



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

Amendment of List of Exempt Native Specimens

I, NIGEL ROUTH, Assistant Secretary, Marine Biodiversity Policy Branch, as Delegate of the Minister for Environment Protection, Heritage and the Arts pursuant to subsection 303DC(1) of the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act), hereby amend the list of exempt native specimens established under section 303DB of the EPBC Act by revoking the conditions to which the inclusion of the following item in the list in 30 June 2010 is subject:

- Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act, taken in the New South Wales Ocean Trap and Line Fishery, as defined in the Fishery Management Strategy for the Ocean Trap and Line Fishery made under the New South Wales *Fisheries Management Act 1994*.

and imposing the following conditions to which inclusion of the specimens in the list is subject:

- the specimen, or the fish or invertebrate from which it is derived, was taken lawfully in accordance with the restricted entry management regime in force under the New South Wales (NSW) *Fisheries Management Act 1994*;
- the specimens are included in the list until 11 November 2010;
- operation of the Ocean Trap and Line Fishery will be carried out in accordance with the management arrangements in force under the NSW *Fisheries Management Act 1994*;
- Industry & Investment NSW to advise the Department of the Environment, Water, Heritage and the Arts (DEWHA) of any proposed substantive changes to the Ocean Trap and Line Fishery management arrangements that may affect the assessment of the fishery against the criteria on which EPBC Act decisions are based; and
- no new permits to be issued in the Ocean Trap and Line Fishery that allow the targeting of large shark species until a precautionary level of take and associated management measures for those species can be demonstrated to and agreed by DEWHA.

Dated this 12th day of August 2010

.....Nigel Routh.....

Delegate of the Minister for Environment Protection, Heritage and the Arts