

EXPLANATORY STATEMENT

Environment Protection and Biodiversity Conservation Act 1999

Instrument under section 269A(2)

(Issued under the Authority of the Minister for the Environment and Heritage)

The *Environment Protection and Biodiversity Conservation Act 1999* (the Act) places certain obligations on the Commonwealth to protect and conserve threatened species and ecological communities, and to ensure recovery plans are in force under the Act.

The purpose of this instrument is to ensure the following recovery plans are in force in accordance with s269A of the Act:

- Recovery Plan for Christmas Island Species Made by the Minister:
National Recovery Plan for Lister's Gecko (*Lepidodactylus listeri*) and the Christmas Island Blind Snake (*Typhlops exocoeti*)
- Recovery Plan for Cocos (Keeling) Island Species Made by the Minister:
National Recovery Plan for the Cocos (Keeling) Island Buff Banded Rail (*Gallirallus philippensis andrewsi*)

These plans have been assessed and comply with s. 270 of the Act and r. 7.11 of the *Environment Protection and Biodiversity Conservation Regulations 2000*.

These plans provide for the research and management actions necessary to stop the decline of, and support the recovery of, the listed threatened species so that its chances of long-term survival in nature are maximised. These plans were placed on public exhibition, as required under s277(1)(a) of the Act, and comments were invited from the public. All comments were taken into account in finalising the plans.

The information in these recovery plans enable the Threatened Species Scientific Committee to recommend the making of these plans as required under s274 of the Act.

These recovery plans are available from the Australian Government Department of the Environment and Heritage www.deh.gov.au/biodiversity/threatened/recovery/index.html or from the Community Information Unit, Department of the Environment and Heritage, GPO Box 787, Canberra ACT 2601 or by phoning on 1800 803 772. Further information about the Department can be found at www.deh.gov.au.

This instrument is a legislative instrument for the purposes of the *Legislative Instruments Act 2003*.

In accordance with section 273 (1A) of the *Environment Protection and Biodiversity Conservation Act 1999* these recovery plans came into force on the date specified in the instrument.

For the purposes of subsection 12(2) of the *Legislative Instruments Act 2003*, the rights and liabilities of a person other than the Commonwealth have not been adversely affected by the retrospective commencement of the Plans.