

**COMMONWEALTH OF AUSTRALIA**

**List of CITES Species Amendment (2023/011018) Instrument 2023**

Made under paragraphs 303CA(9)(b) and (c) of the

*Environment Protection and Biodiversity Conservation Act 1999*

I, Adam Sincock, delegate of the Minister for the Environment pursuant to paragraphs 303CA(9)(b) and (c) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), amend the *List of CITES Species for the Purposes of the Act (29/11/2001),* established under subsection 303CA(1) of the EPBC Act, as set out in Schedule 1 to this instrument.

Each provision of this instrument specified in Column 1 of the table below commences, or is taken to have commenced, in accordance with Column 2 of the table. Any other statement in Column 2 has effect according to its terms.

| Commencement information |
| --- |
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. Anything in this instrument not elsewhere covered by this table. | The day after this instrument is registered. |  |
| 2. Schedule 1 | 4 May 2023 |  |
| 3. Schedule 2 | 21 May 2023 |  |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

Any information in Column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

Dated this 27th day of April 2023

Adam Sincock
Delegate of the Minister for the Environment

Note: CITES means the Convention on International Trade in Endangered Species of Wild Fauna and Flora made at Washington on 3 March 1973, as amended and in force for Australia from time to time.

## SCHEDULE 1

Under the heading Phylum: Chordata (Chordates), Class: Reptilia, Suborder: Serpentes, include in the appropriate position:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Family: Viperidae |  |  |  |  |
| *Daboia palaestinae* | Palestine viper | III | Listed by Israel  | 4 May 2023 |

Under the heading Phylum: Chordata (Chordates) amend the following items to update the First Listed date:

|  | **Taxon** | **Common Name** | **Appendix** | **Notation** | **First Listed** |
| --- | --- | --- | --- | --- | --- |
| **Change:** | *Hypancistrus zebra*  | Zebra pleco | II | A zero export quota for wild specimens for commercial purposes | 23 Feb 2023 |
| **To:** | *Hypancistrus zebra*  | Zebra pleco | II | A zero export quota for wild specimens for commercial purposes | 3 Jan 2017 |
| **Change:** | *Calyptocephalella gayi* |   | III | Listed by Chile |   |
| **To:**  | *Calyptocephalella gayi* |   | III | Listed by Chile | 27 Apr 11 |
| **Change:** | *Ceratotherium simum simum* | Southern White Rhinoceros | I | Populations other than South Africa, Eswatini and Namibia. | 1 Jul 75 |
| **To:**  | *Ceratotherium simum simum* | Southern White Rhinoceros | I | Populations other than South Africa, Eswatini and Namibia. | 4 Feb 77 |
| **Change:** | *Chelydra serpentina* | Common snapping turtle | II |  | 23 Feb 2023 |
| **To:**  | *Chelydra serpentina* | Common snapping turtle | II |  | 21 Nov 16 |
| **Change:** | *Macrochelys temmincki*  | Alligator snapping turtle | II |  | 23 Feb 2023 |
| **To:**  | *Macrochelys temmincki*  | Alligator snapping turtle | II |  | 14 Jun 06 |

Under the heading Kingdom: Plantae (Plants) amend the following items to update the associated notations:

