



The Hon Tony Burke MP

Minister for Sustainability, Environment, Water, Population and Communities

C11/12415

The Hon John Murphy MP
 Chair
 Standing Committee on Petitions
 Parliament House
 CANBERRA ACT 2600



07 FEB 2012

Dear Mr Murphy

I refer to your letter of 24 November 2011 to the former Minister for Innovation, Industry, Science and Research, Senator the Hon Kim Carr, seeking a response to a petition submitted to the Standing Committee on Petitions which requests an immediate ban on the importation of primates for research purposes. Your letter has been passed to me for reply as the matter lies within my portfolio's responsibilities.

The Australian Government implements the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The EPBC Act permits the importation of live CITES listed animals for a restricted number of purposes. Live primates may only be imported for eligible non-commercial purposes such as exhibition, education, research or conservation breeding.

Specifically, import or export permits may be issued for scientific research purposes where the object of the research is to better understand or increase knowledge of the taxon; conserve biodiversity or maintain and/or improve human health.

The CITES Management Authority of any exporting country must not issue a permit authorising the export of any specimens listed on CITES unless it is satisfied that the export will not be detrimental to the survival of that species in the wild; that the specimen was not obtained in contravention of the laws of that State for the protection of fauna and flora; and that any living specimen will be so prepared and shipped as to minimise the risk of injury, damage to health or cruel treatment.

The comprehensive and effective safeguards in place in Australia to ensure that non-human primates are used only for justified, ethical and humane research purposes include compliance with the *Australian code of practice for the care and use of animals for scientific purposes* (the Code). The Code is published by the National Health and Medical Research Council (NHMRC) and has been variously incorporated into all state and territory legislation. The Code requires the use of non-human primates to be approved by an institutional Animal Ethics Committee (AEC). The AEC must be satisfied that the proposed use of the animals is justified, and that the potential value of the research is appropriately balanced against the potential effects on the welfare of the animal.

All NHMRC-funded research using non-human primates must also comply with the NHMRC Policy on the care and use of non-human primates for scientific purposes which states that non-human primates must be sourced from within Australia whenever possible, and that non-human primates imported from overseas must not be taken from wild populations. Imported non-human primates must, under the Policy, be accompanied by documentation to certify their status.

The Department of Sustainability, Environment, Water, Population and Communities works closely with the National Health and Medical Research Council (NHMRC) and is participating in a current review of the Code.

Thank you for writing on this matter.

Yours sincerely

Tony Burke