EXPLANATORY STATEMENT

Environment Protection and Biodiversity Conservation Act 1999

Instrument under section 184(1)

(Issued under the Authority of the Minister for the Environment and Heritage)

The Environment Protection and Biodiversity Conservation Act 1999 (the EPBC Act) places certain obligations on the Commonwealth to protect and conserve threatened species and ecological communities, and recognise, and where possible, abate key threatening processes listed on the list of threatened species, ecological communities and key threatening processes under the EPBC Act.

The purpose of this instrument is to amend the list of key threatening processes under the EPBC Act in accordance with s184 by:

including in the list in the key threatening process category

- ‘Predation by exotic rats on Australian offshore islands of less than 1000 km² (100,000 ha)’

as recommended by the Threatened Species Scientific Committee (the Committee), having regard to the definition of key threatening process in s188(4) of the Act.

The Committee’s recommendations are as follows:

The evidence presented in the nomination and published information enabled the Committee to judge that ‘Predation by exotic rats on Australian offshore islands of less than 1000 km² (100,000 ha)’ is eligible for listing as a key threatening process under the Act. The threatening process met the criteria in the Act and EPBC Regulations (Part 7, Division 7.2). Three criteria for listing as a key threatening process were met:

**Criterion A:** It could cause a native species or an ecological community to become eligible for listing in any category, other than conservation dependent

**Criterion B:** It has the potential to cause a number of nationally listed threatened species to become eligible for listing in another category representing a higher degree of endangerment.

**Criterion C:** It adversely affects two or more species listed under the EPBC Act.

On this basis, the Committee recommends that ‘Predation by exotic rats on Australian offshore islands of less than 1000 km² (100,000 ha)’ be listed as a key threatening process under the Environment Protection and Biodiversity Conservation Act 1999.

On the basis of the advice of the Committee, I am satisfied that ‘Predation by exotic rats on Australian offshore islands of less than 1000 km² (100,000 ha)’ is eligible to be included in the key threatening process category.

This instrument is a legislative instrument for the purposes of the Legislative Instruments Act 2003.
The instrument commenced on the day after it was registered on the Federal Register of Legislative Instruments.