|  | **Taxon** | **Common Name** | **Appendix** | **Notation** | **First Listed** |
| --- | --- | --- | --- | --- | --- |
| **Change:** | *Cactaceae spp.* | cacti, cactus | II | Included in Appendix II, except for the species included in Appendix I, and for *Pereskia* spp., *Pereskiopsis* spp. and *Quiabentia* spp., which are not included in the Appendices. Additionally, artificially propagated specimens of the following hybrids and/or cultivars are not subject to the provisions of the Convention: – *Hatiora x graeseri* – *Schlumbergera x buckleyi* – *Schlumbergera russelliana x Schlumbergera truncata* – *Schlumbergera orssichiana x Schlumbergera truncata* – *Schlumbergera opuntioides x Schlumbergera truncata* – *Schlumbergera truncata* (cultivars) – *Cactaceae* spp. colour mutants grafted on the following grafting stocks: *Harrisia* 'Jusbertii', *Hylocereus trigonusor* *Hylocereus undatus* – *Opuntia microdasys* (cultivars).#4All parts and derivatives except:a) seeds (including seedpods of Orchidaceae), spores and pollen (including pollinia). The exemption does not apply to seeds from Cactaceae spp. exported from Mexico, and to seeds from *Beccariophoenix madagascariensis* and *Neodypsis decaryi* exported from Madagascar;b) seedling or tissue cultures obtained in vitro, in solid or liquid media, transported in sterile containers;c) cut flowers of artificially propagated plants;d) fruits and parts and derivatives thereof of naturalized or artificially propagated plants of the genus Vanilla (Orchidaceae) and of the family Cactaceae;e) stems, flowers, and parts and derivatives thereof of naturalized or artificially propagated plants of the genera Opuntia subgenus Opuntia and Selenicereus (Cactaceae); andf) finished products of *Euphorbia antisyphilitica* packaged and ready for retail tradeExemption: Up to 3 rainsticks made from Appendix II Cactus species, contained in accompanied baggage and for personal use, do not require any CITES documentation | 1 Jul 75 |
| **To:**  | *Cactaceae spp.* | cacti, cactus | II | Included in Appendix II, except for the species included in Appendix I, and for *Pereskia* spp., *Pereskiopsis* spp. and *Quiabentia* spp., which are not included in the Appendices. Additionally, artificially propagated specimens of the following hybrids and/or cultivars are not subject to the provisions of the Convention: – *Hatiora x graeseri* – *Schlumbergera x buckleyi* – *Schlumbergera russelliana x Schlumbergera truncata* – *Schlumbergera orssichiana x Schlumbergera truncata* – *Schlumbergera opuntioides x Schlumbergera truncata* – *Schlumbergera truncata* (cultivars) – *Cactaceae* spp. colour mutants grafted on the following grafting stocks: *Harrisia* 'Jusbertii', *Hylocereus trigonusor* *Hylocereus undatus* – *Opuntia microdasys* (cultivars).#4All parts and derivatives except:a) seeds (including seedpods of Orchidaceae), spores and pollen (including pollinia). The exemption does not apply to seeds from Cactaceae spp. exported from Mexico, and to seeds from *Beccariophoenix madagascariensis* and *Neodypsis decaryi* exported from Madagascar;b) seedling or tissue cultures obtained in vitro, in solid or liquid media, transported in sterile containers;c) cut flowers of artificially propagated plants;d) fruits and parts and derivatives thereof of naturalized or artificially propagated plants of the genus Vanilla (Orchidaceae) and of the family Cactaceae;e) stems, flowers, and parts and derivatives thereof of naturalized or artificially propagated plants of the genera Opuntia subgenus Opuntia and Selenicereus (Cactaceae); f) finished products of *Euphorbia antisyphilitica* packaged and ready for retail trade; andg) finished products derived from artificial propagation, packaged and ready for retail trade of cosmetics containing parts and derivatives of *Bletilla striata, Cycnoches cooperi, Gastrodia elata, Phalaenopsis amabilis* or *Phalaenopsis lobbii.*Exemption: Up to 3 rainsticks made from Appendix II Cactus species, contained in accompanied baggage and for personal use, do not require any CITES documentation. | 1 Jul 75 |
| **Change:** | *Dalbergia cochinchinensis* | Thailand rosewood | II | All parts and derivatives are included, except:a) seeds (including seedpods of Orchidaceae), spores and pollen (including pollinia). The exemption does not apply to seeds from Cactaceae spp. exported from Mexico, and to seeds from Beccariophoenix madagascariensis and Dypsis decaryi exported from Madagascar;b) seedling or tissue cultures obtained in vitro, in solid or liquid media, transported in sterile containers;c) cut flowers of artificially propagated plants;d) fruits, and parts and derivatives thereof, of naturalised or artificially propagated plants of the genus Vanilla (Orchidaceae) and of the family Cactaceae;e) stems, flowers, and parts and derivatives thereof, of naturalised or artificially propagated plants of the genera Opuntia subgenus Opuntia and Selenicereus (Cactaceae); andf) finished products of Euphorbia antisyphilitica packaged and ready for retail trade. | 12 Jun 13 |
| **To:**  | *Dalbergia cochinchinensis* | Thailand rosewood | II | All parts and derivatives are included, except:a) seeds (including seedpods of Orchidaceae), spores and pollen (including pollinia). The exemption does not apply to seeds from Cactaceae spp. exported from Mexico, and to seeds from *Beccariophoenix madagascariensis* and *Dypsis decaryi* exported from Madagascar;b) seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;c) cut flowers of artificially propagated plants;d) fruits, and parts and derivatives thereof, of naturalised or artificially propagated plants of the genus *Vanilla* (Orchidaceae) and of the family Cactaceae;e) stems, flowers, and parts and derivatives thereof, of naturalised or artificially propagated plants of the genera *Opuntia* subgenus Opuntia and *Selenicereus* (Cactaceae); f) finished products of *Euphorbia antisyphilitica* packaged and ready for retail trade; andg) finished products derived from artificial propagation, packaged and ready for retail trade of cosmetics containing parts and derivatives of *Bletilla striata, Cycnoches cooperi, Gastrodia elata, Phalaenopsis amabilis* or *Phalaenopsis lobbii.* | 12 Jun 13 |
| **Change:** | *Dypsis decaryi* | Feather Palm,  Triangle Palm | II | All parts and derivatives, except:a) seeds (including seedpods of Orchidaceae), spores and pollen (including pollinia). The exemption does not apply to seeds from *Cactaceae* spp. exported from Mexico, and to seeds from *Beccariophoenix madagascariensis* and *Dypsis decaryi* exported from Madagascar;b) seedling or tissue cultures obtained in vitro, in solid or liquid media, transported in sterile containers;c) cut flowers of artificially propagated plants;d) fruits, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genus Vanilla (Orchidaceae) and of the family Cactaceae;e) stems, flowers, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genera Opuntia subgenus Opuntia and Selenicereus (Cactaceae); andf) finished products of Euphorbia antisyphilitica packaged and ready for retail trade. | 1 Jul 75 |
| **To:**  | *Dypsis decaryi* | Feather Palm, Triangle Palm | II | All parts and derivatives, except:a) seeds (including seedpods of Orchidaceae), spores and pollen (including pollinia). The exemption does not apply to seeds from *Cactaceae* spp. exported from Mexico, and to seeds from *Beccariophoenix madagascariensis* and *Dypsis decaryi* exported from Madagascar;b) seedling or tissue cultures obtained in vitro, in solid or liquid media, transported in sterile containers;c) cut flowers of artificially propagated plants;d) fruits, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genus Vanilla (Orchidaceae) and of the family Cactaceae;e) stems, flowers, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genera Opuntia subgenus Opuntia and Selenicereus (Cactaceae); f) finished products of Euphorbia antisyphilitica packaged and ready for retail trade; andg) finished products derived from artificial propagation, packaged and ready for retail trade of cosmetics containing parts and derivatives of *Bletilla striata, Cycnoches cooperi, Gastrodia elata, Phalaenopsis amabilis* or *Phalaenopsis lobbii.* | 1 Jul 75 |

