EXPLANATORY STATEMENT

Environment Protection and Biodiversity Conservation Act 1999

Instrument under section 303EC(1)(b)

(Issued under the Authority of the Minister for Sustainability, Environment, Water, Population and Communities)

Under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), a live specimen is allowed to be imported only if it is included on the list of specimens suitable for live import.

The list was established in accordance with s.303EB of the EPBC Act and has two Parts. Part 1 comprises species exempt from the requirement for an import permit under the EPBC Act. Part 2 comprises species that require an import permit under the EPBC Act.

The effect of this instrument is to delete *Trachemys scripta* (Red-eared Slider Turtle, Yellow-bellied Slider Turtle) from Part 2 of the list of specimens suitable for live import. Deleting this species from the list will prohibit the import of live specimens of *T. scripta*.

The red-eared slider is listed by the IUCN, the International Union for Conservation of Nature, as one of 100 of the world’s most invasive alien species. Red-eared sliders have established feral populations in Queensland and New South Wales, and have been found in the wild in the Australian Capital Territory, Victoria and Western Australia. Regulations vary between the states, but generally it is illegal to keep or sell red-eared sliders in any Australian state or territory.

In accordance with paragraph 303EC(3) other appropriate state, territory and Australian Government ministers were consulted. In this case, the Department of Sustainability, Environment, Water, Population and Communities consulted with all state and territory ministers for the environment and agriculture, or delegated agencies, as well as the Australian Government Department of Agriculture, Fisheries and Forestry. Eight responses were received, all of which supported the proposal.

The EPBC Act does not require public consultation on proposals to delete items from the list. There was no public consultation on this proposal.

This instrument is a legislative instrument for the purposes or the Legislative Instruments Act 2003. It will take effect on the day after registration on the Federal Register of Legislative Instruments.

Statement of Compatibility with Human Rights

This Legislative Instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the Human Rights (Parliamentary Scrutiny) Act 2011 (Cth). This Legislative Instrument does not engage any of the applicable rights or freedoms.