

Department of Climate Change,
Energy, the Environment and Water

Application to retire Biodiversity Offsets Scheme credits

under the *Biodiversity Conservation Act 2016*

# Use of this application

The Department of Climate Change, Energy, the Environment and Water (the department) is responsible for receiving and processing applications to retire biodiversity credits. Use this application to retire biodiversity credits under section 6.27 of the *Biodiversity Conservation Act 2016.*

For further information on how to complete this application, please refer to *Biodiversity credit transfer and retirement application guide: Guidance for completing applications under the Biodiversity Offsets Scheme*, found on the department’s website (see Part J: More information for links to this and other resources to assist you).

Please attach acceptable proof of identity for all persons signing the application and supporting evidence of the legal authority of any authorised persons. Please see the *Authority to sign and proof of identity practice guideline* for more information.

Each application can only be used to retire credits from a single credit holding. If you are applying to retire credits from multiple credit holdings, a separate form needs to be completed for each. It is the responsibility of the credit holder to ensure the credits being retired match any biodiversity credit offset obligation you may hold.

If you have any questions or need help completing your application, including submitting a draft unsigned application for review, please email boscredits@environment.nsw.gov.au.

## Lodging your application

Once completed and signed, scan the application and email it to: boscredits@environment.nsw.gov.au.

## Finalising your application

Your application will only be finalised after:

* the application fee has been paid (refer to the *Scheme fees* webpage for details of fees)
* if applicable, the amount required to be paid towards the total fund deposit has been paid
* the department has processed and approved the application.

You will be notified once the biodiversity credits have been retired. The Biodiversity Offsets Scheme public registers will be updated to reflect the change in the status of the credits specified in this application.

## Unpublished information that may impact on biodiversity credit prices

Information in this form is subject to the department’s *Guideline for managing and disclosing unpublished information that may impact on biodiversity credit prices* and may be disclosed in accordance with that guideline. You can view the guideline and access information disclosed under that guideline in the log of standing disclosures on the department’s website.

1. Credit holder details

The credit holder(s) or any person authorised to act on behalf of the credit holder must complete this section. Please complete the relevant category below.

* + - 1. Individual credit holder 1

|  |  |
| --- | --- |
| Full legal name | Click or tap here to enter text. |
| Individual acting as trustee | [ ]  Yes [ ]  No |
| Individual in a partnership  | [ ]  Yes [ ]  No |
| Name of trust or partnership (if applicable) | Click or tap here to enter text. |
| ABN of trust or partnership (if applicable) | Click or tap here to enter text. |
| Contact phone | Click or tap here to enter text. |
| Email | Click or tap here to enter text. |
| Address | Click or tap here to enter text. |
| BOAMS customer number  | C-XXXXX |

Attach **one** of the following:

|  |  |
| --- | --- |
| * + - * 1. Identification certified by accountant, legal practitioner, police officer, postal manager, school or college principal, medical practitioner, justice of the peace or minister
 | [ ]  Attached |
| * + - * 1. Identification certified by Australia Post Witnessing Service
 | [ ]  Attached |
| * + - * 1. Verification of identity (VOI) certificate
 | [ ]  Attached |

Attach relevant supporting documentation (if applicable):

|  |  |
| --- | --- |
| * + - * 1. Trust deed
 | [ ]  Attached |
| * + - * 1. Partnership agreement
 | [ ]  Attached |

* + - 1. Individual credit holder 2

|  |  |
| --- | --- |
| Full legal name | Click or tap here to enter text. |
| Individual acting as trustee | [ ]  Yes [ ]  No |
| Individual in a partnership  | [ ]  Yes [ ]  No |
| Name of trust or partnership (if applicable) | Click or tap here to enter text. |
| ABN of trust or partnership (if applicable) | Click or tap here to enter text. |
| Contact phone | Click or tap here to enter text. |
| Email | Click or tap here to enter text. |
| Address | Click or tap here to enter text. |
| BOAMS customer number  | C-XXXXX |

Attach **one** of the following:

|  |  |
| --- | --- |
| * + - * 1. Identification certified by accountant, legal practitioner, police officer, postal manager, school or college principal, medical practitioner, justice of the peace or minister
 | [ ]  Attached |
| * + - * 1. Identification certified by Australia Post Witnessing Service
 | [ ]  Attached |
| * + - * 1. Verification of identity (VOI) certificate
 | [ ]  Attached |

Attach relevant supporting documentation (if applicable):

|  |  |
| --- | --- |
| * + - * 1. Trust deed
 | [ ]  Attached |
| * + - * 1. Partnership agreement
 | [ ]  Attached |

If there are more than 2 individual credit holders, please attach additional pages.

