



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION

I, TONY BURKE, Minister for Sustainability, Environment, Water, Population and Communities, have considered in accordance with section 303FN of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) the application from the Australian Fisheries Management Authority, 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, other than specimens of species listed under Part 13 of the EPBC Act, taken in the Eastern Tuna and Billfish Fishery, as defined in the *Eastern Tuna and Billfish Fishery Management Plan 2010*, made under the *Commonwealth Fisheries Management Act 1991*, to be an approved Wildlife Trade Operation, in accordance with subsection 303FN (2) and paragraph 303FN(10)(d), for the purposes of the EPBC Act.

Unless amended or revoked, this declaration:

- a) is valid until 26 February 2014 and;
- b) is subject to the conditions applied under section 303FT specified in the Schedule (dated February 2011).

Dated this

24

day of

2

2011

Tony Burke

Minister for Sustainability, Environment, Water, Population and Communities

SCHEDULE

Declaration of the Harvest Operations of the Eastern Tuna and Billfish Fishery as an approved Wildlife Trade Operation, February 2011

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* (EPBC Act), taken in the Eastern Tuna and Billfish Fishery:

Condition 1

Operation of the fishery will be carried out in accordance with the management arrangements for the Eastern Tuna and Billfish Fishery in force under the *Fisheries Management Act 1991*.

Condition 2

The Australian Fisheries Management Authority to inform the Department of Sustainability, Environment, Water, Population and Communities (the department) of any intended amendments to the Eastern Tuna and Billfish Fishery management arrangements that may affect the assessment of the fishery against the criteria on which *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) decisions are based.

Condition 3

The Australian Fisheries Management Authority and the Department of Agriculture, Fisheries and Forestry to produce and present reports to the department annually as per Appendix B to the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*.

Condition 4

The Australian Fisheries Management Authority to ensure that the catch of bigeye tuna in the Eastern Tuna and Billfish Fishery is sustainable. The Australian Fisheries Management Authority to:

- a) conduct a review of available research on stock structure and connectivity in the western and central Pacific Ocean; and
- b) in consideration of a), support research to determine whether there is a discrete stock of bigeye tuna in the Coral Sea, as appropriate.

Condition 5

The Australian Fisheries Management Authority, if e-monitoring is implemented in the Eastern Tuna and Billfish Fishery, to ensure that the monitoring program for the fishery appropriately balances the limitations of each monitoring method to continue to:

- a) ensure that there are statistically significant levels of scientific observer effort (or other reliable method) representative of fishing effort, by areas and months to, at a minimum, meet Western and Central Pacific Fisheries Commission requirements and to validate:
 - i) the nature and level of interactions with species listed under the EPBC Act to facilitate a quantification of the effects of fishing on these species;
 - ii) commercial catch of Eastern Tuna and Billfish Fishery quota and byproduct species;
 - iii) the incidence of discarding (including life status) and high grading; and
 - iv) interactions with bycatch;
- b) annually compare observer reports with logbook records for species listed under the EPBC Act, implement measures to address any inconsistencies and publicly report these as part of the annual reporting to the department.

Condition 6

The Australian Fisheries Management Authority to continue to:

- a) implement measures to ensure the take of shark in the Eastern Tuna and Billfish Fishery is sustainable, including for:
 - i) byproduct;
 - ii) bycatch; and
 - iii) the broader marine environment;
- b) educate fishers of obligations under the EPBC Act and *Fisheries Management Act 1991* in relation to mako and porbeagle sharks; and
- c) educate fishers about correct reporting procedures for interactions.