



AELERT

A network for environmental regulators
across Australasia



AELERT CHARTER

June 2021

TABLE OF CONTENTS

- 1. AIMS 3
- 2. GOVERNANCE..... 3
 - 2.1. Steering Committee 3
 - 2.1.1. Meetings 3
 - 2.1.2. Decision Making..... 4
 - 2.1.3. Quorum..... 4
 - 2.1.4. Out of Session Decisions..... 4
 - 2.1.5. Vacancies 4
 - 2.2. Jurisdictional Representative 4
 - 2.2.1. Key Requirements..... 4
 - 2.2.2. Roles and Responsibilities 4
 - 2.2.3. Nomination Process..... 5
 - 2.2.4. Secretariat Support..... 5
 - 2.3. Executive Committee 5
 - 2.3.1. Key Requirements..... 5
 - 2.3.2. Responsibilities 6
 - 2.3.3. Meetings 6
 - 2.3.4. Decision Making..... 6
 - 2.3.5. Quorum..... 6
 - 2.3.6. Vacancies 6
- 3. QUADRENNIAL WORK PLAN..... 6
- 4. WORKING GROUPS AND COMMUNITIES OF PRACTICE..... 7
 - 4.1. Working Groups 7
 - 4.2. Communities of Practice 7
 - 4.3. Project Teams..... 8
 - 4.4. Definition of new and current groups..... 8
 - 4.5. Leadership 8
 - 4.5.1. Roles and Responsibilities of Chairs 8
 - 4.5.2. Steering Committee Sponsor..... 8
 - 4.6. Establishment of new Working Groups or Communities of Practice..... 9
 - 4.7. Joining a Working Group or Community of Practice..... 9
 - 4.8. Resource allocation and approval 9
 - 4.9. Templates..... 9
- 5. AELERT SECRETARIAT 10
 - 5.1. Roles and responsibilities..... 10
- 6. FINANCIAL MANAGEMENT 10
 - 6.1. Funding of Specific Activities..... 10
 - 6.2. Housing and Disbursement of Funds 11
- 7. MEMBERSHIP 11
 - 7.1. Membership types 11
 - 7.1.1. Member Agency 11
 - 7.1.2. Individual Member Officer 11
 - 7.1.3. Affiliate Membership..... 11
 - 7.2. Cessation of Membership 12
 - 7.3. Membership Principles..... 12
- 8. CHARTER AMENDMENTS 12

1. AIMS

Beginning in 1991 as a series of informal meetings of Australian wildlife officers, the Australasian Environmental Law Enforcement and Regulators neTwork (AELERT) was formally established in 2003 as a network of regulatory practitioners concerned with the implementation of environmental law. Since then, AELERT has grown into a widely recognised professional network with a membership that spans all levels of government across Australia and New Zealand. From the time of its inception, AELERT has functioned primarily as a member-based organisation whose core aims are to:

- Facilitate cross-jurisdictional collaboration on mutual regulatory challenges
- Promote the development of the regulatory craft
- Foster capacity building across the Network.

AELERT's enduring relevance can be attributed to its responsiveness to member needs.

2. GOVERNANCE

AELERT agrees to provide the Heads of Environment Protection Authorities (HEPA) Forum with an update of its activities at each HEPA meeting as requested, based on agreed principles of working. Within the Council of Australian Governments (COAG) framework, AELERT is responsive to relevant Environment Minister's Councils as they may be constituted from time to time and additionally agrees to provide the Senior Officials Group with an update of its activities at each of their meetings as necessary. These arrangements can be modified by the Steering Committee as required.

AELERT's management structure consists of a Steering Committee and an Executive Committee, with one lead agency identified from each Australian state, the Northern Territory, Australian Capital Territory, Commonwealth and New Zealand to assist with local coordination and AELERT funding.