* + - 1. Corporation or other incorporated body

|  |  |
| --- | --- |
| Company or incorporated body name | Click or tap here to enter text. |
| ACN | Click or tap here to enter text. |
| ABN (if applicable) | Click or tap here to enter text. |
| Company acting as trustee  | [ ]  Yes [ ]  No |
| Company partnership | [ ]  Yes [ ]  No |
| Name of trust or partnership (if applicable) | Click or tap here to enter text. |
| ABN of trust or partnership (if applicable) | Click or tap here to enter text. |
| Contact address | Click or tap here to enter text. |
| Contact email | Click or tap here to enter text. |
| BOAMS customer number for corporation or other incorporated body  | C-XXXXX |

Attach relevant supporting documentation:

|  |  |
| --- | --- |
| * + - * 1. Current company extract or other evidence of currency and office holders
 | [ ]  Attached |
| * + - * 1. Trust deed
 | [ ]  Attached |
| * + - * 1. Company meeting minutes where corporation resolved to act as trustee for the trust and to retire credits on behalf of the trust
 | [ ]  Attached |
| * + - * 1. Partnership agreement
 | [ ]  Attached |

* + - 1. Authorised representative for corporation or other incorporated body

|  |  |
| --- | --- |
| Company or incorporated body you are authorised to act for | Click or tap here to enter text. |
| Full legal name (1) | Click or tap here to enter text. |
| Position/authorised capacity | Click or tap here to enter text. |
| Contact phone | Click or tap here to enter text. |
| Email | Click or tap here to enter text. |
| Address | Click or tap here to enter text. |
| BOAMS customer number for authorised representative | C-XXXXX |
| Full legal name (2) | Click or tap here to enter text. |
| Position/authorised capacity | Click or tap here to enter text. |
| Contact phone | Click or tap here to enter text. |
| Email | Click or tap here to enter text. |
| Address | Click or tap here to enter text. |
| BOAMS customer number for authorised representative | C-XXXXX |

Attach relevant supporting documentation:

|  |  |
| --- | --- |
| * + - * 1. Proof of legal authority to sign this application on behalf of the credit holder (e.g. power of attorney, current company extract, resolution specifying office holder in body)
 | [ ]  Attached |
| * + - * 1. Identification certified by accountant, legal practitioner, police officer, postal manager, school or college principal, medical practitioner, justice of the peace or minister
 | [ ]  Attached |
| * + - * 1. Identification certified by Australia Post Witnessing Service
 | [ ]  Attached |
| * + - * 1. Verification of identity (VOI) certificate
 | [ ]  Attached |

If there are more than 2 directors or other authorised persons, please attach additional pages.

* + - 1. Local council

|  |  |
| --- | --- |
| Council name | Click or tap here to enter text. |
| ABN (if applicable) | Click or tap here to enter text. |
| Contact address | Click or tap here to enter text. |
| Contact email | Click or tap here to enter text. |
| BOAMS customer number for local council | C-XXXXX |

* + - 1. Authorised representative for council

|  |  |
| --- | --- |
| Council you are authorised to act for | Click or tap here to enter text. |
| General manager name | Click or tap here to enter text. |
| Contact phone | Click or tap here to enter text. |
| Email | Click or tap here to enter text. |
| Address | Click or tap here to enter text. |
| BOAMS customer number for authorised representative | C-XXXXX |

Attach relevant supporting documentation:

|  |  |
| --- | --- |
| * + - * 1. Evidence of currency of appointment of general manager by council (e.g. organisational chart)
 | [ ]  Attached |

* + - 1. Statutory body or public authority

|  |  |
| --- | --- |
| Statutory body or public authority name | Click or tap here to enter text. |
| ABN (if applicable) | Click or tap here to enter text. |
| Contact address | Click or tap here to enter text. |
| Contact email | Click or tap here to enter text. |
| BOAMS customer number for statutory body or public authority  | C-XXXXX |

* + - 1. Authorised representative for statutory body or public authority

|  |  |
| --- | --- |
| Statutory body or public authority you are authorised to act for | Click or tap here to enter text. |
| Full legal name | Click or tap here to enter text. |
| Position/authorised capacity | Click or tap here to enter text. |
| Contact phone | Click or tap here to enter text. |
| Email | Click or tap here to enter text. |
| Address | Click or tap here to enter text. |
| BOAMS customer number for authorised representative | C-XXXXX |

Attach relevant supporting documentation:

|  |  |
| --- | --- |
| * + - * 1. Proof of legal authority to sign this application on behalf of the credit holder (e.g. organisational chart evidencing person’s position and delegation)
 | [ ]  Attached |

1. Biodiversity credit retirement details

The credit holder or any person authorised to act on behalf of the credit holder must complete this section. Please complete the relevant category below.

