

From: Peter Barker

Sent: Wednesday, 7 June 2017 12:16 PM

To: Infrastructure, Planning and Natural Resources Committee <IPNRC@parliament.qld.gov.au>

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Subject: Submission to Gasfields Commission and Other Legislation Amendment on Behalf of DAC

To Whom it may concern,

The changes proposed in the *Gasfields Commission and Other Legislation Amendment Bill 2017*, insofar as they concern the *Biodiscovery Act 2004*, effectively provide an option in relation to a subsequent use agreement. Dugalunji Aboriginal Corporation (DAC) are pleased that the QLD government are making these changes as there may be circumstances where the option will provide the biodiscovery entity with more flexibility when negotiating with third parties.

However the explanatory memorandum suggests that the introduction of subsequent use agreements will “*reduce red tape for stakeholders*”. Whilst these changes to the Act are good they would place the biodiscovery entity in a position where it bears the burden of managing any subsequent use agreements and the administration accompanied with that. There are some downsides with that proposition given the increased administration placed on the biodiscovery entity.

It should be noted that the proposed amendments do not address fundamental issues that were raised by the stakeholders during the review in 2016 and with direct consultations with Colin Saltmere in early 2017. Further amendments would be required to the legislation to address these issues particularly those that relate to Indigenous Peoples rights to intellectual property as identified in the Nagoya protocol.

Peter Barker

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