please tick the appropriate box:

**An individual** ® **Complete** question 1 **applicant details – then complete questions 3 to 12.**

**An organisation** ® **Complete** question 2 **applicant details – then complete questions 3 to 12.**

1. Applicant details for an individual

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Title | | \*First name | Middle name | | | \*Surname | | \*Date of birth | |
|  | |  |  | | |  | |  | |
| \*Residential address (not a post office box) | | | | | \*Suburb | | \*State | | \*Postcode |
|  | | | | |  | |  | |  |
| \*Postal address (write as above if the same address) | | | | | Suburb | | State | | Postcode |
|  | | | | |  | |  | |  |
| Email address |  | | | | | | | | |
| Phone type  Home phone  Office phone  Mobile phone | | | | Area code | Phone number (Note: 10 digits including area code) | | | | |

1. (i) Application details for corporations

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Registered legal entity name | |  | | | | | | | |
| Trading name/s (if different) | |  | | | | | | | |
| Chief executive officer | | | Australian Company Number / Australian Business Number | | | | | | |
|  | | |  | | | | | | |
| \*Registered street address of corporation  (not a post office box) | | | | \*Suburb | | | \*State | | \*Postcode |
|  | | | |  | | |  | |  |
| Postal address (write as above if the same address) | | | | Suburb | | | State | | Postcode |
|  | | | |  | | |  | |  |
| Email address |  | | | Website | |  | | | |
| Phone type  Office phone (business hours)  mobile phone | | | Area code | | Phone number (note: 10 digits including area code) | | | | |
| Signature of principal of corporation (or person authorised to sign of their behalf) | | | | | | | | Date | | |

## (ii) Corporation’s nominated person in charge of the project

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Title | \*First name | | Middle name | | | | \*Surname | | \*Date of birth | |
|  |  | |  | | | |  | |  | |
| \*Residential address (not a post office box) | | | | | \*Suburb | | | \*State | | \*Postcode |
|  | | | | |  | | |  | |  |
| Postal address (write as above if same as residential address) | | | | | Suburb | | | State | | Postcode |
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| Email address | |  | | | | | | | | |
| Phone type  home phone  office phone  mobile phone | | | | Area code | | Phone number (note: 10 digits including area code) | | | | |

# Part B – Project and methodology

1. Project name

What is the name of the project under which you wish to collect?

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| Project name: |

1. Biodiscovery strategy overview
2. Provide a brief overview of your biodiscovery strategy including intellectual property ownership and commercialisation process.

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| Proposed commercialisation activities to be undertaken: |

1. Do you have a draft benefit sharing agreement and/ or memorandum being negotiated with the State to which this application relates?

**Yes** – please note this in your answer 4(i) – continue to question 5.

**No** – You will have 12 months from the date of effect of your collection authority to finalise your:

* benefit sharing agreement, including your memorandum with the State describing the biodiscovery activity; or
* your memorandum with the State for a new biodiscovery activity, where a benefit sharing agreement is already in place.

Collection of native biological material authorised under a collection authority cannot start until your benefit sharing agreement and/or memorandum are approved. If a benefit sharing agreement and/ or a memorandum are not finalised within this timeframe, the collection authority will lapse, and you will be required to apply for a new authority.

1. Economic, environmental and/or social benefits to the State

Provide basic details on the expected economic, environmental, or social benefits to the state. If you have an approved or a draft benefit sharing agreement and/ or memorandum to which this application relates, please note this in your answer. If more room is required, please attach the full question response to this application.

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| Description |

1. Current or previous collection authority

Do you hold, or have you held, a collection authority (biodiscovery) for any of the native biological resources you propose to collect in this application?

**No** – continue to question 7.

**Yes** –state the authority number(s), and the issue and expiry dates.

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| Authority number/s | Expiry date/s |  |

1. Collection locations

Does your proposed collection take place within State lands, Queensland waters or a Queensland Parks and Wildlife Service and Partnerships managed or protected area?

Note: State lands and Queensland Parks and Wildlife Service and Partnerships managed areas include marine parks, national parks, conservation parks, State forests resource reserves and other relevant areas listed in the *Nature Conservation Act 1992* and *Forestry Act 1959*. Queensland waters include both coastal waters of the State and most inland waters. For a legal definition of Queensland waters, refer to the *Acts Interpretation Act 1954*.

