

# 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 threatened species under the EPBC Act in accordance with s184 by:

including in the list in the **vulnerable** category

- *Sarcophilus harrisii* (Tasmanian Devil)

as recommended by the Threatened Species Scientific Committee (the Committee), having regard to the definition of critically endangered, endangered and vulnerable species in s179 of the EPBC Act.

The Committee's recommendation is as follows:

#### ***Sarcophilus harrisii* (Tasmanian Devil)**

The evidence presented in the nomination and by the Tasmanian Department of Tourism, Arts and the Environment enabled the Committee to judge that the Tasmanian Devil is eligible for listing as vulnerable under the EPBC Act. The species met the criteria in the EPBC Act and EPBC Regulations (Part 7, Division 7.1 and 7.2). In particular, one of the criteria for listing as vulnerable has been met. This is:

Criterion 1: It has undergone, is suspected to have undergone or is likely to undergo in the immediate future a severe reduction in numbers.

On this basis, the Committee recommends that the species be listed as vulnerable under the *Environment Protection and Biodiversity Conservation Act 1999*.

On the basis of the advice of the Committee, I am satisfied that *Sarcophilus harrisii* (Tasmanian Devil) is eligible to be included in the vulnerable category.

In deciding to include this species in the list, I did not consider any matter that does not relate to the survival of the species.

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.