* + - 1. Purpose of retirement

|  |  |
| --- | --- |
| Address and local government area of the land to which the consent/approval/biodiversity obligation/other instrument applies that imposed the credit obligation | [ ]  Provided below[ ]  Not applicable |
| Street address (if development covers multiple locations please provide details) | Click or tap here to enter text. |
| Local government area(s) | Click or tap here to enter text. |
| For the purpose of complying with a requirement of a planning approval to retire biodiversity credits | [ ]  YesReference number: Click or tap here to enter text. Date of determination: Click or tap here to enter text. Brief description of development project: Click or tap here to enter text.Offset statutory obligation type (choose whichever option/s apply):[ ]  Part 3A Environmental Planning and Assessment Act 1979 (EP&A Act)[ ]  Part 4 EP&A Act – Local development[ ]  Part 5 EP&A Act – Activities[ ]  State significant development (SSD)[ ]  State significant infrastructure (SSI)[ ]  EPBC ActIs the approval a modification application?[ ]  Yes [ ]  NoReference number for modification (if applicable):Click or tap here to enter text.Date of approval for modification (if applicable):Click or tap here to enter text. Reference number for *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) ID (if applicable):Click or tap here to enter text.Date of approval for EPBC Act (if applicable):Click or tap here to enter text. |
| For the purpose of complying with a vegetation clearing approval | [ ]  YesReference number: Click or tap here to enter text. Date of determination: Click or tap here to enter text.Offset statutory obligation type (choose whichever option/s apply):[ ]  Clearing (*Local Land Services Act* *2013*)[ ]  Clearing (State Environmental Planning Policy (Biodiversity and Conservation) 2021, Ch 2) |
| For the purpose of complying with a requirement to retire credits of a planning agreement under section 7.4 of the *Environmental Planning and Assessment Act 1979* | [ ]  YesReference number: Click or tap here to enter text. Date of determination: Click or tap here to enter text. |
| For the purpose of complying with a requirement to retire credits associated with the biodiversity certification of land | [ ]  YesReference number: Click or tap here to enter text. Date of obligation: Click or tap here to enter text. |
| For the purpose of complying with a direction of the Minister to retire biodiversity credits under section 11.25 of the *Biodiversity Conservation Act 2016* or to comply with a requirement to retire credits under another provision of that Act | [ ]  YesReference number: Click or tap here to enter text. Date of obligation: Click or tap here to enter text. |
| For the purpose of complying with an order of a court | [ ]  YesReference number: Click or tap here to enter text. Date of obligation: Click or tap here to enter text. |
| A voluntary purpose | [ ]  YesReference number/details: Click or tap here to enter text. |
| Other (please specify, e.g. philanthropic reasons) | [ ]  YesDetails: Click or tap here to enter text.  |
| Offset obligation assessment method used(select one only) | [ ]  BioBanking Assessment Method (BBAM)[ ]  Biodiversity Assessment Method (BAM)[ ]  Assessed prior to BBAM and BAM |

1. Details of biodiversity credits

Provide credit holding and biodiversity stewardship identification details below.

|  |  |
| --- | --- |
| Credit holding ID (BOAMS) | Biodiversity stewardship ID |
| CH-XXX | BSXXXX |

Provide the details of each credit type you are retiring. Only one credit holding per application form.

