



**Environment Protection and Biodiversity  
Conservation Amendment (Recreational  
Fishing for Mako and Porbeagle Sharks)  
Act 2010**

**No. 107, 2010**

**An Act to amend the *Environment Protection and  
Biodiversity Conservation Act 1999*, and for related  
purposes**

Note: An electronic version of this Act is available in ComLaw (<http://www.comlaw.gov.au/>)



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# **Environment Protection and Biodiversity Conservation Amendment (Recreational Fishing for Mako and Porbeagle Sharks) Act 2010**

**No. 107, 2010**

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**An Act to amend the *Environment Protection and  
Biodiversity Conservation Act 1999*, and for related  
purposes**

*[Assented to 14 July 2010]*

The Parliament of Australia enacts:

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*Environment Protection and Biodiversity Conservation Amendment (Recreational Fishing for  
Mako and Porbeagle Sharks) Act 2010 No. 107, 2010 1*

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## **1 Short title**

This Act may be cited as the *Environment Protection and Biodiversity Conservation Amendment (Recreational Fishing for Mako and Porbeagle Sharks) Act 2010*.

## **2 Commencement**

This Act commences on the day after this Act receives the Royal Assent.

## **3 Schedule(s)**

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

## Schedule 1—Amendment of the Environment Protection and Biodiversity Conservation Act 1999

### 1 Section 212

Before “Sections”, insert “(1)”.

### 2 After paragraph 212(q)

Insert:

- ; or (r) an action that is taken in the course of recreational fishing and the action:
  - (i) consists of, or involves, taking, trading, keeping or moving; or
  - (ii) results in the death or injury of;  
a shortfin mako shark, a longfin mako shark or a porbeagle shark.

### 3 At the end of section 212

Add:

- (2) For the purposes of paragraph (1)(r), *recreational fishing* includes (but is not limited to) the following types of fishing:
  - (a) fishing from a charter boat (within the meaning of the *Fisheries Management Act 1991*), including fishing by the person in charge of the boat, the crew of the boat or any other person on the boat;
  - (b) fishing in a fishing competition (whether or not in a professional capacity);
  - (c) fishing that is undertaken primarily for:
    - (i) inclusion on a website, or in a film, video, television program or radio program; or
    - (ii) description or representation in a magazine, newspaper, book or other such document.

### 4 At the end of paragraph 214(1)(b)

Add “or (r)”.

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**5 Section 528**

Insert:

*longfin mako shark* means the listed migratory species with the common name longfin mako shark and the scientific name *Isurus paucus*.

**6 Section 528**

Insert:

*porbeagle shark* means the listed migratory species with the common name porbeagle shark and the scientific name *Lamna nasus*.

**7 Section 528**

Insert:

*shortfin mako shark* means the listed migratory species with the common name shortfin mako shark and the scientific name *Isurus oxyrinchus*.

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[Minister's second reading speech made in—  
House of Representatives on 25 February 2010  
Senate on 16 March 2010]

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(39/10)

4 Environment Protection and Biodiversity Conservation Amendment (Recreational Fishing for Mako and Porbeagle Sharks) Act 2010 No. 107, 2010