



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION

I, IAN CRESSWELL, Assistant Secretary, Marine Environment Branch, as Delegate of the Minister for the Environment, Heritage and the Arts, have considered in accordance with section 303FN of the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act) the application from the Queensland Department of Primary Industries and Fisheries (DPI&F), 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 Queensland East Coast Spanish Mackerel Fishery, as defined in the Queensland *Fisheries Regulation 2008* and the Queensland *Fisheries Act 1994*, to be an approved Wildlife Trade Operation, in accordance with section 303FN (2) and (10)(d), for the purposes of the EPBC Act.

Unless amended or revoked, this declaration:

- a) is valid until 31 October 2010 and;
- b) is subject to the conditions applied under section 303FT specified in the Schedule (dated April 2008).

Dated this *tenth* day of *April* 2008

Ian Cresswell

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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 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 Policy and Assessment Section.

SCHEDULE

Declaration of the Harvest Operations of the Queensland East Coast Spanish Mackerel Fishery (ECSMF) as an approved Wildlife Trade Operation, April 2008

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 ECSMF.

1. Operation of the Fishery will be carried out in accordance with the ECSMF Management Regime made under the *Queensland Fisheries Regulation 2008* and in force under the *Queensland Fisheries Act 1994*.
2. The Department of Primary Industries and Fisheries (DPI&F) to inform the Department of the Environment, Water, Heritage and the Arts of any intended amendments to the management arrangements that may affect the criteria on which EPBC Act decisions are based.
3. DPI&F to produce and present reports to the Department of the Environment, Water, Heritage and the Arts annually as per Appendix B to the *Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition*.