

## EXPLANATORY STATEMENT

(Issued under the Authority of the Minister for Sustainability, Environment, Water, Population and Communities)

*Environment Protection and Biodiversity Conservation Act 1999 (Cth)*

### Instrument under section 184(1)(d)

The *Environment Protection and Biodiversity Conservation Act 1999 (Cth)* (the Act) provides for the protection of the environment, especially matters of national environmental significance, and the conservation of biodiversity, including the protection and conservation of threatened species.

Section 178 of the Act provides for a list of threatened species (the **List**) separated into particular categories being, extinct, extinct in the wild, critically endangered, endangered, vulnerable and conservation dependent.

Section 184(1)(d) of the Act provides that the Minister may, by legislative instrument, amend the List to correct an inaccuracy or update the name of a listed threatened species.

The purpose of this Instrument is to amend the List by correcting and updating the scientific names of threatened species included in the List as set out in **Attachment A**. In that attachment:

- ‘**Current EPBC Act listed name**’ refers to the name on the List before amendment; and
- ‘**Updated EPBC Act listed name**’ is the new name after the Instrument has taken effect.

These name changes result from changes to the species names following taxonomic revisions where the taxonomic revisions have not altered the concept or description of the species.

As this Instrument only corrects inaccuracies and updates names in the List and does not make any substantial changes to the List, consultation was not considered necessary.

Section 189(1) of the Act requires the rule-maker, when deciding whether to amend the List under section 184(1)(d) of the Act, to obtain and consider advice from the Threatened Species Scientific Committee on the proposed amendment. That advice was sought and considered prior to the making of the Instrument.

The Instrument is a legislative instrument for the purposes of the *Legislative Instruments Act 2003 (Cth)*.

The Instrument commences on the day after it is registered on the Federal Register of Legislative Instruments.

### Statement of Compatibility with Human Rights

The Instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011 (Cth)*. The Instrument does not engage any of the applicable rights or freedoms.

Authority: Section 184 (1) (d) of the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)*.

## **ATTACHMENT A**

### **Amendments to EPBC Act listed species**

#### **Fauna species**

<b>Current EPBC Act listed name</b>	<b>Updated EPBC Act listed name</b>
<i>Pezoporus wallicus flaviventris</i>	<i>Pezoporus flaviventris</i>
<i>Typhlops exocoeti</i>	<i>Ramphotyphlops exocoeti</i>