

EXPLANATORY STATEMENT

Environment Protection and Biodiversity Conservation Act 1999

Amendment to the List of Specimens Taken to be Suitable for Live Import
in accordance with paragraph 303EC (1) (a)

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

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 can be imported with a permit under the EPBC Act.

The effect of this instrument is to add *Hypolimnas bolina* (Common Eggfly Butterfly) to Part 2 of the list of specimens suitable for live import. Including this species in the list will allow the import of live specimens of this species under the specified conditions (For the purposes of Research only. Quarantine Approved Premise only. All specimens must be destroyed on completion of Research).

Amendments to the list of specimens suitable for live import can be made either on the initiative of the Minister or by application. This list amendment was initiated by an application made to the Minister under s.303EE of the EPBC Act.

In determining whether to amend the list of specimens suitable for live import to include *H. bolina*, the Minister considered the outcomes of assessment reports prepared in accordance with s.303EF of the EPBC Act.

In accordance with s.303EF of the EPBC Act, the assessment report was published on the Department of the Environment, Water, Heritage and the Arts' website and public comments sought. Two comments were received.

In accordance with paragraph 303EC(3), other appropriate state, territory and Australian Government ministers were consulted. In this case, the Department of the Environment, Water, Heritage and the Arts consulted with all relevant state and territory ministers for the environment, conservation and agriculture, and the Australian Government Department of Agriculture, Fisheries and Forestry. Eight comments were received, all of which supported the proposal or had no objection.

The Minister considered that listing this species, with specified conditions, poses little risk to the Australian environment.

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

The instrument will take effect on the first day on which it is no longer liable to be disallowed.