

Question on Notice
No. 2005
Asked on Thursday, 4 December 2008

QUESTION:

MR GIBSON asked the Minister for Sustainability, Climate Change and Innovation (Mr McNamara) –

- (1) Will he detail the reasons behind the government's decision to grant exclusive rights to one foreign company and one Australian company to allow them to collect biological material from Queensland National Parks for commercial gain, whilst other Queensland companies and not for profit organisations are denied the same opportunity?
- (2) Does this duopoly policy of the Queensland Government contravene the equity provisions of the United Nations Convention on Biological Diversity to which Australia is a signatory.

ANSWER:

- (1) The *Biodiscovery Act 2004* commenced in November 2004. The main purposes of this Act are:
 - a) to facilitate access by biodiscovery entities to minimal quantities of native biological resources on or in State land or Queensland waters for biodiscovery;
 - b) to encourage the development, in the State, of value added biodiscovery;
 - c) to ensure the State, for the benefit of all persons in the State, obtains a fair and equitable share in the benefits of biodiscovery; and
 - d) to ensure biodiscovery enhances knowledge of the State's biological diversity, promoting conservation and sustainable use of native biological resources.

A person or company wishing to collect biological material for biodiscovery purposes must obtain a collection authority from the Environmental Protection Agency (EPA) and enter into a benefit sharing agreement with the State.

To date, the EPA has granted one collection authority under the *Biodiscovery Act 2004*. The permit was issued in December 2006 to an Australian company for the collection of native biological material from State land or Queensland waters for biodiscovery purposes. The purpose of the collection is to undertake pre-clinical development of small molecule drug trials for human and animal health. The permit expires in February 2010.

The Queensland Government has not made a decision to grant exclusive rights to any company for the collection of biological material in protected areas, nor has it denied opportunities for Queensland companies and not for profit organisations to apply.

Rather, the Queensland Government encourages both national and international companies to become biodiscovery agents under the

Biodiscovery Act 2004 provided they are able and willing to meet the legislative requirements.

- (2) The *Biodiscovery Act 2004* and the Government's implementation of the legislation does not contravene the United Nations Convention on Biological Diversity. Rather, it is supporting the objects of the Convention which are: conservation of biological diversity; sustainable use of its components; and the fair and equitable sharing of benefits arising from the use of genetic resources.