



Australian Government

Department of Climate Change, Energy,
the Environment and Water

Terms of Reference for Australian Native Animals

Application to amend the List of Specimens taken to be Suitable for Live Import (Live Import List)

Please use the following Guidelines and answer the questions in the Terms of Reference to amend the List of Specimens taken to be Suitable for Live Import to include Australian native animal species/specimens.

Guidelines

These guidelines have been written to assist applicants in completing an application to amend the List of Specimens taken to be Suitable for Live Import (Live Import List) under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) to include a new species/specimen which is not on the Live Import List.

To apply for any native animal species/specimens to be included on the Live Import List it is necessary to submit to the department the form, '*Application to amend the List of Specimens Suitable for Live Import*' along with a draft assessment report. The draft assessment report enables the Minister to make a decision on the species/specimen proposed for import, based on a thorough assessment of the potential risks to the environment.

The draft report must include an assessment of the potential impacts of the species/specimen on the Australian environment, based on the Terms of Reference. Applicants may complete this assessment themselves or may wish to employ a suitable consultant.

Inclusion of a species/specimen on the Live Import List means that anyone can then import it, not just the proponent. It is very important therefore for the department to assess all potential environmental impacts regardless of the nature of the proponent's intended import.

Environment as defined in the EPBC Act includes:

- a) ecosystems and their constituent parts, including people and communities; and
- b) natural and physical resources; and
- c) the qualities and characteristics of locations, places, and areas; and
- d) Heritage values of places; and
- e) the social, economic, and cultural aspects of a thing mentioned in paragraph (a), (b), (c) or (d).

Draft Assessment Report

All Terms of Reference must be addressed in the draft report for it to be processed. Additional information not included in the Terms of Reference may be included if the applicant chooses. It is strongly

Terms of Reference for Australian Native Animals

recommended that the Terms of Reference be used as subject headings in the report. This will ensure that all the information required by the Minister to make a decision is clearly incorporated within the report.

The draft assessment report is published on the department's website for at least 20 business days and stakeholders are invited to provide comments. At the same time, the Minister contacts the relevant Commonwealth, state and territory ministers advising them of the publication of the report and inviting their comments. The Minister may also consult with other organisations or individuals before making a decision to amend the list.

At the end of the consultation period the department collates all comments received from stakeholders, and the Commonwealth, state, and territory ministers, and forwards them to the applicant. The applicant must incorporate all relevant comments in the final report. This final report and a risk assessment prepared by the department will then be sent to Commonwealth, state, and territory departments for comments during a second consultation round.

The Minister will make a decision about the proposed amendment based upon the applicant's final report, a report of the risk assessment prepared by the department, and the outcomes of the consultations. The applicant will be advised in writing of the Minister's decision. If the Minister does not approve an amendment to add the species/specimen to the Live Import List, the import of the proposed species/specimen will remain prohibited.

Here are a few considerations when preparing the report:

- Ensure you use copyright-free images in your report.
- Research and present all information in a clear and professional manner.
- Peer-reviewed, scientific information should be drawn upon with references cited.
- Where it is not possible to obtain information from published literature, information from other sources, such as the Internet, can be included in the report. Information obtained from these sources must be cited. For example, the web site address should be cited after the relevant information.

Terms of Reference

- 1. Provide information on the taxonomy of the species/specimen, including any subspecies that occur naturally outside Australia.**

The following information is required about the taxonomy of the species/specimen.

- *Family name: Identify which family the species/specimen belongs to.*
- *Genus name: Identify which genus the species/specimen belongs to.*
- *Species/specimen: Identify the species/specimen.*
- *Subspecies: Are there any recognised subspecies, and if so, what subspecies does the proposed specimen for import belong to?*

Terms of Reference for Australian Native Animals

- *Taxonomic Reference: (eg. Axelrod, page no., illustration page no.)*
- *Common Names: Note what common names the species/specimen is known by (if any)*
- *For example, the Plains Zebra (common name) is known scientifically as *Equus burchelli*, where 'Equus' is the genus and 'burchelli' is the species. Zebras belong to the family Equidae.*
- *Is the species/specimen endemic to Australia? If not, provide details of its natural range outside Australia.*
- *Is the species/specimen a genetically-modified organism (GMO)? Identify if the species/specimen has been genetically modified. If the species/specimen has been genetically modified or engineered, you will need to contact the Office of the Gene Technology Regulator (www.ogtr.gov.au) before proceeding with this application.*

2. Provide information on the status of the species/specimen under the *Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)*, and its conservation status under the *Environment Protection and Biodiversity Conservation Act 1999*.

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) is an international treaty involving over 150 countries with the purpose of protecting wildlife from unregulated trade. Australia, as a member country, controls the import and export of species/specimen that are threatened or could become threatened due to trade in them or their products.