* + - 1. Ecosystem credits

|  |  |  |
| --- | --- | --- |
|  | Credit 1 | Credit 2 |
| **BOAMS credit ID** | CR-XXXX | CR-XXXX |
| **Plant community type name** | Click or tap here to enter text. | Click or tap here to enter text. |
| **Offset trading group** | Click or tap here to enter text. | Click or tap here to enter text. |
| **Hollow bearing trees** | [ ]  Yes [ ]  No | [ ]  Yes [ ]  No |
| **IBRA subregion** | Click or tap here to enter text. | Click or tap here to enter text. |
| **Credits retired (no.)** | Click or tap here to enter text. | Click or tap here to enter text. |

|  |  |  |
| --- | --- | --- |
|  | Credit 3 | Credit 4 |
| **BOAMS credit ID** | CR-XXXX | CR-XXXX |
| **Plant community type name** | Click or tap here to enter text. | Click or tap here to enter text. |
| **Offset trading group** | Click or tap here to enter text. | Click or tap here to enter text. |
| **Hollow bearing trees** | [ ]  Yes [ ]  No | [ ]  Yes [ ]  No |
| **IBRA subregion** | Click or tap here to enter text. | Click or tap here to enter text. |
| **Credits retired (no.)** | Click or tap here to enter text. | Click or tap here to enter text. |

If you need more fields, please attach additional pages.

* + - 1. Species credits

|  |  |  |
| --- | --- | --- |
| 1.
 | 1. Credit 1
 | 1. Credit 2
 |
| 1. **BOAMS credit ID**
 | 1. CR-XXXX
 | 1. CR-XXXX
 |
| 1. **Species common name**
 | 1. Click or tap here to enter text.
 | 1. Click or tap here to enter text.
 |
| 1. **Credits retired (no.)**
 | 1. Click or tap here to enter text.
 | 1. Click or tap here to enter text.
 |

|  |  |  |
| --- | --- | --- |
|  | 1. Credit 3
 | 1. Credit 4
 |
| 1. **BOAMS credit ID**
 | 1. CR-XXXX
 | 1. CR-XXXX
 |
| 1. **Species common name**
 | 1. Click or tap here to enter text.
 | 1. Click or tap here to enter text.
 |
| 1. **Credits retired (no.)**
 | 1. Click or tap here to enter text.
 | 1. Click or tap here to enter text.
 |

|  |  |  |
| --- | --- | --- |
| 1.
 | 1. Credit 5
 | 1. Credit 6
 |
| 1. **BOAMS credit ID**
 | 1. CR-XXXX
 | 1. CR-XXXX
 |
| 1. **Species common name**
 | 1. Click or tap here to enter text.
 | 1. Click or tap here to enter text.
 |
| 1. **Credits retired (no.)**
 | 1. Click or tap here to enter text.
 | 1. Click or tap here to enter text.
 |

|  |  |  |
| --- | --- | --- |
|  | 1. Credit 7
 | 1. Credit 8
 |
| 1. **BOAMS credit ID**
 | 1. CR-XXXX
 | 1. CR-XXXX
 |
| 1. **Species common name**
 | 1. Click or tap here to enter text.
 | 1. Click or tap here to enter text.
 |
| 1. **Credits retired (no.)**
 | 1. Click or tap here to enter text.
 | 1. Click or tap here to enter text.
 |

If you need more fields, please attach additional pages.

1. Total fund deposit

For enquiries about the total fund deposit contact the NSW Biodiversity Conservation Trust on 1300 992 688 or email info@bct.nsw.gov.au.

Select one of the following options:

|  |  |
| --- | --- |
| * + - 1. [ ]
 | There are credits being retired without first having been transferred (sold) and the total fund deposit payment is required. **Complete D.4** |
| * + - 1. [ ]
 | The total fund deposit has already been satisfied for the biodiversity stewardship agreement ID. **Proceed to Part E** (no need to complete the remainder of Part D) |
| * + - 1. [ ]
 | The credits have been transferred to my/our ownership and no total fund deposit payment is required. **Proceed to Part E** (no need to complete the remainder of Part D) |

* + - 1. Calculating amounts

All dollar amounts below must be specified **excluding GST**.

|  |  |  |
| --- | --- | --- |
| A | Biodiversity stewardship agreement ID (BSA ID) | BSXXXX |
| B | BOAMS credit holding ID | CH-XXX |
| C | BOAMS credit ID(s): list all credit IDs if more than one  | CR-XXXX |
| D | Total fund deposit specified in the biodiversity stewardship agreement ($ excluding GST) | $Click or tap here to enter text. |
| E | Total number of credits created by the biodiversity stewardship agreement | Click or tap here to enter text. |
| F | Number of credits to be retired | Click or tap here to enter text. |
| G | Relevant portion of the total fund deposit (F ÷ E x 100) (%) | Click or tap here to enter text.% |
| H | Relevant portion of the total fund deposit ($ excluding GST) | $Click or tap here to enter text. |

* + - 1. Payment of the total fund deposit
1. Payment of the total fund deposit can be made by electronic funds transfer (EFT) to the Biodiversity Stewardship Payments Fund. For information about paying the total fund deposit, see Section 6.3 of the *Biodiversity stewardship agreement application guide*.

