

FACT SHEET

Threatened Species Protection Amendment Bill 2018

- The shooting of three threatened eagles since May last year has provoked community outrage and resulted in significant media attention on the penalties for taking these, and other threatened species.
- Currently, the *Threatened Species Protection Act 1995* imposes a maximum of 100 penalty units which, at \$159 per unit, means the maximum fine is \$15 900, and there are no provisions in the Act to impose a custodial sentence. The maximum daily penalty is currently one fifth of the maximum overall penalty.
- On 7 September 2017 (World Threatened Species Day), the Tasmanian Government announced that the penalties for taking threatened species would be increased, and a maximum custodial sentence would be introduced via an amendment to the *Threatened Species Protection Act 1995*.
- In most other comparable jurisdictions (Commonwealth, States and Territories, and New Zealand) the penalties for taking threatened species are substantially greater, including significantly higher fines and custodial sentences.
- Sections 51 and 61 of the *Threatened Species Protection Act 1995* will be amended to increase the overall penalty to a maximum of 629 penalty units at a total of \$100 011, while the maximum daily penalty for each day during which the offence continues after conviction will rise to 126 penalty units (currently \$20 034).
- A maximum 12 month custodial will also be introduced, which could be imposed in addition, or as an alternative to, the monetary penalties.
- Amending Tasmania's *Threatened Species Protection Act 1995* to increase penalties and impose a maximum custodial sentence will provide a robust legal position regarding the seriousness of contravening the Act, and send a clear message regarding the unlawful and irresponsible taking of our unique fauna and flora.