

Transactions Involving Wildlife and Wildlife Products

The Wildlife Regulations provide for the protection and management of wildlife in Tasmania. These Wildlife Regulations are now due for review and remaking, before 30 November 2020:

- ▶ [Wildlife \(General\) Regulations 2010](#)
- ▶ [Wildlife \(Deer Farming\) Regulations 2010](#)
- ▶ [Wildlife \(Exhibited Animals\) Regulations 2010](#)

Please note that laws relating to importing animals are not within the scope of this review as they are managed under section 32 of the *Nature Conservation Act 2002* and the *Animal Health Act 1995*.

PURPOSE OF THIS INFORMATION SHEET

The purpose of this Infosheet is to help frame the discussion/comments with targeted stakeholders during the first stage of consultation.

This Infosheet describes the Wildlife Regulations that relate to the making of products, use and sales involving wildlife or products of wildlife. Commercial activities concerning wildlife or wildlife products can include:

- taxidermy
- wildlife products generally
- exporting wildlife or products of wildlife; and
- farming wildlife (excluding deer).

Skins and royalties are discussed in *Hunting Wildlife* Infosheet.

This Infosheet includes matters that have been identified by various stakeholders, external to the Department, since the Wildlife Regulations were last reviewed in 2009. They do not represent the views of the Department.

The Department is, in this stage of the consultation, seeking the views of identified stakeholders about the efficiency, effectiveness and adequacy of the regulations.

TAXIDERMY

A person must have written permission from the Secretary to undertake taxidermy of any animal for a non-commercial purpose, to receive specially protected or protected wildlife for taxidermy (for either commercial or non-commercial use), and anyone wishing to undertake any commercial taxidermy must be licenced. The effect of these laws is such that taxidermists often seek permission to possess a carcass after it has already come into their possession, for example, by collecting road kill. Sometimes the specimen will be offered by the Department to educational institutions before permission is granted.

WILDLIFE PRODUCTS

Wildlife products are any form of wildlife, including eggs, nests, dead bodies or any part, material or thing obtained from the body of wildlife. Products of wildlife that have been canned or tinned or otherwise processed by the holder of a relevant accreditation under the *Primary Produce Safety Act 2011* are not considered to be products of wildlife. Eg. canned muttonbirds.

The general, and notably broad, definition of wildlife products introduces ambiguity in how the regulations are applied. There are a variety of circumstances where wildlife products may be possessed or traded that are currently not specified in the Wildlife Regulations, which can be considered by this review with the aim of reducing unnecessary red tape. Contemporising the definition of wildlife products will provide more certainty with regards to activities which do or do not require permitting.

EXPORTING WILDLIFE AND WILDLIFE PRODUCTS

Wildlife exports are regulated at the state and national level throughout Australia to protect conservation values and monitor trade in wildlife. In Tasmania, wildlife exports are regulated by the *Threatened Species Protection Act 1995*, the *Nature Conservation Act 2002* and the Wildlife Regulations, which delineate wildlife exports by “partly protected”, “protected” or “specially protected,” species, as listed on the Schedules.

In practical terms, there are two types of wildlife exports:

- live animals, usually as pets or for exhibition in wildlife parks and zoos, and
- products of wildlife, including meat, fur and skins.

In 2019, to the date of writing, approximately 185 export permits for wildlife or wildlife products have been granted. The majority of wildlife exports constitute common species of wildlife. There is a fee payable (currently \$15.80) upon lodgement of a written application to export wildlife or wildlife products. This fee is usually waived where the export is for an educational or scientific purpose.

The arrangements for exporting live Tasmanian wildlife interstate and overseas need to be consistent with Australian legislation and Australia’s obligations under international treaties that relate to environmental protection and wildlife trade:

- The export of wildlife from Tasmania must be sustainably managed to ensure the protection of Tasmania’s natural values;
- The Convention on Biological Diversity promotes the application of the precautionary principle to protect biodiversity. Under the precautionary principle, where there is a threat of significant reduction or loss of biological diversity, a lack of full scientific certainty should not be used as a reason for postponing measures to avoid or minimise such a threat; and
- Exports of any species listed in the appendices to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) must meet the requirements set out in the convention. In Australia these requirements, and any stricter domestic measures that apply, are set out under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

For wildlife products, including meat, skins and fur, to be exported out of Australia, there must be a Trade Management Plan, or Wildlife Trade Operation, approved by the Commonwealth Government of Australia

under the EPBC Act. The Department has Commonwealth approval for the commercial harvest and export of products of brushtail possums for the period 2015-2020.

ISSUES IDENTIFIED PREVIOUSLY BY STAKEHOLDERS

The following points represent some issues that have been identified by various stakeholders since the regulations were last reviewed. They do not represent the Department's position on any particular matter:

1. The Wildlife Regulations mandate the annual expiry of skin dealers and commercial taxidermy licences. This requirement is in addition to regular reporting requirements and comments have been received about whether these requirements can be simplified whilst maintaining appropriate accountability.
2. The Wildlife Regulations do not specify purposes and conditions to be met before wildlife can be exported. Feedback received suggests that clarification in the regulations may reduce some confusion and provide more transparency for people wishing to export wildlife.
3. The Wildlife Regulations require that a person have a permit to receive skins. However, only holders of a Fauna Dealers Licence (Skins) may receive skins, while licensed taxidermists cannot receive skins unless they obtain an extra licence. The Department has received feedback that this presents an inconsistency as taxidermists are already licensed to receive the carcass.

REVIEW PROCESS – WHEN CAN YOU HAVE YOUR SAY?

This Infosheet has been developed to assist the first phase of consultation with key stakeholders. The Department has engaged with around 90 groups and individuals. The Department is also reviewing existing regulatory practices for regulatory consistency to identify potential improvements.

Draft Regulations will be released in mid-2020 for public comment.

If you have an interest in receiving information on the review process, please contact the Natural Heritage Policy Section on (03) 6165 4422 to register your interest.

Department of Primary Industries, Parks, Water & Environment

For further information about the review email NaturalHeritage.Policy@dipwe.tas.gov.au or visit www.dipwe.tas.gov.au/wildlife-regulations-review