**No** – STOP – no application is required.

**Yes** – specify location(s) of collection

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| Location of collection – lot on plan or physical address or GPS or geographic coordinates of the land or waters or protected area estate (attach additional sheets if necessary, and indicate attachment below) |

1. Issue and expiry of the collection authority (biodiscovery)
2. Select an effective date:

Decision date (‘decision date’ is the date the permit is approved and issued); or

Nominated Date       (‘nominated date’ is a date in the future and the start of the project)

## ii) Do you want the authority for the maximum period of three years?

**Yes**

**No** – If no, what date would you like the authority to expire?

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| Preferred expiry date |

1. Compliance Code

## Will your collection of native biological material be consistent with all aspects of the Compliance Code?

Yes – Collection will be entirely consistent with the Compliance Code — complete Question 10, Attachment 1, Tables (i) and (ii). For examples refer to Question 10 and Attachment 1 of the *Information Sheet - completing an application form for a collection authority (biodiscovery).*

**No** – Collection will be inconsistent with the Compliance Code entirely — complete Question 11, Attachment 2, Tables (i) and (ii). For examples refer to Question 11 and Attachment 2 of the Information Sheet - completing an application form for a collection authority (biodiscovery).

Note: Where proposed collections are inconsistent with the Compliance Code, applications receive further assessment to determine their compliance with the Act and the need for additional conditions.

Note: Section 30 of the *Biodiscovery Act 2004* requires the holder of a collection authority (biodiscovery) to give a sample of the native biological material to either the Queensland Museum (animal material), Queensland Herbarium (plant material or fungi), or an entity stated in your benefit sharing agreement (material from another organism). These samples need to be drawn from the material permitted to be taken under the provisions of your authority. That is, additional collection of material beyond the authorised quantum to satisfy the requirement to provide samples is not permitted.

1. Collection consistent with the Compliance Code

Attachment 1: Collection Table (consistent with the Compliance Code)

## Table (i) Details of taxa proposed for collection (refer to Question 10 and Attachment 1 of the *Information Sheet - Completing an application form for a collection authority (Biodiscovery)).*

**Applicants must complete a new line for each combination of sample x taxon. Where micro-organisms are to be collected, include details of the collection environment or host.** Note: Please remember to attach copies of this table if there is insufficient space below.

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| **Item** | **Scientific name of taxon to be collected and where applicable, the collecting environment (i.e. soil and water for micro-organisms), or the host taxon.** State the lowest taxonomic level known. | **Common name** (where known) | **Conservation status under the *Nature Conservation Act 1992***  E = extinct  EW = extinct in the wild  CE = critically endangered  E = endangered  V = vulnerable  NT = near threatened LC = least concern  NL = not listed in the Act | **Nature of sample to be collected**  *Non-lethal collection:*  AF = fluid (animal)  AT = tissue (animal)  PB = bark  PG = gums/resin/exudate/sap  PR = roots/rhizomes  PL = l eaves/flowers  PF = fruit/spores/seeds  *Lethal collection:*  M = micro-organism  I = whole aquatic invertebrate  T = whole terrestrial invertebrate  F = whole fish  P = whole plant/algae  MF = whole macrofungi  O = other, please specify | **Method of capture/collection**  *Fish and invertebrates:*  NR = net and return  NE = net and euthanase  TR = trap and return  TE = trap and euthanase  CR = catch/collect and return  CE = catch/collect and/or euthanase  *Invertebrates and micro-organisms:*  S = soil sample  W = water sample  H = host organism  *Plants, macro-algae, fungi:*  HP = harvest parts  HW = harvest whole  O = other, please specify |

Insert extra lines as required.

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## Table (ii) Location of proposed collection sites for taxa listed in table (i) (refer to Question 10 and Attachmen*t 3 of the Information Sheet - Completing an application form for a collection authority (Biodiscovery)).*

**Complete a new line for each combination of taxon x sample x collection site.** Note: If your project involves vertebrates (other than fish), cephalopods or disease-causing organisms, it will not be processed without appropriate ethics or biosafety committee approvals. Please attach copies of all relevant approvals. Also attach further copies of this table to your application if there is insufficient space for your information below.

