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 in the list are exempt from the trade control provisions that apply to regulated native specimens.

The effect of this instrument is to revoke the conditions to which the inclusion of the items listed in the Schedule on the list of exempt native specimens on 30 November 2004 are subject;

and imposing the following conditions to which inclusion of the specimens in the list is subject:

- the specimen, or the fish or invertebrate from which it is derived, was produced lawfully in an aquaculture facility; and
- the specimens are included on the list until 1 March 2010.

Revoking the conditions and imposing the above conditions to which the inclusion of the specimens in the list of exempt native specimens is subject will allow continued export of these specimens until 1 March 2010.

Subsection 303DC(3) of the EPBC Act provides that before amending the list, the Minister for the Environment, Heritage and the Arts must consult such other Commonwealth Minister or Ministers and such other Minister or Ministers of each State and self-governing Territory, as the Minister considers appropriate. The Minister may also consult with such other persons and organisations as the Minister considers appropriate.

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:
EPBC303DC/SFS/2009/50