



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION

I, CLAIRE HOWLETT, Acting Assistant Secretary, Marine Environment Branch, as Delegate of the Minister for the Environment and Water Resources, have considered in accordance with section 303FN of the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act) the application from the Department of Fisheries, Western Australia, public comments on the proposal as required under section 303FR, and advice on the ecological sustainability of the operation. I am satisfied on those matters specified in section 303FN of the EPBC Act. I hereby declare the operations for the harvesting of specimens that are, or are derived from, fish or invertebrates taken in the Western Australia Shark Bay Crab Interim Managed Fishery, as defined in the *Shark Bay Crab Fishery (Interim) Management Plan 2005*, made under the *Western Australia Fish Resources Management Act 1994* and *Fish Resources Management Regulations 1995*, to be an approved Wildlife Trade Operation, in accordance with section 303FN (2) and (10)(d), for the purposes of the EPBC Act.

Unless amended or revoked, this declaration:

- a) is valid until 12 November 2010 and;
- b) is subject to the conditions applied under section 303FT specified in the November 2007 Schedule.

Dated this 12th day of November 2007

[Signed]
Claire Howlett

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Delegate of the Minister for the Environment and Water Resources

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 Environment and Water Resources 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 Policy and Assessment Section.

SCHEDULE

Declaration of the Harvest Operations of the Western Australia Shark Bay Crab Interim Managed Fishery as an approved Wildlife Trade Operation, November 2007

ADDITIONAL PROVISIONS (section 303FT)

Relating to the harvesting of fish specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the *Environment Protection and Biodiversity Conservation Act 1999*, taken in the Shark Bay Crab Interim Managed Fishery, as defined in the *Shark Bay Crab Fishery (Interim) Management Plan 2005*, made under the *Western Australia Fish Resources Management Act 1994* and *Fish Resources Management Regulations 1995*.

1. Operation of the fishery will be carried out in accordance with the *Shark Bay Crab Fishery (Interim) Management Fishery Plan 2005* and management regime for the fishery in force under the *Western Australia Fish Resources Management Act 1994* and *Fish Resources Management Regulations 1995*.
2. Department of Fisheries Western Australia to advise the Department of the Environment and Water Resources of any material change to the Western Australian Shark Bay Crab Interim Managed Fishery's legislated management regime and/or arrangements that could affect the criteria on which *Environment Protection and Biodiversity Conservation Act (1999)* decisions are based, within three months of that change being made.
3. Department of Fisheries Western to produce and present reports to the Department of the Environment and Water Resources annually as per Appendix B of the '*Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*'.