

EXPLANATORY STATEMENT

Select Legislative Instrument 2009 No. 365

Issued by the Authority of the Minister for the Environment, Heritage and the Arts

Environment Protection and Biodiversity Conservation Act 1999

Environment Protection and Biodiversity Conservation Amendment Regulations 2009 (No. 4)

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) provides for the protection of the environment, especially those aspects of the environment that are matters of national environmental significance. Section 520 of the EPBC Act provides, in part, that the Governor-General may make regulations prescribing all matters required or permitted by the EPBC Act to be prescribed, or necessary or convenient to be prescribed for carrying or giving effect to the EPBC Act.

These Regulations amend the *Environment Protection and Biodiversity Conservation Regulations 2000* (the Principal Regulations) to align the fees applicable to multiple use export permits for regulated native specimens of *Macropus* and *Thylogale* (kangaroo and wallaby) species with the fees applicable to multiple use export permits for all other regulated native specimens.

The multiple use export permit fee for all regulated native specimens is \$75 for a six-month period. For kangaroo and wallaby specimens, the additional fee of \$60 per export event has been removed.

The additional fee relating to kangaroo and wallaby exports dates from a time when the industry was dominated by a few operators making a small number of large shipments. Since then, the industry has significantly diversified in terms of operators and also the range of derived products. Products now extend from large exports of meat and hides, to small and frequent exports of lower value items including watchbands and keyrings. Consequently, the imposition of an additional fee of \$60 per export event has become a significant impairment to the viability of a number of businesses. Removal of the additional \$60 fee will assist these businesses to continue operation.

Consultation on the Regulations was not specifically undertaken however the amendments were the result of concerns about the impacts of the additional fees for kangaroo and wallaby exports from Kangaroo industry representatives and individual business operators.

The Regulations are a legislative instrument for the purposes of the *Legislative Instruments Act 2003*.

The Regulations commenced on the day after they were registered on the Federal Register of Legislative Instruments.