

CEO LICENSING GUIDELINES TO SUPPORT THE BIODIVERSITY CONSERVATION REGULATIONS

FAUNA IMPORTING LICENCE

1. Legislative Basis for this Guideline

- 1.1. Regulation 10 of the Biodiversity Conservation Regulations provides that the CEO may issue licensing guidelines in relation to the licensing scheme in Part 4 of the regulations, and that these may be made as necessary or convenient.
- 1.2. Regulation 40(1) provides for a *Fauna importing licence* to be issued to a person to import –
 - 1.2.1. live fauna; or
 - 1.2.2. fauna products specified in guidelines issued by the CEO.

2. Purpose of this Guideline

- 2.1. The purpose of this guideline is to specify matters that will be considered during the assessment of an application for a *Fauna importing licence* and establish the criteria used to determine the list of fauna products that require an import licence. In addition, this guideline specifies the circumstances under which the CEO may or may not issue a licence to the applicant.

3. Classes or Categories

- 3.1. A fauna importing licence is required to import live fauna and specified fauna products into Western Australia.
- 3.2. Live pythons are not permitted to be imported into Western Australia, due to the risk of a number of viruses not present in this State being introduced into wild and captive python populations.
- 3.3. Appendix 1 provides a list of the fauna products for which a fauna importing licence is required.

4. Criteria used to establish the list of Fauna Products for Importing

- 4.1. Regulation 40(2) provides that the CEO may refuse to issue a licence if the CEO considers that the species of fauna or fauna product proposed to be imported poses a biosecurity risk to the State.
- 4.2. Regulation 40(3) provides that the CEO may refuse to issue a licence if the CEO is not satisfied that the fauna or fauna product to be imported has been, or will be, lawfully taken or possessed under a law of another State or Territory.
- 4.3. Regulating the importation of fauna or fauna products is required to ensure that auditing and compliance of similar fauna products produced in Western Australia is not compromised by unregulated import (for example, to protect the State's kangaroo industry), or to ensure (where reproductive material is being imported), that the species is one that is permitted to be held.

- 4.4. The criteria that have been used to determine the fauna products listed in Appendix 1 are:
- 4.4.1. whether the fauna product is reproductive material that could pose a potential risk to the State's biodiversity because it could result in new genetic material being introduced to the State's wild or captive populations, or could introduce a new species to the State; and
 - 4.4.2. whether the fauna product could pose a potential biosecurity risk to the State generally, or to the State's biodiversity in particular.

5. Application Process

- 5.1 A *Fauna exporting licence* application should be completed at least 20 business days before the fauna or fauna products are to be exported.
- 5.2 Fees are applicable to new applications.
- 5.3 Most new applications will be determined within 20 business days of receipt of a complete and correct application and the required fee.
- 5.4 Should an application require special consideration, the applicant will be kept informed regarding the progress of their application.
- 5.5 If an application is unsuccessful, the applicant will be informed and reasons for the decision will be provided.

6. Assessment Criteria

The following criteria must be met and demonstrated in the application:

- 6.1. The lawful origin of the fauna or fauna product imported, demonstrated by provision of a licence or equivalent to take the fauna or fauna product from another State, Territory or country.
- 6.2. The species is permitted into Western Australia. Refer to the Western Australian Organism List maintained by the Department of Primary Industries and Regional Development (www.agric.wa.gov.au/organisms).
- 6.3. Provide a description of the reproductive material including purpose of and implications of use of the product.

Appendix 1

List of fauna products that require a fauna import licence:

1. all native fauna as skins or whole carcasses; and
2. reproductive material of all native fauna (any part, product or genetic material of fauna from which other fauna could be produced (e.g. larva, embryo, egg, ovum or sperm)).