

**EXOTIC BIRD SCHEME**  
**RECORD KEEPING, REGISTRATION & REQUIREMENTS OF THE ACT**  
**By Tony Melbourne**

In 1996, after much debate the Commonwealth Government introduced a National Exotic Bird Record Scheme (NEBRS). Due to the cost of running the scheme the Government decided in 2002 to close the scheme. The closure, in my opinion was poorly done, gave no clear instructions to exotic bird-keepers and in many cases records were no longer kept by bird-keepers.

From 2002 there was a marked increase in the smuggling of birds and eggs. Concerned responsible bird-keepers commenced lobbying the Department of Environment, Water and the Arts (DEWHA) which as a result of the Customs Service catching a number of couriers with bird eggs decided to take action. DEWHA called a meeting of Stake Holders representing many parties with an interest in exotic birds. A working party, the Exotic Birds Advisory Group (EBAG), was appointed by DEWHA to look at a system of record keeping.

The following terms of reference were given to the group:

**Role and Priorities**

The Exotic Bird-keepers Advisory Group will strive to:

1. provide a focused forum to discuss and develop guidance, approaches and mechanisms that support, breeding and trading in exotic birds
2. develop and implement communication strategies that facilitate and improve information flow on important matters affecting people who keep, breed and trade in exotic birds
3. enhance the development of the exotic bird-keeping sector by facilitating research and development which will support practical resolution of key issues affecting the viability of exotic bird-keeping in Australia
4. and provide advice to the Australian Government Department of the Environment and Heritage on options for practical and effective ways for people who keep, breed and trade in exotic birds to meet requirements of the Environment and Biodiversity Conservation Act 1999.

Within this role EBAG will address the following priority issues:

1. development of codes of practice, guidance and supporting tools for record keeping to demonstrate legal possession of exotic birds
2. development of practical mechanisms for resolving issues about the lack of documentation that has arisen since the closure of NEBRS in 2002
3. development of codes of practice and guidance for appropriate identification mechanisms for individual exotic birds (such as micro chipping, leg banding and DNA testing) and facilitate relevant research necessary to support these mechanisms
4. research and development of approaches to resolve subspecies identification issues
5. development of options for registration schemes or other mechanisms to assist bird-keepers to demonstrate the legality of their exotic bird holdings.

These were the guidelines EBAG had to abide by, they could not go outside their charter. An amnesty was never part of the EBAG process. On several occasions EBAG members broached this issue and were advised an amnesty was not an option the Government would countenance. Those who attended the Public Meeting convened by the UBSSA, and attended by Nick Gascoigne, Director, Exotic Species Regulation Wildlife Branch, would have heard Nick Gascoigne clearly state that the Government would not agree to an amnesty. Whether or not people agree with this stance by the Government, they, the Government, are not going change their attitude on this matter.

All the foreign birds known to be in Australia are listed on the Inventory of Exotic Bird Species.

Exotic birds are now sorted into three categories:

**Class 1 birds** are described as birds of high interest, meaning that they are expensive and are most likely to attract the interest of smugglers. These must have identification by the means described earlier and records must be kept. They are also subject to a Movement Register with copies going to the Department.

**Class 2 birds** are described as birds of low interest and less likely to be of attraction to the illegal trade. Records do not have to be kept on these birds, but the Department would like bird-keepers to keep records. Movement records should be kept, but not returned to the Department.

**Class 3 birds** are pest species and domestic Turkeys, Ducks *etc.* So the sparrows, starlings and blackbirds in your backyard are exotic birds, but no records need be kept on these.

Records can be kept in a little booklet supplied by the Department (I still have copies available). It is clearly stated that activity records for Class 2 & 3 birds are optional.