2.1. Steering Committee

The composition of the AELERT Steering Committee is reflective of a representative governance model. The Australian Commonwealth Government, New Zealand Central Government, all Australian States the Australian Capital and Northern Territory nominate a Jurisdictional Representative to sit on the Steering Committee. The Steering Committee is the chief decision-making body of AELERT. Steering Committee responsibilities are as follows:

- Leading the future direction of AELERT and the work of its Working Groups
- Identifying AELERT's work priorities via the AELERT Work Plan and monitoring and reporting on the progress and outcomes of them
- Facilitating beneficial connections within and external to AELERT to benefit all AELERT members
- Overseeing the biennial AELERT Conference and selecting recipients of the AELERT Achievement Awards
- Overseeing any scholarship applications
- Approving AELERT's annual operational and funding budgets
- Approving Project Proposals for Working Groups and Communities of Practice
- Undertaking governance reviews as required
- Endorsing Jurisdictional Representative nominations and Executive Officer Holder positions
- Approving Affiliate Member requests to access the members-only section of the website
- Responding to and making decisions on any other issues as they may arise.

2.1.1. Meetings

AELERT Steering Committee meetings are to be held in person three times a year. Where a Jurisdictional Representative cannot attend, they shall send a delegate as their proxy.

2.1.2. Decision Making

Steering Committee decisions are generally to be consensus-based. Where a vote is required to determine a decision, each jurisdiction will have one vote. The Chair will have a casting vote in the event of an evenly cast ballot.

2.1.3. Quorum

Quorum shall consist of the Chair, the Vice-Chair in their absence and half of the total number of jurisdictions plus one.

2.1.4. Out of Session Decisions

The Steering Committee may make decisions out of session, with quorum as defined in this document required for decisions.

2.1.5. Vacancies

Steering Committee members/Jurisdictional Representatives are requested to offer a minimum of four weeks' notice of their intention to vacate their committee and representative role and to provide connection to any jurisdictional colleagues that might be interested in taking their place. The same requirements as outlined in Section 2.2.3 will apply in the event of a temporary vacancy, with the role being offered on a temporary basis to match the advised absence.

2.2. Jurisdictional Representative

The AELERT Steering Committee is made up of one Jurisdictional Representative each from:

- Australian Capital Territory
- The Commonwealth Government
- New South Wales
- New Zealand
- Northern Territory
- Queensland
- South Australia
- Tasmania
- Victoria
- Western Australia.

2.2.1. Key Requirements

Key requirements in performing the role of the Jurisdictional Representative are as follows:

- Recognised influence both within and across their jurisdiction
- Willingness and capacity to develop connections through own diverse networks to broaden the AELERT membership base across their jurisdiction
- Commitment to:
 - Attend Steering Committee meetings
 - Producing timely Jurisdictional Reports that include updates from across their jurisdiction
 - Liaising with other member agencies within their jurisdictions
 - Representing both their jurisdiction and the broader Network membership
 - Promoting the Network and the interests of its members.

2.2.2. Roles and Responsibilities

Jurisdictional Representative roles and responsibilities are as follows:

- Working collegiately with the Executive, Steering Committee and Secretariat to deliver the AELERT objectives and Work Plan and further promoting the interests of the Network
- Attending and representing their jurisdiction at Steering Committee meetings including producing Jurisdictional Reports in consultation with member agencies in their jurisdiction
- Liaising with other member agencies within their jurisdiction
- Acting as Sponsor to an AELERT Working Group/Community of Practice
- Working with and supporting the AELERT Secretariat by:
 - Forwarding communications to relevant jurisdictional teams
 - Producing content for the monthly AELERT newsletter to highlight activities and initiatives from their jurisdiction
 - Co-ordinating jurisdictional AELERT events and collaborations
 - Endorsing agency level membership applications
 - Assisting to grow the membership at both agency and officer level across their jurisdiction.

2.2.3. Nomination Process

The lead agency in each jurisdiction will seek and encourage nominees from across their entire jurisdiction, recommending their preferred appointment in consideration of the key requirements outlined in this Charter. The Steering Committee will then be asked to endorse the nominated representative.

