

Senate Standing Committee on Environment and Communications
Legislation Committee
Answers to questions on notice
Environment portfolio

Question No: 53
Hearing: Supplementary Budget Estimates
Outcome: Outcome 1
Programme: Environmental Standards Division (ESD)
Topic: EPBC Act – Permits to import and possess live imports
Hansard Page: N/A
Question Date: 21 October 2015
Question Type: Written

Senator Urquhart asked:

1. The Government has introduced an amendment to the EPBC Act as part of the Environment Protection and Biodiversity Conservation Amendment (Bilateral Agreement Implementation) Bill 2014 that would open up the potential to possess exotic animals, like bumblebees, that were not legally imported. Does the Federal Government support the use of bumblebees in Tasmania for pollination in greenhouses?
2. Does the federal government accept that this would create an incentive to illegally introduce them to the mainland in the hope that their use on the mainland would eventually be permitted?
3. Are there any measures that could reduce that risk?
4. Are there any risks to the natural environment broadly, or native bees particularly, from these bumblebees?

Answer:

1. It is currently an offence under the EPBC Act to possess a live specimen of any species, such as bumblebees, that was accidentally or illegally imported. This restriction applies even when that species is considered to have become established in the wild and there is no possibility of eradication. The restriction also prevents scientific research on these feral species and the use of them for potential economic benefit.

The legislative amendment would permit the possession of a listed non-native species, in a particular state or territory, that was not lawfully imported but is now present in a feral population in that state or territory (such as bumblebees in Tasmania).

The amendments would add a new part to the EPBC Act live import list to cover feral populations of animals already established in a state or territory. A species could only be added to the list following an assessment of the potential risks to the environment.

The amendments would also allow any person to apply for a testing permit to carry out research or trials for these types of feral species.

If the Bill is passed, any proposal to utilise the existing population of bumblebees for greenhouse pollination in Tasmania would need to undergo a risk assessment process and be required to demonstrate that the use of bumblebees would present a low level of risk to the natural environment and native species.

2. Substantial penalties already apply under section 303GN of the EPBC Act for the illegal importation of species into Australia, including imprisonment for up to five years. The movement of live specimens between states and territories within Australia is regulated by state and territory governments.
3. The amendment includes safeguards to protect native biodiversity, to prevent the species from spreading further, and to require states to “opt-in” for the authorisation to be effective in that jurisdiction.

The proposed amendment only allows listing species to Part 3 of the live import list if:

- the species is part of a feral population in a state or territory;
- possessing it in that state or territory would not be a threat to other native species or ecological communities;
- possessing it would not contribute to the feral population spreading further;
- the appropriate state or territory Minister has agreed in writing to the species being included on the list for that state or territory; and
- the requirements of sections 303EC, 303EE and 303EF of the EPBC Act are satisfied.

Sections 303EC, 303EE and 303EF relate to requirements for amending the live import list, including preparing an assessment report and public comment periods.

Additional conditions can be applied to the listing of any new species that is added to the live import list.

4. The proposed amendment includes an assessment and consultation process that is consistent with the existing EPBC Act requirements that must be followed when considering amendments to the live import list. Any proposal to utilise the existing population of bumblebees in Tasmania would undergo a risk assessment process and be required to demonstrate that the use of bumblebees would present a low level of risk to the natural environment and native species.