



The Hon Michael Egan FAICD  
Chairman  
Australian Fisheries Management Authority Commission  
PO Box 7051  
Canberra BC ACT 2610

Dear Mr Egan

I am writing to you as the Delegate of the Minister for Sustainability, Environment, Water, Population and Communities in relation to the assessment of Australia's High Seas Permits under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

In February 2013, the Australian Fisheries Management Authority provided an application to the Department of Sustainability, Environment, Water, Population and Communities seeking continued export approval for Australia's High Seas Permits.

The application has been assessed for the purposes of the wildlife trade provisions of Part 13A of the EPBC Act. The assessment took into account measures that have been developed by the Australian Fisheries Management Authority in response to the recommendations made when product taken on the high seas by Australian flagged vessels was included in the list of exempt native specimens in 2010.

I am pleased to advise that the assessment is now complete. The new assessment report will be available on the Department of Sustainability, Environment, Water, Population and Communities' website at:  
<http://www.environment.gov.au/coasts/fisheries/commonwealth/high-seas/index.html>.

I consider that Australia's High Seas Permits operate in line with the Australian Government 'Guidelines for the Ecologically Sustainable Management of Fisheries – 2<sup>nd</sup> Edition.' Given the management arrangements and precautionary measures for the Permits including area restrictions, gear restrictions and trigger limits for catch and interactions with vulnerable marine ecosystems which trigger management responses, I have decided to amend the list of exempt native specimens to allow export of product derived through the operation of Australia's High Seas Permits for a period of five years, until 18 May 2018.

While there are some environmental risks associated with Australia's High Seas Permits, I believe that the Australian Fisheries Management Authority has in place measures to address these issues. Officers from the Australian Fisheries Management Authority, the Department of Agriculture, Fisheries and Forestry and this department have discussed and agreed to six recommendations focussing on ensuring the continuation of good management practices. These recommendations can be found at **Attachment 1**.

Please note that my decision under the EPBC Act relates to the management arrangements in force at the time of the assessment decision. To ensure that the decision remains valid, the Department of Sustainability, Environment, Water, Population and Communities needs to be advised of any intended material changes to the management arrangements that apply to the Permits and make an assessment that the new arrangements are equivalent or better, in terms of ecological sustainability, than those in place at the time of the original decision. This includes legislated amendments and operational changes that may affect the impact of the harvest in relation to target species, byproduct, bycatch, protected species or the ecosystem.

I would like to thank you for the constructive way in which your officials have approached this assessment. I have written to Senator the Hon Joe Ludwig, Minister for Agriculture, Fisheries and Forestry, in similar terms.

Yours sincerely

A handwritten signature in blue ink, consisting of a stylized 'G' followed by a horizontal line.

Geoff Richardson

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

26 May 2013

**Recommendations to the Australian Fisheries Management Authority and the Department of Agriculture, Fisheries and Forestry on the ecologically sustainable management of Australia's High Seas Permits, May 2013**

1. Operation of Australia's High Seas Permits will be carried out in accordance with the permit conditions, in force under the *Fisheries Management Act 1991*.
2. The Australian Fisheries Management Authority to inform the Department of Sustainability, Environment, Water, Population and Communities of any intended material changes to the management arrangements under Australia's High Seas Permits that may affect the assessment against which *Environment Protection and Biodiversity Conservation Act 1999* decisions are based.
3. The Australian Fisheries Management Authority 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 – 2<sup>nd</sup> Edition'.
4. The Department of Agriculture, Fisheries and Forestry, in conjunction with the Australian Fisheries Management Authority, to continue to investigate key non-highly migratory species stocks harvested under Australia's High Seas Permits, with a view towards improved certainty in future stock assessments of these species. Investigations should be consistent with the research priorities identified by the relevant bodies of applicable international regional fisheries agreements, as well as any relevant research agencies.
5. For the Australian Fisheries Management Authority to:
  - a) continue to collect reliable information on the composition and abundance of retained and non-retained catch, and
  - b) investigate the risk to bycatch and discard species, and based on the findings, implement appropriate management responses.
6. The Department of Agriculture, Fisheries and Forestry, in conjunction with the Australian Fisheries Management Authority, to work through the relevant bodies of applicable international regional fisheries agreements, to ensure appropriate research and management, among Member nations, for species harvested under Australia's High Seas Permits.



