

FACT SHEET

Threatened Species Protection Amendment Bill 2017

- The shooting of two threatened eagle species in May and July 2017 provoked community outrage and resulted in significant media attention that focused on the penalties for taking threatened species in Tasmania.
- 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 sentence 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.