

2008-2009-2010

The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

Presented and read a first time

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

No. , 2010

(Environment, Heritage and the Arts)

**A Bill for an Act to amend the *Environment
Protection and Biodiversity Conservation Act 1999*,
and for related purposes**

Contents

1	Short title.....	1
2	Commencement.....	1
3	Schedule(s).....	2

Schedule 1—Amendment of the Environment Protection and Biodiversity Conservation Act 1999		3
------------------------------------------------------------------------------------------------------	--	----------

1 **A Bill for an Act to amend the *Environment***
2 ***Protection and Biodiversity Conservation Act 1999,***
3 **and for related purposes**

4 The Parliament of Australia enacts:

5 **1 Short title**

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

9 **2 Commencement**

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

1

3 Schedule(s)

2

Each Act that is specified in a Schedule to this Act is amended or

3

repealed as set out in the applicable items in the Schedule

4

concerned, and any other item in a Schedule to this Act has effect

5

according to its terms.

1
2 **Schedule 1—Amendment of the Environment**
3 **Protection and Biodiversity**
4 **Conservation Act 1999**
5

6 **1 Section 212**

7 Before “Sections”, insert “(1)”.

8 **2 After paragraph 212(q)**

9 Insert:

10 ; or (r) an action that is taken in the course of recreational fishing
11 and the action:

12 (i) consists of, or involves, taking, trading, keeping or
13 moving; or

14 (ii) results in the death or injury of;

15 a shortfin mako shark, a longfin mako shark or a porbeagle
16 shark.

17 **3 At the end of section 212**

18 Add:

19 (2) For the purposes of paragraph (1)(r), *recreational fishing* includes
20 (but is not limited to) the following types of fishing:

21 (a) fishing from a charter boat (within the meaning of the
22 *Fisheries Management Act 1991*), including fishing by the
23 person in charge of the boat, the crew of the boat or any other
24 person on the boat;

25 (b) fishing in a fishing competition (whether or not in a
26 professional capacity);

27 (c) fishing that is undertaken primarily for:

28 (i) inclusion on a website, or in a film, video, television
29 program or radio program; or

30 (ii) description or representation in a magazine, newspaper,
31 book or other such document.

32 **4 At the end of paragraph 214(1)(b)**

33 Add “or (r)”.

1 **5 Section 528**

2 Insert:

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

6 **6 Section 528**

7 Insert:

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

11 **7 Section 528**

12 Insert:

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