

# Application for research endorsement trial

## Frequently asked questions

### ***What permits require an Application for research endorsement (ARE) trial?***

The trial applies only to those scientific research permits listed below that occur on Department of Environment and Science (DES) managed areas within the Wet Tropics World Heritage Area:

1. Permit to Take, Use, Keep or Interfere (PTUKI) – [Nature Conservation Act 1992](#)
2. Scientific purposes permits in forestry areas—[Nature Conservation Act 1992](#)
3. Educational purposes permits in forestry areas—[Nature Conservation Act 1992](#)
4. Permit to Collect – [Forestry Act 1959](#).

### ***How will researchers accommodate Rainforest Aboriginal Peoples research priorities?***

It is the responsibility of the researcher and Rainforest Aboriginal Peoples to negotiate the scope and priorities of the research project. Where possible shared research priorities should be agreed during the initial research planning phase.

### ***What happens if Rainforest Aboriginal Peoples are consulted but do not consent to the research project?***

A research application must still be considered against all relevant legislative assessment criteria, with the ARE form content forming part of the considerations. If consent is not given, DES may request further information from the researcher and the relevant Rainforest Aboriginal Peoples about the grounds upon which consent is not given.

The DES delegate could still decide to grant a permit even in the absence of consent from Rainforest Aboriginal Peoples. For example, the research could form part of a long-term project which if discontinued would compromise critical data.

The granting of the permit in this circumstance however, may result in additional conditions requiring the involvement of Rainforest Aboriginal Peoples.

### ***Can researchers be required to avoid certain areas or culturally important sites?***

Yes, you can make this request and it will be considered in the assessment process.

Alternative locations may also be suggested. The applicant will be required to demonstrate why the activity must be conducted within a specific DES managed area/national park.

### ***What happens if Rainforest Aboriginal Peoples request more time to consider the research proposal?***

It is the responsibility of the researcher to work through the ARE form process before submitting a permit application. Decision-making timeframes are set out in relevant legislation once the application is lodged.

If an ARE form has not been provided with an application, the DES delegate may 'stop the clock' through a formal further information request process.

### ***What if Rainforest Aboriginal Peoples want to be involved in the research but the researcher does not have resources to support this? For example: Fee-for service arrangement.***

DES supports the involvement of Rainforest Aboriginal Peoples in research projects conducted within the Wet Tropics World Heritage Area however cannot require any fee for service arrangements in a permit.

It is the responsibility of the researcher and Rainforest Aboriginal Peoples to negotiate resourcing involvement in the project. Researchers should be considering fee for service arrangements in the initial research planning and budgeting phase.

The DES delegate may still decide to grant a permit in the absence of a fee for service arrangement.

***How will we know if the research is commercial (e.g. biodiscovery)***

All research and education permits regulated by DES exclude commercial use, and applicants must complete a declaration on the permit application form confirming this.

If research is commercial a Biodiscovery permit is required as regulated under the [Biodiscovery Act 2004](#). These types of permits are administered through a separate administrative process outside these arrangements.

***Does this process satisfy the requirements of the Native Title Act 1993?***

The application for research endorsement is intended to establish relationships and strategies to support greater involvement of Rainforest Aboriginal Peoples in research activities.

This is separate to procedural rights under the [Native Title Act 1993](#), which are set out in the [Queensland Government Native Title Work Procedures](#). The list below provides examples of standard permit conditions that can apply to all research permits involving activities in the WTWHA.

The permit holder/researcher must:

- provide at least eight weeks' notice of commencement of field trips to the relevant Rainforest Aboriginal Peoples;
- ensure there is an opportunity for a Traditional Owner to accompany researchers when undertaking fieldwork (e.g. a seat is available in the research vehicle);
- avoid entering sensitive cultural locations as specified by the relevant Rainforest Aboriginal Peoples or representative organisation;
- acknowledge the relevant Rainforest Aboriginal Peoples, relevant organisations and Traditional Owners in any publication relating to the research; and
- provide a plain English summary of the research or presentation about the research to the relevant Rainforest Aboriginal Peoples or an organisation nominated by the relevant Rainforest Aboriginal Peoples.