

Nature Conservation (Conservator) Appointment 2009 (No 1)

Notifiable Instrument NI2009—367

made under the

Nature Conservation Act 1980, s 7 (Conservator of Flora and Fauna), s 8 (Conservation officers)

1 Name of instrument

This instrument is the *Nature Conservation (Conservator) Appointment 2009 (No 1)*.

2 Commencement

This instrument commences on the day after notification.

3 Appointment of Conservator of Flora and Fauna

I appoint the person from time to time occupying the public service position listed in column 2 of table 1 of the schedule as the Conservator of Flora and Fauna.

Note The *Legislation Act 2001* defines 'occupy a position' to include hold the position, act in the position or exercise functions of the position.

4 Appointment of acting Conservator of Flora and Fauna

I appoint the person from time to time occupying the public service position listed in column 2 of table 2 of the schedule to act as the Conservator of Flora and Fauna when:

- (a) there is no person occupying the public service position described in section 3 above;
- (b) the person occupying that position is ill or on leave;
- (c) the person occupying that position is acting in another position; or
- (d) the person occupying that position is otherwise unavailable.

Note 1 The power to appoint includes the power to make an acting appointment (see s 209 of the *Legislation Act 2001*).

Note 2 If the person acting as the conservator does so because no person occupies the position of conservator, they may not act for more than 1 year after that position became vacant (see section 221 of the *Legislation Act 2001*).

5 Revocation of previous instrument

The Nature Conservation (Conservator and Conservation Officers) Appointment 2008 (No 2) (Notifiable Instrument NI2008-379) is revoked.

Note NI2008-379 provided for the appointment of both the Conservator of Flora and Fauna and Conservation Officers under the *Nature Conservation Act 1980*. Other notifiable instruments appoint conservation officers—see for example, the Nature Conservation (Environment, Climate Change, Energy and Water Conservation Officers) Appointment 2009 (No 1) and the Nature Conservation (Territory and Municipal Services Conservation Officers) Appointment 2009 (No 1)

David John Papps
Chief Executive
Department of the Environment, Climate Change, Energy and Water

6 August 2009

Nature Conservation (Conservator) Appointment 2009 (No 1) – The schedule

Table 1 – Conservator of Flora and Fauna

Column 1	Column 2
Position description	Position number
Chief Executive, Department of the Environment, Climate Change, Energy and Water	E00907

Table 2 – Acting Conservator of Flora and Fauna

Column 1	Column 2
Position description	Position number
Director, Policy, Department of the Environment, Climate Change, Energy and Water	E00008