The new record keeping scheme became policy last October 2007 and was announced by the then Environment Minister at the end of that month. The EBAG consultation group was disbanded in December 2007 and the scheme actually started on the 7<sup>th</sup> of December 2007. The scheme is currently not law, as it has not yet been proclaimed. The reason for this is because the scheme is being independently evaluated by a Government appointee to ascertain any flaws. It is easier to make alterations to the scheme before it becomes law, than after. In either December 2008 or January 2009 the original Stake Holders will be invited back to Canberra for a final evaluation before the scheme is incorporated into the Act and becomes law.

If you currently choose not to participate in the Record Keeping Scheme you will not be fined, or have your birds seized, but if you receive a visit from a government official you will be required to prove that your birds have been legally obtained (*ie.* are birds registered during NEBRS or progeny of birds held during NEBRS) Proving the legality of your birds is part of the Environment Protection and Biodiversity Conservation Act 1999. If you start keeping records now it will show the authorities that you are using your best endeavours to comply with the Act, and as time goes by such records will reduce the chance of having birds seized by the Department in the future. You can apply for the Class 1 Record Keeping books at any time and start keeping records, preferably before it is legislated, as this shows that you are complying with the Act without being forced to do so by legislation.

The letter on the next page was sent to me by Nick Gascoigne (of DEWHA) in reply to one of the many items I have taken up with him during the EBAG process. Remember, the onus is on the bird-keeper to keep the records required under the act.

Now for a few of my thoughts on the matter. Firstly, if greedy minority of exotic bird-keepers had not started smuggling eggs and birds into the country we would not be in this predicament. There would not be the risk of an exotic bird disease being brought in which would put every aviculturists' birds at risk. Birds seized previously have been found to be diseased and euthanased, so the risk is there.

Also, it is my opinion that very few of our members keep Class1 birds, and this is most probably the reason much of the literature brought to meetings has not been taken by members. As we have many new members, some even new to aviculture, this subject must seem like a foreign language. There has been a lot of criticism of the EBAG process and its members, mainly by people who want an amnesty. One would wonder why people with legal birds would want this...makes you think doesn't it! The constraints put on EBAG by the terms of reference also made things hard. **The people, working on a voluntary basis on behalf of bird-keepers deserve better than this.** I would also like to thank Brian Reichelt, of The United Bird Societies of South Australia Inc., for the material he supplied to me in regard to this subject. I hope this information makes the situation a little clearer, and advise I am quite prepared to follow up any queries members may have.

Feel free to write, phone or E-mail me if you need further information.

Full information is available on the Government Website:  
[www.environment.gov.au/biodiversity/trade-use/exoticbirds](http://www.environment.gov.au/biodiversity/trade-use/exoticbirds) or by phoning 1800 720 466.



Australian Government

Department of the Environment, Water, Heritage and the Arts

Mr Anthony Melbourne  
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Dear Mr Melbourne

The exotic bird recording keeping scheme (the scheme) is a policy, which was announced by the Environment Minister in October 2007. It is not currently law, but is designed to help bird keepers comply with current legislation under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Under the EPBC Act, owners of exotic birds bear the evidential burden to be able to verify that their specimens have been lawfully imported or obtained. The exotic bird record keeping scheme was implemented in order to help exotic bird keepers meet their obligations under the EPBC Act to help verify the origin of bird specimens.

The scheme officially started on 7 December 2007 with the distribution of information packs and information on our website.


The scheme is currently being independently evaluated over the first twelve months. Future directions of the scheme will be considered following the evaluation.

It is in the best interests of people who keep, breed or trade in exotic birds to keep appropriate records, as a matter of good practice. Good record keeping is also important in the event that a person comes under scrutiny relating to the possession of potentially illegally imported specimens or the progeny of such specimens.

Bird keepers should remember that if they buy an illegal bird (unknowingly or not) it becomes their illegal bird. For this reason, bird keepers should make sure they check documentation about a bird before buying it.

Even if a bird keeper has few records of where they obtained their birds, this scheme offers the opportunity for bird keepers to start keeping records. It is better for bird keepers to participate in record keeping than to not keep any records.

Yours sincerely

  
Nick Gascoigne  
Director  
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