



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

Amendment of List of Exempt Native Specimens

I, TONY BURKE, Minister for Sustainability, Environment, Water, Population and Communities pursuant to subsection 303DC(1) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), hereby amend the list of exempt native specimens established under section 303DB of the EPBC Act by including in the list the following:

- specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act, taken in the Southern and Eastern Scalefish and Shark Fishery, as defined in the management regime for the fishery made under the *Fisheries Management Act 1991* and the *Fisheries Management Regulations 1992*

with a notation that inclusion of the specimens in the list is subject to the following restrictions or conditions:

- the specimen, or the fish or invertebrate from which it is derived, was taken lawfully;
- the specimens are included in the list until 28 February 2013;
- the Australian Fisheries Management Authority will inform the Department of Sustainability, Environment, Water, Population and Communities of any intended amendments to the fishery's management arrangements that may affect the assessment of the fishery against the criteria on which the EPBC Act decisions are based;
- the Australian Fisheries Management Authority, in consultation with marine mammal experts, will continue to monitor and review the adequacy of management measures towards the objective of avoiding mortality of, or injuries to, Australian Sea Lions so as to enable the recovery of Australian Sea Lion populations, including all sub-populations; and
- the Australian Fisheries Management Authority, in consultation with relevant experts, will continue to monitor and review the adequacy of management measures towards the objective of stopping the decline of, and supporting the recovery of Harrison's dogfish and southern dogfish.

For the purposes of section 12(1) of the *Legislative Instruments Act 2003*, the specified day for the purposes of the commencement of this instrument is 30 July 2012.

Dated this 28 day of June 2012

.....Tony Burke.....

Minister for Sustainability, Environment, Water, Population and Communities