



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION

I, CLAIRE HOWLETT, Acting Assistant Secretary, Marine Biodiversity Policy 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* (EPBC Act) the application from the Western Australia (WA) Department of Fisheries, 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 WA Marine Aquarium Fish Managed Fishery, as defined in the management regime for the fishery in force under the *WA Fish Resources Management Act 1994* and the *WA Fish Resources Management Regulations 1995*, 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 24 October 2011; and
- b) is subject to the conditions applied under section 303FT specified in the Schedule.

Dated this

30th

day of

October

2008

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C Howlett
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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 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 Policy and Assessment Section.

SCHEDULE

Declaration of the Harvest Operations of the Western Australia (WA) Marine Aquarium Fish Managed Fishery as an approved Wildlife Trade Operation, October 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 WA Marine Aquarium Fish Managed Fishery.

1. Operation of the WA Marine Aquarium Fish Managed Fishery will be carried out in accordance with the management regime in force under *WA Fish Resources Management Act 1994* and the *WA Fish Resources Management Regulations 1995*.
2. The Department of Fisheries Western Australia (DFWA) to advise Department of the Environment, Water, Heritage and the Arts (DEWHA) of any intended change to the Marine Aquarium Fish Managed Fishery management arrangements that could affect the assessment of the fishery against the criteria on which EPBC Act decisions are based.
3. DFWA to produce and present reports to DEWHA annually as per Appendix B to the '*Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*'.
4. DFWA to consult with DEWHA prior to a change to the management arrangements for species listed under the Convention for the International Trade of Endangered Species or EPBC Act listed species, being implemented.