



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION

I, NIGEL ROUTH, Assistant Secretary, Marine Biodiversity Policy Branch, as Delegate of the Minister for Sustainability, Environment, Water, Population and Communities, having satisfied myself on the matters set out in section 303FN of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), declare the operation that is specified in column 1 of Table 1, to be an approved wildlife trade operation under subsection 303FN (2) of the EPBC Act, but only to the extent the operation relates to the class of specimens specified in column 2 of Table 1.

Table 1

Operation	Class of Specimens
Northern Territory Aquarium Fishery (being the Aquarium Fishing/Display Fishery as defined in the <i>Fisheries Regulations</i> in force under the Northern Territory <i>Fisheries Act</i>).	Specimens that are, or are derived from, fish or invertebrates, including listed marine species in the family Sygnathidae, but excluding: <ul style="list-style-type: none">all other specimens of species listed under Part 13 of the EPBC Act; andall species in the family Pristidae.

This declaration:

- is valid until 30 November 2012; and
- is subject to the conditions under section 303FT of the EPBC Act specified in the Schedule.

Dated this

24th

day of

June

2011

.....


Delegate of the Minister for Sustainability, Environment, Water, Population and Communities

Under the *Administrative Appeals Tribunal Act 1975*, a person whose interests are affected by this decision may apply for a statement of reasons and for independent review of the decision. An application for a statement of reason may be made in writing to Department of the Sustainability, Environment, Water, Population and Communities within 28 days of the date of the declaration. An application for independent review may be made to the Administrative Appeals Tribunal on payment of the relevant fee within 28 days of the date of the declaration, or if reasons are sought, within 28 days of receipt of reasons. Further information may be obtained from the Director, Sustainable Fisheries Section.

SCHEDULE

Declaration of the harvest operations of the Northern Territory Aquarium Fishery as an approved wildlife trade operation, June 2011

ADDITIONAL PROVISIONS (section 303FT)

Relating to the harvesting of specimens that are, or are derived from, fish or invertebrates, including listed marine species in the family Sygnathidae, but excluding all other specimens of species listed under Part 13 of the EPBC Act and all species in the family Pristidae, in the Northern Territory Aquarium Fishery:

1. Operation of the fishery will be carried out in accordance with the Northern Territory Aquarium Fishery management regime made under the Northern Territory *Fisheries Act* and the Northern Territory *Fisheries Regulations*.
2. The Northern Territory Department of Resources to inform the Department of Sustainability, Environment, Water, Population and Communities of any intended amendments to the management arrangements that may affect the criteria on which EPBC Act decisions are based.
3. The Northern Territory Department of Resources to produce and present reports to the Department of Sustainability, Environment, Water, Population and Communities annually as per Appendix B to the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*.
4. In consultation with Australia's CITES¹ Scientific Authority for marine species (Department of Sustainability, Environment, Water, Population and Communities), the Northern Territory Department of Resources to review the management arrangements for all species listed on Appendix II of CITES, which are permitted to be retained in the Northern Territory Aquarium Fishery. The review should include, but not be limited to, a review of the process for setting performance measures and trigger reference points for each species with reference to CITES requirements.
5. The Northern Territory Department of Resources to consult with the Department of Sustainability, Environment, Water, Population and Communities prior to any change to the management arrangements for a CITES-listed species being implemented in the Northern Territory Aquarium Fishery.

¹ Convention on International Trade in Endangered Species of Wild Fauna and Flora