For any enquiries relating to the payment of the total fund deposit please contact the NSW Biodiversity Conservation Trust 1300 992 688 or info@bct.nsw.gov.au.

1. Fee

The fee for this retirement application must be paid before the application can be finalised.

Current fees are available on the *Scheme fees* webpage.

Fees are exempt from GST by the Commonwealth Treasurer’s Division 81 determination under the *A New Tax System (Goods and Services) Act 1999* (Cth).

There are 2 methods available to pay the application fee:

* you can pay by credit or debit card via an online payment portal
* the Department of Climate Change, Energy, the Environment and Water can raise an invoice for the application fee.

Please select the preferred payment method below and provide the required details.

* + - 1. Details of party paying the fee

|  |  |
| --- | --- |
| Application fee payment method (Select one only) | [ ]  Invoice[ ]  Credit/debit card via payment portal |
| First and last name | Click or tap here to enter text. |
| Company name | Click or tap here to enter text. |
| ABN | Click or tap here to enter text. |
| ACN | Click or tap here to enter text. |
| Billing address | Click or tap here to enter text. |
| Email | Click or tap here to enter text. |
| Phone | Click or tap here to enter text. |

1. Signature of credit holder retiring credits

This application must be completed and signed by all credit holders of the biodiversity credits that are being nominated for retirement. The options for signing the application according to the credit holder category are set out in the table below.

Please tick the checkboxes applicable to the correct credit holder category (there may be more than one) and sign where indicated.

|  |  |  |  |
| --- | --- | --- | --- |
| Ref. | Credit holder category | Application is signed and certified by | Signing section ref. |
| A.1/A.2 | [ ]  Individuals | All the individuals who are credit holders of the biodiversity credits to be retired | F.2 |
| A.3 | [ ]  A corporation or other incorporated body | Under section 126 *Corporations Act 2001*, an agent appointed on behalf of the corporation: * who has the power to make, vary, ratify or discharge a contract or execute a document (including a deed);
* acting with the company’s express or implied authority; and
* with or without using the common seal
 | F.3 |
| A.3 | [ ]  A corporation or other incorporated body | * + - * Two directors
			* A director and a company secretary
			* The director, if a proprietary company that has a sole director who is also the sole company secretary
			* Two authorised signatories for an incorporated association or common seal witnessed by 2 authorised signatories
 | F.4 |
| A.5 | [ ]  A local council | The general manager in accordance with section 377 of the *Local Government Act 1993* | F.5 |
| A.7 | [ ]  A statutory body or public authority  | The chief executive officer of the statutory body or public authority | F.6 |
| A.1/A.2A.3 | [ ]  A trust | The trustee | F.2 or F.4 |
| **Note:** Trustees that are individuals must sign and certify this application as individuals at F.2. If the trustee is a corporation, the application must be signed and certified at F.4 by the relevant persons listed at A.4. |
| A.1/A.2A.3 | [ ] A partnership | All partners | F.2 or F.3 |
| **Note:** Partners that are individuals must sign and certify this application as individuals at F.2. If a partner is a corporation, local council or public authority other than a council, the application must be signed and certified at F.4, F.5 or F.6, respectively, by the relevant persons listed at A.4, A.6 or A.8, respectively. |

* + - 1. Declaration by credit holder

I/We, the undersigned credit holders (owners) of the biodiversity credits, acknowledge and agree:

