

Draft criteria for deciding species requiring individual identification and keeping of records – October 2006

Purpose

The draft criteria have been developed for discussion on how species would be classified as high interest, low interest, and exempt species for the purpose of keeping Activity Records and Movement Transaction Records. The Exotic Birdkeepers Advisory Group decided at its meeting on 21 and 22 September 2006 to seek comments on the draft criteria, and a draft classification developed using the criteria.

Background

The EPBC Act regulates the live import of animals into Australia. The policy framework for determining what live specimens can be imported without a permit (Part 1 of the Live Import List), and what specimens can be imported with a permit (Part 2 of the Live Import List) are based on meeting Australia's international obligations under the Convention of Biological Diversity and CITES. The Australian Government may also implement higher standards than required under international obligations in order to protect Australia's biodiversity. This policy framework supports the provisions under the Act relating to lawful importation of specimens and the marking of specimens.

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) does not specify the species that could be kept under the former National Exotic Bird Registration Scheme (NEBRS), or those that were exempt from that scheme. The 2003 Inventory of Exotic (Non-Native) Birds Known to be in Australia lists those species. The Inventory has been published on the Department's website since 2002.

Options being developed by EBAG for providing record keeping guidance on the keeping of Activity Records and Movement Transactions Records, or requiring the keeping of these records, will require the 2003 Inventory to be re-presented to support the scheme. In particular the new list would need to show high interest and low interest species subject to record keeping, and species exempt from record keeping. The list will not include species that cannot be imported into Australia, or species that are not on the 2003 Inventory.

To support the policy, criteria need to be developed for deciding how species on the 2003 Inventory would be classified into these groups, and if legislation is developed, for inclusion in the legislation. The criteria could be applied over time to review classification should any new information become available to warrant a review.

Any requirement for the keeping of records of exotic animals held in Australia would need to be based on the same policy framework. The Exotic Birdkeepers Advisory Group has already applied aspects of this policy framework for considering and evaluating the range of options EBAG considered would help improve regulation of exotic birds under the EPBC Act.

Draft criteria for deciding high, low and exempt species for individual identification and record keeping purposes

The following table proposes three criteria. It also identifies what should be considered when applying each of the criteria.

Table 1: Draft criteria for deciding high, low, and exempt species for individual identification and record keeping purposes.

Criterion	Considerations	Source and application	Comments
1. The degree that a species represents a pest risk to Australia's biodiversity e.g. a potential pest that may adversely affect native animals or habitat.	<p>In applying the criterion consideration should include:</p> <ul style="list-style-type: none"> • Vertebrate Pest Committee pest risk status (Extreme, Serious, Moderate or Low) • 2003 Inventory exempt listing as a reflection of the current application of pest risk. • Recent pest risk assessments undertaken by one or more States/Territories. • Pest risk assessments undertaken since the last review of classifications. • Mitigations in place to minimise the risk of escape. • The risk of deliberate release of specimens e.g. due to large captive populations and low market value. 	<p>Article 8 of the Convention on Biodiversity (CBD) requires each party to:</p> <ol style="list-style-type: none"> 1. promote the protection of ecosystems, natural habitats and the maintenance of viable populations of species in natural surroundings 2. prevent the introduction of, control and eradicate those alien species which threaten ecosystems, habitats or species; 3. Develop and maintain necessary legislation (and other provisions) for the protection of threatened species or populations. 	<p>The assumption is that the 2003 Inventory is the baseline.</p> <p>This criterion would also be relevant for future review of the list and, as with the Live Import List any changes, may need to be subject to risk assessment using the model accepted by the Australian Government at the time. Issues such as fecundity are embodied in the risk assessment models as are modeling for similar climate preferences for the species.</p> <p>Birdkeepers have highlighted that models may not adequately take account of predation on escapees or the dietary requirements of captive bred specimens which make establishment of feral populations difficult.</p>
2. The degree that a species represents a disease risk to Australia's biodiversity e.g. species is a potential carrier of a disease that may adversely affect native animals or habitat.	<p>In applying the criterion consideration should include:</p> <ul style="list-style-type: none"> • Biosecurity assessments and quarantine controls relating to species on the 2003 Inventory, or species on the classification list (when established). 	<p>See above comments relating to the CBD.</p> <p>Current biosecurity protocols and quarantine controls place a high risk on any species that is not subject to appropriate quarantine arrangements or that have not been subject</p>	<p>The assumption is that the 2003 Inventory is the baseline.</p> <p>This criterion would be relevant for future review of the list and as with the Live Import List any changes may need to be subject to risk assessment using the</p>

	<ul style="list-style-type: none"> Recent disease risk assessments or classifications by one or more States/Territories. Mitigations in place to minimise the risk of disease spread through captive populations. The risk of deliberate release due to a large captive populations and low market value. 	to import risk assessment.	model accepted by the Australian Government at the time.
3. The likelihood that a species is the subject of illegal trade, or could be the subject of illegal trade.	<p>In applying the criterion consideration should include:</p> <ul style="list-style-type: none"> CITES listing (I, II or III) taking into account the likelihood of illegal trade into Australia and any history of illegal trade in the species. Number in captivity in Australia of a species and characteristics of the species (e.g. fecundity) as an indicator of rarity and incentive for illegal trade. Extent of keeping of specimens in aviculture, as pets, or other commercial use of the species. Level of knowledge of keeping and breeding the species in captivity. Trends in market prices. Ease of smuggling eggs or live birds. 	Each CITES member country controls the import and export of an agreed list of species that are endangered, or at risk of becoming endangered, due to inadequate controls over trade in them or their products.	Common species in captivity sometime have high dollar value e.g. mutations may attract high prices and this is an incentive for illegal trade.

Developing and applying the criteria

The Department will develop the criteria in consultation with EBAG. The consultation process through EBAG will include a period of public comment to 15 November 2006. Other stakeholders including relevant Commonwealth agencies and States and Territory agencies may also be consulted on the appropriateness of the criteria.

The classification would have no other purpose other than to identify the species that record keeping standards or guidelines would apply to. The initial classification would be based on the species listed in the 2003 Inventory of Exotic (Non-Native) Bird Species Known to be in Australia.

The policy framework adopts a precautionary approach in that if information to address one criterion is lacking or inconclusive then the species should be considered for classification at a higher level.

There is no weighting of one criterion over another. Some criteria will need to be considered in the context established by other criteria.

Other issues to consider

Review of classifications over time

The classification system needs to have the capacity to address shifts in illegal activities and trends relating to trade in exotic animals. Therefore the classification system needs to be flexible so that the classifications may be reviewed to reflect changes over time including:

- Changes to CITES lists
- Major declines and increases in captive populations of different exotic species
- Major increases/declines in numbers of hobbyists and shifts in their behaviour (e.g. increased risk of deliberate releases because of overabundance in captivity and low market value)
- Shifts in smuggling and wildlife trade behaviour(s); and
- Changes in exotic animal risks through risk assessments undertaken by the Australian Government and/or the States or Territories.

The frequency of reviews would be dependant on external factors and would be considered as needed.

Individual identification of species

There is a need to address the difficulties in marking of particular species (e.g. small finches and other similar species) for the purpose of identifying individual specimens. This would only be required under the proposal if these species are classified in Class 1 or Class 2, which both require individual identification and marking.