2.2.4. Secretariat Support

Jurisdictional Representatives are supported by the AELERT Secretariat in their role and can seek assistance in the following areas:

- Coordinating AELERT events within their jurisdiction
- Building AELERT membership across their jurisdiction via, for example:
 - Roadshow events outlining the benefits of AELERT membership to potential member officers
 - Meeting with leads of potential member agencies to promote the benefits of AELERT membership
- Connections with member agencies across all AELERT jurisdictions as required for operational needs and innovations
- Membership data support
- Development of communications collateral for use across their jurisdiction
- Updating of website including upload of information relevant to their jurisdiction
- Showcasing their jurisdiction via the monthly AELERT newsletter.

2.3. Executive Committee

The AELERT Executive Committee is comprised of a minimum of four Office Holder positions. These positions are Chair, Vice Chair, and a minimum of two Directors. The Directors can be allocated portfolio areas such as Risk Management, as determined from time to time by the Steering Committee. Executive Officer Holder positions are appointed from within the AELERT Steering Committee for a period matching that of the Chair but may be extended at the discretion of the Steering Committee.

The role of Chair once appointed by the AELERT Steering Committee will serve a minimum term of four years. The agency from which the Chair originates will become the host agency to AELERT and its Secretariat function, unless otherwise agreed to by the Steering Committee. The Vice Chair will take on all responsibilities of the Chair in their absence.

2.3.1. Key Requirements

Criteria upon which Executive Committee members are selected include:

- Recognised influence both within and across their jurisdiction

- Commitment to:
 - Attend teleconference meetings as scheduled
 - Work collegiately to determine the strategic direction of AELERT
 - Take on additional portfolio responsibilities from time to time as determined by the Steering Committee.

2.3.2. Responsibilities

Responsibilities of the Executive Committee are as follows:

- Guiding and advising on the setting of strategy and positioning of AELERT in consultation with and for the endorsement of the SC
- Identifying and managing risk
- Acting as conduit between AELERT and the Heads of EPA (HEPA)
- Leading the collaboration between AELERT and its international partners, including INECE (International Network for Environmental Compliance and Enforcement)
- Representing AELERT to external stakeholders.

Further responsibilities of the AELERT Chair are as follows:

- Running AELERT Executive and Steering Committee meetings
- Approval of Steering and Executive Committee meeting agendas and Secretariat-led meeting papers
- Employment of the AELERT Secretariat staff via the Chair’s home agency, unless otherwise agreed by SC
- Guidance of day to day work of the AELERT Secretariat staff including relevant approvals.

2.3.3. Meetings

Executive Committee meetings are to be held every six to eight weeks, ordinarily by teleconference.

2.3.4. Decision Making

Executive Committee decisions are generally to be consensus-based. Where a vote is required to determine a decision, each Executive Office Holder will have one vote. The Chair will have a casting vote in the event of an evenly cast ballot.

2.3.5. Quorum

Quorum shall consist of half of the Executive Committee members plus one.

2.3.6. Vacancies

Executive Committee members are requested to offer a minimum of four weeks’ notice of their intention to vacate their committee role. Steering Committee members will be asked to nominate for the vacant position and the placement will be confirmed by endorsement of the Steering Committee. The same requirements will apply in the event of a temporary vacancy, with the role being offered on a temporary basis to match the advised absence.

3. QUADRENNIAL WORK PLAN

The AELERT Steering Committee will identify quadrennial work priorities which will inform AELERT’s work plan. The work plan will be used to guide the work of the Working Groups and will be consulted when assessing Project Proposals. The work plan will be available for viewing on the AELERT website.

4. WORKING GROUPS AND COMMUNITIES OF PRACTICE

AELERT Working Groups (WG) and Communities of Practice (CoP) bring together practitioners from various agencies and jurisdictions to undertake collaborative work on mutual regulatory issues. Working Groups primarily function to complete work priorities identified by the Steering Committee while Communities of Practice are formed to facilitate information and knowledge sharing across the entire AELERT network. There is no formal reporting relationship required between Communities of Practice and Working Groups.

