Amendment of the List of Exempt Native Specimens in accordance with Section 303DC

Section 303DB of the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act) provides for the establishment of a list of exempt native specimens. Specimens included on the list are exempt from the trade control provisions that apply to regulated native specimens.

The effect of this instrument is to *add* the following specimens to the list of exempt native specimens and to make those inclusions subject to the notations specified below:

- Cast bull kelp (*Durvillaea potatorum*), harvested from specified beaches of King Island, Tasmania by a number of licensed harvesters under the Tasmanian *Living Marine Resources Management Act 1995* and processed by Kelp Industries Pty Ltd.

The inclusion of the specimens in the list is subject to the following notations:

- The specimen was taken lawfully; and

- The specimens are covered by the declaration of an approved Wildlife Trade Operation under section 303FN of the EPBC Act in relation to the harvest.

Listing of the specimens described above on the list of exempt native specimens will allow continued export of these specimens for the next three years.

In determining to include the specimens in the list of exempt native specimens regard was had to the Australian Government’s *Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition*. Those Guidelines establish the criteria for assessment of the ecological sustainability of the relevant fisheries management arrangements.

Consultation was also undertaken in accordance with section 303DC(3)(c) of the EPBC Act. This extended to the Tasmanian Department of Primary Industry and Water.

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.

Unique Identifying Number:
EBPC303DC/SFS/2008/08