



## COMMONWEALTH OF AUSTRALIA

*Environment Protection and Biodiversity Conservation Act 1999*

### DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION

I, ANDREW MCNEE, Assistant Secretary, Marine Environment Branch, as Delegate of the Minister for the Environment and Water Resources, being satisfied of those matters specified in section 303FN of the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act), hereby declare, pursuant to section 303FN (2), the operations 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 South Australian Marine Scalefish Fishery, as defined in the *Fisheries Management (Marine Scalefish Fisheries) Regulations 2006* and the *Fisheries Management (General) Regulations 2007* in force under the *Fisheries Management Act 2007* (South Australia), to be an approved Wildlife Trade Operation for the purposes of the EPBC Act.

Unless amended or revoked, this declaration:

- a) is valid until 25 November 2008; and
- b) is subject to the conditions applied under section 303FT specified in the Schedule.

This instrument commences on the same day that the relevant provisions of the *Fisheries Management Act 2007* (South Australia) commence.

Dated this 29<sup>th</sup> day of November 2007

[Signed]

.....Andrew McNee.....  
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 Section.

## SCHEDULE

### **Declaration of the Harvest Operations of the South Australian Marine Scalefish Fishery as an approved Wildlife Trade Operation**

#### **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 EPBC Act, taken in the South Australian Marine Scalefish Fishery.

1. Operation of the fishery will be carried out in accordance with the *Fisheries Management (Marine Scalefish Fisheries) Regulations 2006* and the *Fisheries Management (General) Regulations 2007* in force under the *Fisheries Management Act 2007* (South Australia).
2. Department of Primary Industries and Resources, South Australia (PIRSA) to inform the Department of the Environment and Water Resources of any material change to the Marine Scalefish Fishery's management arrangements that could affect the criteria on which the EPBC Act decisions are based, within three months of that change being made.
3. Reports to be produced and presented to the Department of the Environment and Water Resources annually, and to include:
  - information sufficient to allow assessment of the progress of PIRSA in implementing the recommendations made in the *Assessment of the South Australian Marine Scalefish Fishery*;
  - a description of the status of the fishery and catch and effort information;
  - a statement of the performance of the fishery against objectives, performance indicators and measures once developed; and
  - research undertaken or completed relevant to the fishery.