4.1. Working Groups

Working Groups are established and discontinued by the AELERT Steering Committee and function to complete the work priorities identified in the AELERT Work Plan. A Chair will lead each Working Group and the AELERT Steering Committee will endorse the Chair of each Working Group. Current AELERT Working Groups are:

- Better Regulation
- Capacity Building
- Legal Practice and Policy
- Operations
- Communications and Engagement
- Emergency Operations

Further, each Working Group:

- Is focussed via a Work Plan, directly linked to the AELERT Work Plan
 - Showing what AELERT can achieve in a given period, outlining deliverables
- May lead new work/direction for AELERT in consultation with the Steering Committee
- Is a point of collaboration to inform the work AELERT agencies do
- Offers space to coordinate a shared operation across AELERT in their given field/topic
- Can have project teams to address particular/short-term/issues-based items
 - Have the flexibility to band and disband as needed; nimble to meet the needs of the membership
 - Project ideas can be proposed either by the Working Group or by the Steering Committee
 - Work must be useful to AELERT and its members
- Will be supported by a Sponsor from the AELERT Steering Committee.

4.2. Communities of Practice

Communities of Practice are established by request from AELERT members with final decision for inclusion with the Steering Committee and are discontinued either by direction of the Steering Committee or at request of the members of that group. Communities of Practice are a forum to and encourage collaboration and knowledge sharing across AELERT in a particular area of environmental regulation. A Chair will lead each Community of Practice, endorsed by the Steering Committee. Current AELERT Communities of Practice are:

- Environmental Liabilities
- Intelligence and Analysis
- Water Compliance

Further, each Community of Practice:

- Facilitates AELERT members discussion on how they've completed a piece of work
- Enables sharing of ideas, knowledge and expertise across geographical borders and levels of government
- Is open and run by its members
- Can run project ideas; either

- In partnership with an AELERT Working Group
- By handing over the idea to an AELERT Working Group
- Will be supported by a Sponsor from the AELERT Steering Committee.

4.3. Project Teams

From time to time discrete project teams may be established under each Working Group in response to an approved project proposal (see templates).

4.4. Definition of new and current groups

The classification of any new AELERT group to either Working Group or Community of Practice will be made by the AELERT Steering Committee, with input from relevant parties. If the decision is not clear cut, a vote of the Steering Committee members will be held, recorded and advised to the group as the final decision. Any proposal to shift a current group from operating as a Working Group to a Community of Practice or vice-versa must be taken to the AELERT Steering Committee for final decision as above.

4.5. Leadership

4.5.1. Roles and Responsibilities of Chairs

The roles and responsibilities of Working Group or Community of Practice Chairs are as follows:

- Coordinating the development of a Work Plan
- Drafting triannual reports for the Steering Committee's consideration
- Facilitating regular meetings of the group, at a minimum of three per year
- Drafting, co-ordinating and distributing meeting agendas and minutes
- Driving the group's Work Plan and reporting on its progress to each Steering Committee meeting
- Ensuring timely delivery of project outcomes
- Seeking support from AELERT Secretariat as required
- Acting as liaison between group members, the Executive Sponsor and Steering Committee
- Identifying and reporting on emerging issues to the Executive Sponsor
- Maintaining a record of active group members that is circulated to the Secretariat for updating at the AELERT website
- Leading connection across AELERT Working Groups and Communities of Practice to ensure best possible collaboration on projects and no duplication of work.

All AELERT groups are encouraged to consider joint or co-chair arrangements within the group which allow the benefits of:

- Cross jurisdictional collaboration
- Diversity of skills thought and knowledge
- Sharing the workload across individuals and jurisdictions.

4.5.2. Steering Committee Sponsor

Each Working Group and Community of Practice will be appointed an AELERT Jurisdictional Representative to act as Executive Sponsor. The role of the Executive Sponsor is to:

- Act as a mentor to the group Chair
- Provide guidance on the groups' direction
- Champion the group
- Work with a group whose Chair is from a different jurisdiction to their own; aiding cross fertilisation of knowledge and experience
- Provide a strong and supportive link between the group and the Steering Committee, offering advice on:
 - The structure of communication to the Steering Committee
 - Gaining authority/resources to run projects.

Importantly, the Sponsor is not the lead of the group; they are there to assist the Chair to meet their groups' aims and minimise the risk of the group losing their way.

