



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

Amendment of List of Exempt Native Specimens – New South Wales Ocean Trap and Line Fishery, New South Wales Ocean Trawl Fishery and New South Wales Estuary Prawn Trawl Fishery, June 2018

I, PAUL MURPHY, Assistant Secretary, Wildlife Trade and Biosecurity Branch, as Delegate of the Minister for the Environment and Energy, pursuant to subsection 303DC(1)(a) 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 **deleting** from the list specimens and any associated restrictions or conditions as set out in **Schedule 1**, and by **including** in the list specimens and associated restrictions or conditions as set out in **Schedule 2**.

This instrument is a legislative instrument for the purposes of the *Legislation Act 2003*.

The instrument commences the day after it is registered.

All state and territory legislation referred to in Schedule 2 to the instrument is incorporated as in force at the time this instrument commences.

Dated this 29th day of June 2018

A handwritten signature in blue ink, appearing to read 'Paul Murphy', is written over the signature line.

Delegate of the Minister for the Environment and Energy

SCHEDULE 1

Under the heading Freshwater and Marine Animals delete from the list the following items and any associated notations:

Taxon/Item	Common Name	Notation
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 (other than a species listed in the conservation dependent category), and specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia's CITES list) taken in the New South Wales Ocean Trap and Line Fishery, as defined in the New South Wales Fisheries Management (Ocean Trap and Line Share Management) Regulation 2006 in force under the New South Wales Fisheries Management Act 1994,	New South Wales Ocean Trap and Line Fishery	the specimen, or the fish or invertebrate from which it is derived, was taken lawfully; and the specimens are covered by the declaration of an approved wildlife trade operation under section 303FN of the EPBC Act in relation to the fishery.
Specimens that are or are derived from fish or invertebrates taken in the New South Wales Ocean Trawl Fishery, but not including: (a) specimens that belong to eligible listed threatened species, as defined under section 303BC of the EPBC Act, or (b) specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia's CITES List).	New South Wales Ocean Trawl Fishery	The specimen, or the fish or invertebrate from which it is derived, was taken lawfully, and The specimens are included in the list until 6 July 2018.

<p>Specimens that are or are derived from fish or invertebrates taken in the New South Wales Estuary Prawn Trawl Fishery, but not including:</p> <p>(a) specimens that belong to eligible listed threatened species, as defined under section 303BC of the EPBC Act, or</p> <p>(b) specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia's CITES List).</p>	<p>New South Wales Estuary Prawn Trawl Fishery</p>	<p>The specimen, or the fish or invertebrate from which it is derived, was taken lawfully, and</p> <p>The specimens are included in the list until 31 March 2028.</p>
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SCHEDULE 2

Under the heading Freshwater and Marine Animals include in the list the following items and associated notations:

Taxon/Item	Common Name	Notation
<p>Specimens that are or are derived from fish or invertebrates taken in the New South Wales Ocean Trap and Line Fishery as defined in the management regime in force under the <i>Fisheries Management Act 1994</i> (NSW), the <i>Fisheries Management (Supporting Plan) Regulation 2006</i> (NSW), and the <i>Fisheries Management (Ocean Trap and Line Share Management Plan) Regulation 2006</i> (NSW), and the <i>Fisheries Management (General) Regulation 2010</i> (NSW), but not including:</p> <ul style="list-style-type: none"> • specimens that belong to eligible listed threatened species, as defined under section 303BC of the EPBC Act, or • specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia's CITES List). 	<p>New South Wales Ocean Trap and Line Fishery</p>	<ul style="list-style-type: none"> • the specimen, or the fish or invertebrate from which it is derived, was taken lawfully; and • the specimens are covered by the declaration of an approved wildlife trade operation under section 303FN of the EPBC Act in relation to the fishery.

<p>Specimens that are or are derived from fish or invertebrates taken in the New South Wales Ocean Trawl Fishery as defined in the management regime in force under the <i>Fisheries Management Act 1994</i> (NSW), the Fisheries Management (General) Regulation 2010 (NSW), the Fisheries Management (Ocean Trawl Share Management Plan) Regulation 2006 (NSW), but not including:</p> <ul style="list-style-type: none"> • specimens that belong to eligible listed threatened species, as defined under section 303BC of the EPBC Act, or • specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia's CITES List). 	<p>New South Wales Ocean Trawl Fishery</p>	<ul style="list-style-type: none"> • the specimen, or the fish or invertebrate from which it is derived, was taken lawfully; and • the specimens are covered by the declaration of an approved wildlife trade operation under section 303FN of the EPBC Act in relation to the fishery.
<p>Specimens that are or are derived from fish or invertebrates taken in the New South Wales Estuary Prawn Trawl Fishery as defined in the management regime in force under the <i>Fisheries Management Act 1994</i> (NSW), the Fisheries Management (Estuary Prawn Trawl Share Management Plan) Regulation 2006 (NSW), and the Fisheries Management (General) Regulation 2010 (NSW), but not including:</p> <ul style="list-style-type: none"> • specimens that belong to eligible listed threatened species, as defined under section 303BC of the EPBC Act, or • specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia's CITES List). 	<p>New South Wales Estuary Prawn Trawl Fishery</p>	<ul style="list-style-type: none"> • The specimen, or the fish or invertebrate from which it is derived, was taken lawfully, and • The specimens are included in the list until 31 March 2028.