

**COMMONWEALTH OF AUSTRALIA**

*Environment Protection and Biodiversity Conservation Act 1999*

**DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION**

I, ILSE KIESSLING, Acting Assistant Secretary, Wildlife Trade and Biosecurity Branch, as Delegate of the Minister for the Environment, have considered in accordance with section 303FN of the *Environment Protection and* *Biodiversity Conservation Act 1999* (EPBC Act) the application from the Queensland Department of Agriculture, Fisheries and Forestry 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 operation that is specified in column 1 of Table 1 to be an approved wildlife trade operation, in accordance with subsection 303FN(2) and paragraph 303FN(10)(d) of the EPBC Act, but only to the extent the operation relates to the class of specimens specified in column 2 of Table 1.

**Table 1**

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| --- | --- |
| **Operation** | **Class of Specimens** |
| Queensland Marine Aquarium Fish Fishery, as defined in the management regime for the fisherymade under the Queensland *Fisheries Act 1994* and the Queensland Fisheries Regulations 2008 | Specimens that are, or are derived from, fish or invertebrates, other than:1. specimens that belong to species listed under Part 13 of the EPBC Act and
2. specimens that belong to taxa listed under section 303CA of the EPBC Act (Part 13A), except for *Sphyrna lewini* (scalloped hammerhead shark), *S. mokarran* (great hammerhead shark) and *S. zygaena* (smooth hammerhead shark).
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Unless amended or revoked, this declaration:

1. is valid until 17 November 2017 and;
2. is subject to the conditions applied under section 303FT specified in the Schedule.

Dated this 19 day of November 2014

………….…….………I. Kiessling…………………………

Delegate of the Minister for the Environment

Notes:

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 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.

Australia’s obligations under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) are met through Part 13A of the EPBC Act. Specimens of species listed in Appendix II of Australia’s CITES list under section 303CA of the EPBC Act may only be exported, under a CITES export permit issued under the EPBC Act, if Australia’s CITES Scientific Authority has issued a non detriment finding for that species. Further information, including a list of species for which non detriment findings have been issued and the fisheries from which they may be sourced, is available from http://www.environment.gov.au/topics/biodiversity/wildlife-trade/internationally-endangered-plants-and-animals-cites/how-export.

SCHEDULE

* **Declaration of the Harvest Operations of the Queensland Marine Aquarium Fish Fishery as an approved wildlife trade operation, November 2014**

**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 Queensland Marine Aquarium Fish Fishery:

1. Operation of the Queensland Marine Aquarium Fish Fishery will be carried out in accordance with the Queensland *Fisheries Act 1994,* the Queensland Fisheries Regulation 2008, and the Fisheries (Coral Reef Fin Fish) Management Plan 2003.
2. The Queensland Department of Agriculture, Fisheries and Forestry to inform the Department of the Environment of any intended material changes to the Queensland Marine Aquarium Fish Fishery management arrangements that may affect the assessment against which *Environment Protection and Biodiversity Conservation Act 1999* decisions are made.
3. The Queensland Department of Agriculture, Fisheries and Forestry to produce and present reports to the Department of the Environment annually as per Appendix B of the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition.*