A species/specimen may be affected in its natural environment by factors such as habitat destruction and fragmentation, and illegal collection for a variety of purposes e.g. for the pet industry. To help mitigate the threat of collection and trade, the species could be listed in the CITES Appendices. A species on CITES Appendix I or II requires appropriate CITES import permits to enter Australia.

If the proposed species for import is listed on CITES Appendix I or II discuss as appropriate:

- *the implications of illegal trade*
- *popularity of the species in trade e.g. pet industry*
- *status of species in its natural range e.g. threatened, endangered, protected etc.*
- *why is this species threatened?*

CITES listing is taken into account when considering restrictions in countries outside the species' natural range.

Please provide information on the species' status under the Environment Protection and Biodiversity Conservation Act 1999 (i.e. whether it is listed as threatened).

3. Provide information on the possible impacts that imported species/specimens could have on the native population of the same species/specimen, and on other components of the Australian environment.

Terms of Reference for Australian Native Animals

Summarise the potential impact on the environment of importing the species/specimen. Address both the potential impacts of the import that is proposed, and the potential impacts of the species/specimen, should imported species/specimens ever be released from effective human control. As far as possible this should address impacts from all potential imported species/specimens – not just your proposed import.

It is important that a full explanation and comprehensive analysis, including the costs and benefits, of each aspect is undertaken.

3.1 *Provide information on whether the species/specimens proposed for import are likely to have any impact on native populations of the same species/specimen. This may include an assessment of:*

- *Whether the species/specimens are phenotypically different (i.e. different in appearance) from the wild species/specimens occurring in Australia. For example, do they vary in colour, size, other features?*
- *Whether the species/specimens are behaviourally different from the wild species/specimens occurring in Australia. For example, have they adapted to living in different climatic conditions from where they occur in Australia? Have they modified their diet? Have they modified the use of their habitat for nesting, shelter etc? Have they modified their social or hunting behaviour?*

3.2 *Provide information on the overall potential impact of this species/specimen should it establish populations outside its natural range within Australia. This is particularly important if it varies from species/specimens occurring naturally in Australia or has been modified in any way. This may include an assessment of the following:*

- *Impact on similar niche species (i.e. competition with other species for food, shelter, etc)*
- *Probable prey/food sources (including native wildlife, agricultural crops and domestic or commercial animals)*
- *Environmental degradation*
- *Whether there are any possible parasites or pathogens that these species/specimens may carry as compared to those naturally occurring in Australian populations*

4. Provide information on the origin of the live species/specimens that you propose to import.

- *Whether the species/specimens are a subspecies/race that is not available in Australia*
- *Whether the species/specimens are from feral populations overseas*
- *Whether the species/specimens have been captive bred and maintained in captivity*

5. Provide a summary of the proposed purpose of import.

Specify the reason you want to import the species/specimens. This may be for eligible non-commercial purposes such as research, education, exhibition, conservation breeding, household pet or travelling exhibition, or for commercial purposes. Where appropriate discuss any potential uses for this species/specimen should it be imported into Australia. Where applicable, describe its human uses (e.g. zoos, research, pets etc).

Clearly state the number of animals you want to import.

6. What conditions or restrictions, if any, could be applied to the import of the species/specimen to reduce any potential for negative environmental impacts (e.g. desexing species/specimens).

Particularly if the information above indicates that the species/specimens proposed for import may vary from naturally occurring Australian populations, you should consider whether any conditions should apply on imports, and what they may be (e.g. limiting imports to desexed species/specimens only). Conditions may be suggested that would reduce the impacts on the Australian environment of importing the species/specimen. Recommended conditions should be relevant to the conservation status of the species/specimen and/or the risks posed by the import.

If the outcome of the assessment is that the species/specimen can be imported subject to conditions, it will be placed on Part 2 of the Live Import List (i.e. the regulated part of the list).

7. State/territory controls on the species/specimen.

Outline any Commonwealth, state or territory legislative controls on the species/specimen.

As each state and territory of Australia has different legislation regarding legally keeping different species/specimen, and some states/territories prohibit keeping certain animals, please check what restrictions each state/territory imposes.

Are you aware of quarantine requirements for bringing live animals into Australia? Is the species/specimen you are proposing to have added to the Live Import List allowed to be imported under the Biosecurity Act 2015? Does an import permit need to be obtained from the Department of Agriculture, Fisheries and Forestry?

If there are not yet quarantine conditions in place for this organism, contact the Department of Agriculture, Fisheries and Forestry to discuss the undertaking of an Import Risk Analysis (IRA) by telephone on 1800 900 090 or visit the website for more information at <https://www.agriculture.gov.au/>