* 1. that I/we own the credits as described in this application
	2. that this application will be determined in accordance with the *Biodiversity Conservation Act 2016* and any associated regulations or guidelines as in force from time to time, and that no right or entitlement shall arise pending determination of this application and that any such determination may be subject to conditions
	3. that the Crown in right of the State of New South Wales, including its officers, employees, agents and successors (‘the state’), accepts no liability in relation to any action, proceeding, claim, demand, cost, loss, damage or expense (including reasonable legal costs or expenses) arising directly or indirectly as a result of or in connection with this application or any act or omission of the state in connection with this application and I/we hereby agree to release and indemnify the state from and against any such action, proceeding, claim, demand, cost, loss, damage or expense to the fullest extent permitted by law
	4. that all information contained in this application is accurate, true and complete and that the state will rely on such information
	5. that the provision of false or misleading information in, or in connection with, this application is an offence under section 13.10 of the *Biodiversity Conservation Act 2016* and section 307A of the *Crimes Act 1900*
	6. that the state does not provide any legal, financial or technical advice in connection with this application and that any such advice, if required, is to be obtained independently
	7. that details about any biodiversity credits and the retirement of those credits arising out of this application will be recorded in the publicly available transactions register pursuant to the *Biodiversity Conservation Act 2016* and clause 9.4 of the Biodiversity Conservation Regulation 2017
	8. that the retirement of a biodiversity credit is to be conclusively presumed for the purposes of the Biodiversity Offsets Scheme if a record of the retirement is included in the public register of biodiversity credits pursuant to section 6.30 of the Biodiversity Conservation Regulation 2017
	9. I/we hereby give consent for the details of the retirement of biodiversity credits listed in this application to be recorded in the publicly available transactions register
	10. I/we may withdraw my/our consent at any time by emailing boscredits@environment.nsw.gov.au requesting any details of the retirement of biodiversity credits to be removed, corrected or suppressed insofar as permitted by law
	11. I/we hereby give consent for the retirement of the biodiversity credits listed at Part C.
		+ 1. For a retirement request made by an individual(s)

|  |  |
| --- | --- |
| Name (1) | Click or tap here to enter text. |
| Signature |  |
| Date | Click or tap to enter a date. |

|  |  |
| --- | --- |
| Name (2) | Click or tap here to enter text. |
| Signature |  |
| Date | Click or tap to enter a date. |

If there are more than 2 credit holders, please attach additional pages.

* + - 1. For a retirement request made by agent on behalf of a corporation

Executed for and on behalf of the credit holder by an authorised individual pursuant to section 126 of the *Corporations Act 2001* (Cth):

* who has the power to make, vary, ratify or discharge a contract or execute a document (including a deed);
* acting with the company’s express or implied authority; and
* with or without using the common seal.

|  |  |
| --- | --- |
| Name of corporation  | Click or tap here to enter text. |
| ABN/ACN | Click or tap here to enter text. |
| Name of authorised person  | Click or tap here to enter text. |
| Position  | Click or tap here to enter text. |
| Signature  |  |
| Date | Click or tap to enter a date. |

* + - 1. For a retirement request made by a corporation or other incorporated body

Executed for and on behalf of the credit holder in accordance with section 127 of the *Corporations Act 2001* (Cth) (if a company) or by a duly authorised officer (for other types of incorporated body).

|  |  |
| --- | --- |
| Name of corporation  | Click or tap here to enter text. |
| ACN | Click or tap here to enter text. |
| ABN (if applicable) | Click or tap here to enter text. |
| Name (1) | Click or tap here to enter text. |
| Position (1) | Click or tap here to enter text. |
| Signature (1) |  |
| Date | Click or tap to enter a date. |
| Name (2) | Click or tap here to enter text. |
| Position (2) | Click or tap here to enter text. |
| Signature (2) |  |
| Date | Click or tap to enter a date. |

* + - 1. For a retirement request made by a local council

The general manager in accordance with section 377 of the *Local Government Act 1993*.

|  |  |
| --- | --- |
| Name | Click or tap here to enter text. |
| Signature |  |
| Date | Click or tap to enter a date. |

* + - 1. For a retirement request made by a statutory body or public authority

The chief executive officer or delegate.

|  |  |
| --- | --- |
| Name | Click or tap here to enter text. |
| Signature |  |
| Date | Click or tap to enter a date. |

* + - 1. Witness

|  |  |
| --- | --- |
| Name of witness | Click or tap here to enter text. |
| Signature of witness |  |
| Date | Click or tap to enter a date. |

Execution of the application by the credit holder(s) must be witnessed in accordance with standard witnessing procedures. Witnesses must:

* be over 18 years of age
* have known the person whose signature they are witnessing for more than 12 months or have taken reasonable steps to ensure the identity of that person
* be of sound mind
* not be a party to the application or have any financial interest in it.
1. Privacy note

The department is subject to the *Privacy and Personal Information Protection Act 1998* (NSW) and the *Privacy Act 1988* (Cth) in managing your personal information. The department’s *Privacy Management Plan* describes how it meets these obligations.

