



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

**Amendment of List of Exempt Native Specimens – Western Australian South Coast
Crustacean Managed Fishery, January 2024**

I, BELINDA JAGO, Branch Head, Ocean and Wildlife Branch, as Delegate of the Minister for the Environment and Water, 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 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.

Dated this 22nd day of January 2024

SIGNED

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Delegate of the Minister for the Environment and Water

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 Western Australian South Coast Crustacean Managed Fishery as defined in the management regime in force under the <i>Fish Resources Management Act 1994</i>; Fish Resources Management Regulations 1995 (FRMR); FRMA Section 43 Order, 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>Western Australian South Coast Crustacean Managed 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.

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 Western Australian South Coast Crustacean Managed Fishery as defined in the management regime in force under the <i>Fish Resources Management Act 1994 (WA)</i> (FRMA), Fish Resources Management Regulations 1995 (WA), and FRMA Section 43 Order, 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>Western Australian South Coast Crustacean Managed Fishery</p>	<ul style="list-style-type: none"> • the specimen, or the fish or invertebrate from which it is derived, was taken lawfully; • the Western Australian Department of Primary Industries and Regional Development must inform the Department of Climate Change, Energy, the Environment and Water of any intended changes to fisheries legislation that may affect the legislative instruments relevant to this approval; • the Western Australian Department of Primary Industries and Regional Development must inform the Department of Climate Change, Energy, the Environment and Water of any intended material changes to the Western Australian South Coast Crustacean Managed Fishery management arrangements that may affect this approval; • the Western Australian Department of Primary Industries and Regional Development must provide the Department of Climate Change, Energy, the Environment and Water a report annually detailing any changes in the fishery; and • the specimens are included in the list until 25 January 2029.