



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

Amendment of List of Exempt Native Specimens – Commonwealth Southern and Eastern Scalefish and Shark Fishery, February 2022

I, ADAM SINCOCK, Principal Director, Wildlife Trade Office, as Delegate of the Minister for the Environment, 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 notations specified in **Schedule 1**, and by **including** in the list specimens and associated notations specified 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.

Dated this 11 day of February 2022

Adam Sincock

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Delegate of the Minister for the Environment

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
<p>Specimens that are or are derived from fish or invertebrates taken in the Commonwealth Southern and Eastern Scalefish and Shark Fishery as defined in the <i>Southern and Eastern Scalefish and Shark Fishery Management Plan 2003</i> made under the <i>Fisheries Management Act 1991</i> (Cth) and Fisheries Management Regulations 2019 (Cth), 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>Commonwealth Southern and Eastern Scalefish and Shark Fishery</p>	<ul style="list-style-type: none"> • the specimen, or the fish or invertebrate from which it is derived, was taken lawfully; • 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.

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 Commonwealth Southern and Eastern Scalefish and Shark Fishery as defined in the <i>Southern and Eastern Scalefish and Shark Fishery Management Plan 2003</i> made under the <i>Fisheries Management Act 1991</i> (Cth) and Fisheries Management Regulations 2019 (Cth), but not including:</p> <p>(a) specimens that belong to taxa listed under section 209 of the EPBC Act (Australia's List of Migratory Species), or</p> <p>(b) specimens that belong to taxa listed under section 248 of the EPBC Act (Australia's List of Marine Species), or</p> <p>(c) specimens that belong to eligible listed threatened species, as defined under section 303BC of the EPBC Act, or</p> <p>(d) specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia's CITES List).</p>	<p>Commonwealth Southern and Eastern Scalefish and Shark Fishery</p>	<ul style="list-style-type: none"> • The specimen, or the fish or invertebrate from which it is derived, was taken lawfully; • 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.