

2. The proposed scheme as presented at the May/June 2006 EBAG meeting

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Description

The option proposes a scaled registration and record keeping system. It provides registration and high standards for record keeping for CITES I listed species, lower standards for CITES II listed species, and no requirements for exempt species.

The option requires the tracking of individual bird specimens and individuals to substantiate the origin of specimens they have held or hold. The option would need to be implemented via amendment to the EPBC Act. Some elements could be introduced in advance of legislation, for example the introduction of a standard transaction form, or forms which is also addressed in Options 2, 3 and 4. The option includes “internet data entry” for registration and record keeping.

Categorisation of exotic birds under this option is based on the potential for the species to be smuggled, and that species be subject to requirements that reflect this risk.

The categories proposed are:

High interest birds (Class 1 birds)

◆ **Class 1 Birds**

Details of all bird transactions must enter a Department approved and managed registration system in which individual specimens are monitored.

Movement Transaction Record (MTR) and Activity Record forms are to be designed and developed by EBAG in consultation with stakeholders.

All movement transactions between sellers and buyers require a quadruple receipt to be issued from the seller to the buyer recording details of the transaction. The details of receipt need to be decided on by EBAG. Both the seller and the buyer must retain the transaction details, and return a copy of the transaction details to the Department within a Department/EBAG approved time frame (eg.1 month).

Class 1 birdkeeper requirements: Transactions registered with Department via MTR (4 copies) + Activity Record book required to be kept by birdkeepers.

Lower Interest Birds (Class 2 and 3 birds)

No formal registration scheme is involved but all transactions must be based on the standard movement transaction record detailed above.

◆ **Class 2 Birds**

All specimen movements / transactions must use the approved MTR form and retained by the two parties to the transaction. No requirement for any returns to DEH.

Class 2 birdkeeper requirements: MTR (2 copies) required to be maintained by birdkeepers + Activity Record book required to be kept by birdkeepers.

◆ **Class 3 Birds:**

All specimen movements / transactions must use the approved MTR form and retained by the two parties to the transaction. There is no requirement for any returns to be sent to the Department.

Class 3 birdkeeper requirements: MTR (2 copies) required to be maintained by birdkeepers. No Activity Record book maintained.

Exempt Birds (Class 4 birds)

No movement transaction record would be required for any movement.

◆ **Class 4. Birds:** Exempt Birds.

No MTRs.

Class 4 birdkeeper requirements: Transaction receipts (invoices) to be kept.

What needs to be developed further?

- Criteria for deciding categorisation of CITES II and exempt exotic birds i.e. which species would be included or excluded from the different levels of regulation and record keeping, including the species that would be exempt. The criteria would need to address relevant conservation issues (e.g. pest and disease risk) in addition to CITES listing and potential for illegal trade.
- Criteria for identifying species that can be marked with unique identifiers, and the markers or combination of markers that should be used for different species.
- Alternatives for species that cannot be marked with standard approaches.
- The details of the registration system and related record keeping.
- Data and reporting systems to support the proposed scheme, including viability of online data entry.

Risks

- Requires support from state and territory government agencies.
- Requires the support and implementation by the majority of exotic birdkeepers.
- The scheme doesn't address species equitably, or there is a perception that some species are being favoured over others.

Evaluation of Option 5 against criteria

| Criterion | Initial evaluation/comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. The option contributes to maintaining low levels of risk to Australia's biodiversity e.g. pest or disease that may adversely affect native animals or habitat. | This option will help reduce the current level of risk to biodiversity as proposals for categorisation of species will take into account protection of biodiversity. |
| 2. The option reduces illegal trade in designated species (EPBC Act) and reduces the keeping of illegal specimens in Australia. | Use of movement transactions forms and record keeping requirements and registration should support compliance activities and thereby significantly reduce illegal trade. |

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| <p>3. The option is practical and workable.</p> | <p>The option should work more effectively than current arrangements but is more complex. Some birdkeepers have expressed mixed views about registration schemes and record keeping and there is no evidence that suggests the majority of exotic birdkeepers and traders will observe requirements and use transaction form(s). Legislative back-up is required. Education will be an important component of implementation.</p> |
| <p>4. Resources required are commensurate for the issues they are applied to.</p> | <p>There would be a potential significant increase in resources needed by the Department to establish systems and implement the scheme. Resources would need to continue into the future, otherwise there is a risk that resources would be focussed on supporting the registration scheme rather than protecting biodiversity. Additional effort for birdkeepers not currently keeping adequate records would be focussed on Classes 1 and 2 species and lower level for Class 3. Increase in cost to birdkeepers. Option of cost recovery by Government.</p> |
| <p>5. Options requiring legislation for exotic birds can be applied to other exotic animals.</p> | <p>There would be a legally based obligation for birdkeepers to register and keep adequate records scaled to priority species. Whether the scheme could be developed only for exotic birds or whether it could be developed and applied to other exotic animals that had been legally imported into Australia, needs to be considered.</p> |
| <p>6. The option has capacity to address shifts in illegal activities and possible trends relating to trade in exotic animals.</p> | <p>This would depend largely on the information provided to the Department by the birdkeeping sector and other sources. Shifts in illegal behaviour may require changes to listing of species so that if less regulated species become the subject of illegal trade then they can be adequately controlled. Capacity exists, but would require rationale to be given in support of changes to species classification.</p> |

NOTE:

This option has not been reviewed in terms of being compliant with the Department's obligations under CITES.