



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

Revocation of Accreditation of a Plan, Regime or Policy for the purposes of Part 13 Accreditation of a Plan, Regime or Policy for the purposes of Part 13

I, PAUL MURPHY, Assistant Secretary, Wildlife Trade and Biosecurity Branch, as Delegate of the Minister for the Environment:

- a) revoke, under subsection 33(3) of the *Acts Interpretation Act 1901*, the accreditation of the management regime for the Small Pelagic Fishery Management Plan 2009 dated 28 October 2014 and
- b) being satisfied that:
 - i) the Small Pelagic Fishery Management Plan 2009, in force under the Commonwealth *Fisheries Management Act 1991* and the Commonwealth Fisheries Management Regulations 1992, requires persons engaged in fishing under the management regime to take all reasonable steps to ensure that members of listed threatened species, listed migratory species, cetaceans and listed marine species are not killed or injured as a result of the fishing, and
 - ii) the fishery to which the management regime relates does not, or is not likely to, adversely affect:
 - a) the survival or recovery in nature of any listed threatened species, or
 - b) the conservation status of a listed migratory species, cetacean, or listed marine species or a population of that species,

accredit the Small Pelagic Fishery Management Plan 2009, in force under the Commonwealth Fisheries Management Act 1991 and the Commonwealth Fisheries Management Regulations 1992 under sections 208A, 222A, 245 and 265 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) for the purposes of Divisions 1, 2, 3 and 4 respectively of Part 13 of the EPBC Act.

Unless amended or revoked, this accreditation is subject to the following conditions applied under section 303AA:

Condition A

Prior to fishing, mid-water trawl vessels must have in place effective mitigation approaches and devices to minimise interactions with dolphins, seals and seabirds.

Condition B

That at least one observer be deployed on each new mid-water trawl vessel for the first 10 fishing trips, with additional observer coverage or other monitoring implemented as appropriate, following scientific assessment of the Small Pelagic Fishery.

Dated this 26th day of October 2015



.....
Delegate of the Minister for the Environment