4.6. Establishment of new Working Groups or Communities of Practice

The establishment of a new Working Group or Community of Practice can occur upon meeting the below conditions:

- Working Groups: The group can demonstrate tangible deliverables that are of benefit to the wider AELERT membership
- Communities of Practice: The group can demonstrate their area of interest aligns with the overall goals and aims of AELERT and the AELERT Work Plan
- The work/area of interest of the group is sufficiently significant and separate from the work of any other AELERT Working Group or Community of Practice
- The group submits a detailed proposal to the Steering Committee which clearly demonstrates the need for its creation and its value to AELERT members.

Once a decision is made by the Steering Committee, the Secretariat appoints an Executive Sponsor from within the Steering Committee.

4.7. Joining a Working Group or Community of Practice

Only existing AELERT member officers are eligible to join. To join an AELERT group, members can contact the AELERT Secretariat via the AELERT website who will process their request in collaboration with the group Chair. Members may alternatively contact the Group's Chair who will inform the Secretariat.

4.8. Resource allocation and approval

The AELERT Steering Committee will consider applications from its groups using the Project Proposal templates. Proposals will be viewed favourably if they:

- Assist the Steering Committee in meeting the AELERT Work Plan
- Propose to develop emerging regulatory practices
- Include development of products or outcomes that benefit the AELERT Network
- Include endorsement of the group's Executive Sponsor.

Please note, funding will not be approved if or where this is capacity for jurisdictional support or if only a single agency or jurisdiction benefits i.e. travel costs or attendance at a conference. Funding proposals may be considered based on exception.

4.9. Templates

Following are several templates that will be developed and/or maintained for Working Group and Community of Practice members to use in their AELERT work:

- Working Group Terms of Reference
- Project Proposal
- Recognition letters for post project work
- Working Group Work Plan
- Outline for professional development framework.

5. AELERT SECRETARIAT

5.1. Roles and responsibilities

The Secretariat is to comprise an Executive Officer and a Communications/Project Officer as determined by the Steering Committee. The Secretariat provides governance, administrative and communications support.

The Secretariat is hosted within the member agency of the AELERT Chair, allowing for co-location unless the AELERT Chair approves alternative arrangements.

Secretariat staff are employed by the host agency under that department's usual terms and conditions of employment. The host agency will recruit Secretariat staff at the appropriate level commensurate with required work level standards and available funding. Positions are funded out of the AELERT budget.

The term of engagement of Secretariat staff should overlap the AELERT Chair's term of appointment by at least six months to support handover of corporate knowledge.

The AELERT Chair will ensure that Secretariat staff are managed in accordance with the host agency's administrative framework, including but not limited to eligibility, pre-employment checks, recruitment, security, performance management, remuneration, leave and other conditions and entitlements. Secretariat staff are accountable to the AELERT Chair.

The Secretariat engages with, and is responsive to, the AELERT Chair and Steering and Executive Committees.

The Secretariat roles and responsibilities are:

- Providing efficient and effective support to the AELERT Chair and Governance Committees.
- Managing the AELERT Steering and Executive Committee business and implements committee decisions.
- Delivering sound strategic, governance, policy, and administrative advice to the governance committees.
- Supporting the Chair, Vice Chair, and jurisdictional representatives to fulfil their obligations to AELERT.
- Improving AELERT business practices and undertaking projects as agreed by the Chair and Steering Committee.
- Liaising with Chairs of Working Groups and Communities of Practice, AELERT members and member agencies and stakeholders.
- Promoting AELERT and supporting its members.
- Identifying, evaluating, and implementing process improvements.
- Developing and implementing the AELERT Work Plan 2021 – 2024 deliverables.
- Providing curated information and materials through the AELERT website and social media.
- Oversight of AELERT events including AELERT Conference and Webinars.

6. FINANCIAL MANAGEMENT

The Secretariat Operating Budget will be approved by the AELERT Steering Committee.

The host agency shall constitute an entity able to receive and distribute funds on AELERT's behalf.

The Secretariat Operating Budget will be held in a project specific cost centre within the host agency and administered in accordance with the Operating Budget approved by the AELERT Steering Committee.