Under the heading Phylum: Chordata (Chordates), Class: Reptilia, Suborder: Squamata, Family: Iguanidae, delete the following items:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Taxon** | **Common Name** | **Appendix** | **Notation** | **First Listed** |
| *Phrynosoma blainvillii* | San Diego horned lizard | II |   | 1 Jul 75 |
| *Phrynosoma cerroense* | [Cedros Island horned lizard](http://en.wikipedia.org/w/index.php?title=Cedros_Island_horned_lizard&action=edit&redlink=1) | II |   | 11 Jun 92 |
| *Phrynosoma coronatum* | Coastal Horned Lizards | II | Except subspecies with earlier listed date. | 11 Jun 92 |
| *Phrynosoma wigginsi* | [Gulf Coast horned lizard](http://en.wikipedia.org/wiki/Gulf_Coast_horned_lizard) | II |   | 11 Jun 92 |

Under the heading Phylum: Chordata (Chordates), Class: Reptilia, Suborder: Squamata, Family: Phrynosomatidae, in the appropriate place, include the following items:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Taxon** | **Common Name** | **Appendix** | **Notation** | **First Listed** |
| *Phrynosoma blainvillii* | San Diego horned lizard | II |   | 1 Jul 75 |
| *Phrynosoma cerroense* | [Cedros Island horned lizard](http://en.wikipedia.org/w/index.php?title=Cedros_Island_horned_lizard&action=edit&redlink=1) | II |   | 11 Jun 92 |
| *Phrynosoma coronatum* | Coastal Horned Lizards | II | Except subspecies with earlier listed date. | 11 Jun 92 |
| *Phrynosoma wigginsi* | [Gulf Coast horned lizard](http://en.wikipedia.org/wiki/Gulf_Coast_horned_lizard) | II |   | 11 Jun 92 |

## SCHEDULE 2

Under the heading Phylum: Arthropoda (Arthropods), Class: Insecta, Order: Lepidoptera, include in the appropriate position:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Family: Papilionidae |  |  |  |  |
| *Papilio phorbanta* | Small Réunion swallowtail | III | Listed by the European Union | 21 May 23 |