

Australian Capital Territory

Pest Plants and Animals (Pest Animals) Declaration 2005 (No 1)

Disallowable instrument DI2005–255

made under the

Pest Plants and Animals Act 2005, s 16 (Declaration of pest animal)

EXPLANATORY STATEMENT

The *Pest Plants and Animals Act 2005* is an Act about pest plants and animals, and related purposes.

The purpose of the Act is to protect the ACT's land and aquatic resources from threats from pest plants and pest animals, to promote a strategic approach to pest management, to identify pest plants and animals, and to manage pest plants and animals.

Section 16 of the Act provides for the Minister to declare an animal to be a pest animal. A declaration may also declare that:

- (a) a pest animal is a notifiable pest animal – in which case its presence must be notified to the Chief Executive within 2 working days;
- (b) a pest animal is a prohibited pest animal – in which case it is an offence to supply or propagate the plant;

This instrument declares the pest animals under this Act.

In developing the pest animals declaration, the following criteria were considered.

- The animal has the potential to cause harmful impacts to environmental, economic or social values of the ACT.
- The animal is established across a range of land tenures in the ACT or region;
- There are feasible or acceptable means of control; and
- Pest animals declared by regional neighbours.

Pest animals with the potential to be supplied or kept by ACT residents that do not currently have free living populations in the ACT or region, but have potential to establish wild populations if their supply or keeping remains unregulated are declared as prohibited pest animals. However declaring pest animals as prohibited pests has been limited to invertebrates and fish as the provisions of the *Nature Conservation Act 1980* adequately cover activities such as selling, keeping and importing/exporting in relation to other kinds of animals.

As part of the ACT's commitment to developing a national approach to the management of pest and disease issues associated with aquarium fish trade, the pest animals declaration includes the nationally agreed list of high risk noxious fish species.

The declaration under section 16 is a disallowable instrument.