

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:

deleting from the list in the **extinct** category

- *Dimocarpus leichhardtii*

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:

Dimocarpus leichhardtii

The Committee judged that *Dimocarpus leichhardtii* is not eligible for listing under the Act. The species does not meet the criteria in the Act and EPBC Regulations (Part 7, Division 7.1 and 7.2) as *Dimocarpus leichhardtii* is now considered an invalid taxon.

On this basis, the Committee recommends that the species be removed from the list under the *Environment Protection and Biodiversity Conservation Act 1999*.

On the basis of the advice of the Committee, I am satisfied that *Dimocarpus leichhardtii* is not eligible to be included in the list.

In deciding to remove this species from 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.