EXPLANATORY STATEMENT

Environment Protection and Biodiversity Conservation Act, 1999

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

Section 303DB of the Environment Protection and Biodiversity Conservation Act 1999 (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 delete from the list of exempt native specimens the following specimens and any associated notations:

- Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act, taken in waters outside the outer limits of the exclusive economic zone of all countries including Australia and its external territories.

Subsection 303DC(3) of the EPBC Act provides that before amending the list, the Minister for Sustainability, Environment, Water, Population and Communities 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. In this instance, the Delegate of the Minister for Sustainability, Environment, Water, Population and Communities consulted with the Commonwealth Minister for Agriculture, Fisheries and Forestry and the Australian Fisheries Management Authority as they have management responsibilities for the fisheries concerned.

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.

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