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| **Item (from Table (i)** | **Proposed collection site/s** (name of collection site location and GPS or latitude/longitude coordinates) | **Notes** |

Insert extra lines as required.

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1. Collection inconsistent with the Compliance Code

Appendix 2: Collection table (inconsistent with the Compliance Code)

## Table (i) Details of taxa proposed for collection that is affected by inconsistency with the Compliance Code (refer to Question 11 and Attachment 2 of the Information Sheet - Completing an application form for a collection authority (Biodiscovery).

**Complete a new line for each combination of taxon x sample. Include details of the collection environment or host for micro-organisms.** Note: Attach further copies of this table if there is insufficient space for your information below.

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| **Item** | **Scientific name of taxon to be collected and where applicable, the collecting environment (that is, soil and water for micro-organisms), or the host taxon.**  State the lowest taxonomic level known. | **Common name** (where known) | **Conservation status under the *Nature Conservation Act 1992***  E = extinct  EW = extinct in the wild  CE = critically endangered  E = endangered  V = vulnerable  NT = near threatened LC = least concern  NL = not listed in NCA | **Nature of sample to be collected**  *Non-lethal collection:*  AF = fluid (animal)  AT = tissue (animal)  PB = bark  PG = gums/resin/exudate/sap  PR = root matter/rhizomes  PL = leaves/flowers  PF = fruit/spores/seeds  *Lethal collection:*  M = micro-organism  I = aquatic invertebrate  T = terrestrial invertebrate  F = fish  RF = restricted fish  V = vertebrate (excludes fish)  P = whole plant/algae  FF = fungal fruiting body  O = other, please specify | **Method of capture/collection**  *Vertebrates or invertebrates:*  NR = net and return  NE = net and euthanase  TR = trap and return  TE = trap and euthanase  CR = catch/collect and return  CE = catch/collect and/or euthanase  *Invertebrates and micro-organisms:*  S = soil sample  W = water sample  H = host organism  *Plants, macro-algae, fungi:*  HP = harvest or collect parts  HW = harvest whole  O = other, please specify |

Insert extra lines as required.

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## Table (ii) Aspects of proposed collection that are inconsistent with the Compliance Code (

## Refer to Question 11(iii) and Attachment 3 of the Information Sheet - Completing an application form for a collection authority (Biodiscovery).

## For all combinations of taxon x sample listed in 11(i): record details of your proposed inconsistent action, the Compliance Code section it relates to, and your reasons for requesting the inconsistent action. Note: Please attach additional copies of this table if there is insufficient space below.

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| **Item from 11(i)** | **Proposed inconsistent action** | **Compliance Code condition non-compliant with** | **Rationale** |

Insert extra lines as required.

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1. Declaration

Note: If you have not told the truth in this application, you may be liable for prosecution under the relevant Acts or Regulations.

* I do solemnly and sincerely declare that:
* the information provided is true and correct to the best of my knowledge and I make this solemn declaration conscientiously believing the same to be true; and
* all persons involved in the activities authorised by this authority will have the required licences, permits, approvals and/or certifications to undertake those activities prior to undertaking any collection (for example, current firearms licences and A-class Australian Bird and Bat Banding Scheme endorsements).
* I understand that under the *Biodiscovery Act 2004* the holder of a collection authority (biodiscovery) is responsible for all collection conducted under that authority, including activities carried out by their agents.

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| Applicant’s full name | | |
| Applicant’s signature | | Date |
| If applicant is a company or partnership, state your position in the company or partnership. | | |
| Checklist for attachments  Other applications, permits or approvals attached as applicable, for example, animal ethics committee application and approval, Australian Bird and Bat Banding Scheme endorsements, biosafety committee approvals, etc.  Any additional pages to tables attached e.g. evidence of native title consultation, landowners’ consent, location list, etc. Please ensure that you have the authority to include any third-party personal information that you include in your application. | | Please return your completed application to:  **Permits and Licencing**  **Department of Environment and Science**  GPO Box 2454  Brisbane  Queensland 4001  Enquiries: **1300 130 372**  Email: [palm@des.qld.gov.au](mailto:palm@des.qld.gov.au) | | |