



COMMONWEALTH OF AUSTRALIA

*Environment Protection and Biodiversity Conservation Act 1999*

**DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION –  
COMMONWEALTH WESTERN TUNA AND BILLFISH FISHERY,  
NOVEMBER 2019**

I, NATHAN SIBLEY, Acting Assistant Secretary, Environment Approvals and Wildlife Trade 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 Australia Fisheries Management Authority, 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, taken in the Commonwealth Western Tuna and Billfish Fishery as defined in the management regime in force under the *Fisheries Management Act 1991* (Cth), but not including

- (a) specimens that belong to taxa listed under section 209 of the EPBC Act (Australia's List of Migratory Species), or
- (b) specimens that belong to taxa listed under section 248 of the EPBC Act (Australia's List of Marine Species), or
- (c) specimens that belong to eligible listed threatened species, as defined under section 303BC of the EPBC Act, or
- (d) specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia's CITES List).

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 11 November 2022 and;
- b) is subject to the conditions applied under section 303FT specified in the Schedule.

Dated this                      15th    day of                      November                      2019

SIGNED

.....Nathan Sibley.....  
Delegate of the Minister for the Environment

A person whose interests are affected by this declaration may, within 28 days, make an application in writing to the Department of the Environment and Energy for the reasons for the decision.

An application for independent review of the decision (under section 303GJ(1) of the *Environment Protection and Biodiversity Conservation Act 1999*) may be made to the Administrative Appeals Tribunal (AAT), on payment of the

relevant fee by the applicant, either within 28 days of receipt of the reasons for the decision, or within 28 days of this declaration if reasons for the decision are not sought. Applications should be made to the Deputy Registrar, AAT in your Capital City. Please visit the AAT's website at <http://www.aat.gov.au/> for further information.

You may make an application under the *Freedom of Information Act 1982* (Cth) to access documents relevant to this decision. For further information, please visit <http://www.environment.gov.au/foi/index.html>.

Further enquiries should be directed to the Director, Wildlife Trade Assessments Section, Department of the Environment and Energy, Telephone: (02) 6274 1917 Email: [sustainablefisheries@environment.gov.au](mailto:sustainablefisheries@environment.gov.au).

## SCHEDULE

### **Declaration of the harvest operations of the Commonwealth Western Tuna and Billfish Fishery as an approved wildlife trade operation, November 2019**

#### **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 and Part 13A of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), taken in the Commonwealth Western Tuna and Billfish Fishery:

1. Operation of the Commonwealth Western Tuna and Billfish Fishery will be carried out in accordance with the *Western Tuna and Billfish Fishery Management Plan 2005* in force under the *Fisheries Management Act 1991* (Cth).
2. The Australian Fisheries Management Authority to inform the Department of the Environment and Energy of any intended material changes to the Commonwealth Western Tuna and Billfish Fishery management arrangements that may affect the assessment against which *Environment Protection and Biodiversity Conservation Act 1999* decisions are made.
3. The Australian Fisheries Management Authority to produce and present reports to the Department of the Environment and Energy annually as per Appendix B of the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*.
4. The Australian Fisheries Management Authority to consult with Department of the Environment and Energy prior to a change to the management arrangements being implemented for a CITES listed species.
5. The Australian Fisheries Management Authority to continue efforts to determine the extent of the impact of fishing in the Western Tuna and Billfish Fishery on shark species.
6. The Australian Fisheries Management Authority, in collaboration with the Department of Agriculture, to work with the Indian Ocean Tuna Commission in relation to improving understanding of the status for stocks currently classified as overfished or uncertain.