When you submit this application, you will provide your personal information to the department. This includes your name and may also include other information. Personal information means information or an opinion about an individual whose identity is apparent or can reasonably be ascertained.

The department is collecting your personal information for the purpose of administering the Biodiversity Offsets Scheme. The department may only use your personal information in a way that is consistent with this purpose, which could include contacting you in relation to this application.

The provision of personal information is voluntary, yet for the purpose of verifying the identity of the owner of the biodiversity credits, if you do not provide it, we may not be able to process your application.

Details about any biodiversity credits arising out of this application will be recorded in the publicly available register pursuant to the *Biodiversity Conservation Act 2016* and clause 9.4 of the Biodiversity Conservation Regulation 2017.

The *Biodiversity Conservation Act 2016* requires the department to include the names and contact details of some individuals on public registers on the department’s website. If you would prefer that your name and/or contact details are not published on the public registers, please contact the department at [boscredits@environment.nsw.gov.au](%5C%5C%5C%5Cgoulbfp01.dec.int%5C%5CGroup%5C%5CPublications%5C%5CPROJECTS%5C%5C_2024%20Epics%20and%20tasks%5C%5CEHG%5C%5C11362%20CON%20BOS%20statutory%20application%20forms%5C%5C2%20Edit%5C%5Cforms%5C%5Cboscredits%40environment.nsw.gov.au) and include the reasons for your request. In particular, please inform the department if you consider including your name or contact details on the public register will affect your safety or wellbeing.

The department can restrict information from its public registers if the department considers it is not in the public interest to disclose the information. The department is also required to not disclose or publish (or if already published, to remove) personal information from a public register if that the department considers placing the information on the register affects the safety or wellbeing of any person – unless the department considers that the public interest in maintaining public access to the information outweighs any individual interest in suppressing the information from the register.

We will not disclose your personal information to anybody else, unless you have given consent, or we are required to do so by law.

Your information will be held securely by the department in an encrypted database.

You have a right to access your personal information. You can also request that your personal information be updated and corrected. If you wish to do so, please telephone the department’s Privacy Officer on 02 8275 1095 or email privacy.dcceew@environment.nsw.gov.au.

1. Offences for misleading information

It is an offence, under section 13.10 of the *Biodiversity Conservation Act 2016*, to make a statement that you know to be false or misleading in a material particular in, or in connection with, this application. A corporation found guilty of an offence against section 13.10 is liable to a penalty not exceeding $1.65 million. An individual found guilty of an offence against section 13.10 is liable to a penalty not exceeding $330,000. Providing false or misleading information is also an offence under section 307A of the *Crimes Act 1900*.

1. Submitting this form

Please submit signed scanned copies of this form and accompanying information to: boscredits@environment.nsw.gov.au.

Environment and Heritage (EH)
Department of Climate Change, Energy, the Environment and Water
Locked Bag 5022, Parramatta NSW 2124; Phone: 1300 361 967 (EH enquiries);
Email: info@environment.nsw.gov.au; Website: www.environment.nsw.gov.au
EH 2024/0388; December 2024.

1. More information
* Biodiversity credit transfer and retirement application guide: Guidance for completing applications under the Biodiversity Offsets Scheme
* [Guideline for managing and disclosing unpublished information that may impact on biodiversity credit prices](https://www2.environment.nsw.gov.au/topics/animals-and-plants/biodiversity-offsets-scheme/biodiversity-credits-market/guideline-disclosing-unpublished-information-impact-credit-prices)
* [Authority to sign and proof of identity practice guideline](https://www.environment.nsw.gov.au/research-and-publications/publications-search/authority-to-sign-and-proof-of-identity-practice-guideline)
* [Biodiversity Offsets Scheme public registers](https://www2.environment.nsw.gov.au/topics/animals-and-plants/biodiversity-offsets-scheme/maps-systems-and-resources/public-registers)
* [Credits transactions](https://www2.environment.nsw.gov.au/topics/animals-and-plants/biodiversity-offsets-scheme/biodiversity-credits-market/estimating-credit-prices/credit-transactions-register)
* [Privacy](https://www.nsw.gov.au/departments-and-agencies/dcceew/information-access-governance-and-feedback)
* [Scheme fees](https://www2.environment.nsw.gov.au/topics/animals-and-plants/biodiversity-offsets-scheme/maps-systems-and-resources/scheme-fees)