6.1. Funding of Specific Activities

The AELERT Secretariat may expend funds for specific activities within existing budget allocations in the approved Secretariat Operating Budget for that financial year.

The Secretariat must report against approved expenditure as requested by the Steering Committee.

Funding (including requests from AELERT Working Groups and Communities of Practice) will meet the fiduciary interests of AELERT and its members in the pursuit of its core business outlined in the AELERT Work Plan and deliver value for money.

The Steering Committee may approve, by way of resolution, the expenditure of funds for specific activities that do not have existing allocation within the Secretariat Operating Budget but are aligned to the strategic objectives set within the AELERT Work Plan.

6.2. Housing and Disbursement of Funds

Profits or excess funds appropriated by AELERT may be used for any AELERT activities provided:

- they are for a proper purpose commensurate with AELERT's aims outlined in its Work Plan and Charter;
- expenditure is approved by the AELERT Steering Committee;
- expenditure is consistent with relevant financial management legislation, regulations, delegations and guidelines.

7. MEMBERSHIP

7.1. Membership types

Membership is offered at the agency and individual officer level.

7.1.1. Member Agency

Membership is open to any government agency in Australasia with environmental regulatory responsibilities. For the purpose of AELERT membership eligibility, environmental regulatory responsibilities are defined as responsibilities for administering legislation relating to the environment, heritage or natural resource management.

Agency membership will be granted with the advice of the relevant AELERT Jurisdictional Representative.

Agency membership involves the following responsibilities:

- Agency commitment to the Membership Principles outlined at 7.3
- Agency commitment to engage with their jurisdictional representative to participate in decision making at the jurisdictional level
- Agency commitment to contribute to the relevant jurisdictional report
- Nomination of an AELERT liaison officer as first point of contact for AELERT business matters
- Nomination of an after-hours contact in the event of emergencies.

7.1.2. Individual Member Officer

All individuals working in an AELERT Member agency are eligible to become AELERT Member Officers. Individual membership entitles officers to an individual website login and allows access to member-only resources, online discussion forums and news updates.

7.1.3. Affiliate Membership

Affiliate membership may be granted to organisations aligned to the goals of the AELERT Work Plan and for whom engagement with AELERT may be mutually beneficial and / or may further its objectives such as:

- Government agencies without environmental regulatory responsibilities
- Academic institutions
- NGO's and Not for Profits

- International environmental regulation, compliance and enforcement networks and organisations.

Affiliate membership may be granted at the discretion of the AELERT Steering Committee.

Commercial entities are not considered appropriate for AELERT affiliate membership. Any request to deviate from this will be via resolution of the Steering Committee.

7.2. Cessation of Membership

Members may withdraw from AELERT at any time. Cancellation of membership at the agency level will also result in the cancellation of agency staff individual memberships. The AELERT Secretariat will inform all affected members.

The AELERT Steering Committee via resolution may choose to rescind individual, agency or affiliate membership at any time if the membership is not aligned to the values and goals of AELERT as outlined in its Work Plan and Charter.

7.3. Membership Principles

When seeking AELERT membership, agencies agree to cooperate as far as reasonably practicable in matters such as:

- The prevention, detection, investigation and prosecution of offences
- New trends and methods used in committing offences
- New compliance and enforcement techniques, including special means of combatting offences
- Intelligence relating to the cross-jurisdictional movement of entities or objects, where non-compliance with relevant laws is suspected
- The development of policies, procedural guidelines and strategic planning
- The development and implementation of new regulatory regimes and systems, including advantages and limitations
- Agency successes and learnings, including legal outcomes and research results
- In-kind training and personnel exchange to advance regulatory practice.

Member agencies further agree to support their staff, where possible, to participate in discussion forums relevant to their work and other AELERT activities and events.

8. CHARTER AMENDMENTS

The AELERT Charter may be amended from time to time in response to changes in AELERT's operating environment or governance requirements. Amendments are to be approved by resolution of the AELERT Steering Committee.

A draft of any proposed amendments is to be circulated to the Steering Committee for comments prior to its adoption.