



RIS Ref: DES0054-0919

File Ref: DOC19/2221

4 October 2019

Mr Brett Manning  
Principal Policy Officer  
Department of Environment and Science  
400 George Street  
BRISBANE QLD 4000

Dear Mr Manning

## Decision Regulatory Impact Statement—Reviewing the framework for the management of protected wildlife (animals) in Queensland under the *Nature Conservation Act 1992*

Thank you for your enquiry of 26 August 2019, and further information to 30 September 2019, seeking advice on the adequacy of the Decision Regulatory Impact Statement (RIS) 'Reviewing the framework for the management of protected wildlife (animals) in Queensland under the Nature Conservation Act 1992'.

### Background

The conservation and management of protected animals in Queensland is regulated under the *Nature Conservation Act 1992* and subordinate legislation including the *Nature Conservation (Wildlife Management) Regulation 2006*, the *Nature Conservation (Wildlife) Regulation 2006* and the *Nature Conservation (Administration) Regulation 2006* (the licensing framework).

The Department of Environment and Science (the department) reviewed the licensing framework and identified the following problems:

- the licencing and record-keeping requirements facilitate illegal trafficking and trade in protected animals
- the unregulated take of animals from the wild threatens the long-term viability of wild populations
- some provisions create unnecessary regulatory burden, are unclear, or are overly complex.

### Proposal

The department released a Consultation RIS on 24 May 2018 to investigate ways to improve the licensing framework. The Consultation RIS acknowledged that at the time of writing the department had limited information on the keeping, breeding and trading of protected animals. The RIS presented options for replacing the four recreational and seven commercial licences with three licence categories—standard, specialised and advanced.

The options provided differing limits on the number of class 1 and 2 animals that can be kept under each licence category and differing restrictions on the breeding and trading of animals. In addition, the options involved shifting to an online record-keeping system and restricting unregulated take of certain protected animals.

The preferred option in the Consultation RIS included: a maximum of five class 1 animals under standard and specialised licences; no class 2 animals under a standard and a maximum of 5 class 2 animals under a specialised licence; and restrictions on breeding and trading under standard and specialised licences.



**Queensland Productivity Commission**  
Lvl 27, 145 Ann Street, Brisbane Qld 4000  
PO Box 12112, George Street Qld 4003

TEL 07 3015 5111  
EMAIL [enquiry@qpc.qld.gov.au](mailto:enquiry@qpc.qld.gov.au)  
WEB [qpc.qld.gov.au](http://qpc.qld.gov.au)  
ABN 18 872 336 955

The department considered that the preferred option provided the strongest framework for regulating the surrogate market for wildlife, managing the risk of illegal trade, and allowing pro-active monitoring of compliance.

The Consultation RIS was open for comment until 29 June 2018 and 95 submissions were received. In response to new information and concerns raised by stakeholders the department amended the preferred option to increase the maximum animal limits under the standard and specialised licences and to allow the breeding of animals under the specialised licence.

The department notes the updates to the preferred option should reduce the adverse impacts on licence-holders, while providing adequate protections for native wildlife.

#### **Assessment of Decision RIS**

The purpose of a Decision RIS is to reflect the outcomes of consultation on proposed regulatory amendments, including how stakeholder views were taken into consideration in developing a final recommendation.

The Queensland Productivity Commission (the Commission) has assessed the Decision RIS and considers it adequately presents the results of consultation, details of the department's response to stakeholder feedback and a discussion of the impacts of the proposal. Given this, the Commission considers the Decision RIS is adequate to support the decision maker's consideration of the proposal.

Consistent with the Queensland Government Guide to Better Regulation (the guidelines) the final Decision RIS and this letter of adequacy will be published on the Commission's website following approval of the RIS for release.

Please contact Dominic O'Neill, Senior Analyst, on (07) 3015 5164 if you require any additional information or guidance in relation to the above comments or the guidelines in general.

Yours sincerely



**Christine Tozer**  
Team Leader