



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

VARIATION TO A DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION

I, Nigel Rough, Assistant Secretary, Marine Biodiversity Policy Branch, as Delegate of the Minister for the Environment, Heritage and the Arts, hereby vary under paragraph 303FT(7)(b) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) the Declaration of an Approved Wildlife Trade Operation dated 15 November 2007 for the harvesting of specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the EPBC Act, taken in the Western Deepwater Trawl Fishery and the North West Slope Trawl Fishery, as defined in the *Western Trawls Fisheries Statement of Management Arrangements 2004*:

1. Revoke condition a):
is valid until 2 April 2009.
2. Include a new condition a):
is valid until 15 November 2010.
3. Revoke condition b) and the Schedule (dated November 2007):
Is subject to the conditions applied under section 303FT specified in the Schedule dated November 2007.
4. Include a new condition b) and Schedule (dated March 2009):
Is subject to the conditions applied under section 303FT specified in the Schedule dated March 2009.

Dated this 30 day of March 2009

.....Nigel Rough.....
Delegate of the Minister for the Environment, Heritage and the Arts

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 the Department of the Environment, Water, Heritage and the Arts 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 Western Deepwater Trawl Fishery and the North West Slope Trawl Fishery (Western Trawl Fisheries) as an approved Wildlife Trade Operation, March 2009

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 Western Trawl Fisheries.

1. Operation of the North West Slope Trawl Fishery (NWSTF) and the Western Deepwater Trawl Fishery (WDWTF) will be carried out in accordance with the Western Trawl Fisheries Statement of Management Arrangements 2004 made under the *Fisheries Management Act 1991*.
2. The Australian Fisheries Management Authority (AFMA) to inform DEWHA of any intended amendments to the management arrangements that may affect the assessment against the criteria on which *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) decisions are based.
3. AFMA to produce and present reports to DEWHA annually as per Appendix B of the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*.
4. AFMA to ensure that management arrangements in the WDWTF are complementary to AFMA's School Shark Stock Rebuilding Strategy 2008.