



**COMMONWEALTH OF AUSTRALIA**

*Environment Protection and Biodiversity Conservation Act 1999*

**VARIATION TO DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION**

I, ANDREW MCNEE, Assistant Secretary, Marine Environment Branch, as Delegate of the Minister for the Environment, Heritage and the Arts, hereby vary under section 303FT(7b) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) the Declaration of an Approved Wildlife Trade Operation dated 21 December 2006 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 Southern and Eastern Scalefish and Shark Fishery, as defined in the *Southern and Eastern Scalefish and Shark Management Plan 2003*, made under the *Fisheries Management Act 1991*:

1. Revoke condition b. and the Schedule (dated December 2006):  
is subject to the conditions applied under section 303FT specified in the Schedule;
2. Include a new condition b. and Schedule (dated December 2007):  
is subject to the conditions applied under section 303FT specified in the December 2007 Schedule.

Dated this 12<sup>th</sup> day of December 2007

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

SCHEDULE  
December 2007

**Declaration of the Harvest Operations of the Southern and Eastern Scalefish and Shark Fishery (SESSF) 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 SESSF.

1. Operation of the fishery will be carried out in accordance with the *Southern and Eastern Scalefish and Shark Management Plan 2003*.
2. Australian Fisheries Management Authority (AFMA) will inform the Department of the Environment, Water, Heritage and the Arts (DEWHA) of any changes to the *Southern and Eastern Scalefish and Shark Management Plan 2003* or other significant policy documents to enable DEWHA to evaluate any impact on the ecological sustainability of the fishery.
3. Reports to be produced and presented to the DEWHA annually, and to include:
  - a. a statement of the extent to which the performance criteria of the *Southern and Eastern Scalefish and Shark Management Plan 2003* were met in the year; and
  - b. information sufficient to allow assessment of the progress of AFMA in implementing the recommendations made in the *Assessment of the Southern and Eastern Scalefish and Shark Fishery December 2006*.
4. AFMA by the end of 2007 to ensure a defined process for expanding fishing effort in each sector of the SESSF to new areas and/or new species is implemented within the formal management arrangements for the SESSF.
5. Consistent with the *Commonwealth Fisheries Harvest Strategy Policy*, AFMA to develop and implement rebuilding strategies for all SESSF species below their limit reference point (B-Lim). Priority is to be given to finalising rebuilding strategies for eastern gemfish and school shark to be completed by 21 December 2007, and blue warehou by 21 December 2008.
6. AFMA to finalise the SESSF Bycatch Action Plan (BAP) by June 2007. The BAP should include specified targets for bycatch reduction across all sectors, with the aim of minimisation, along with measures to address bycatch mitigation and performance measures to evaluate effectiveness of the various bycatch reduction measures.