



**Australian Government**

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**Department of the Environment and Water Resources**

**Consideration of the  
South Australian *Fisheries Management Act 2007* in  
relation to Part 13 and 13A accreditations of SA  
fisheries under the *Environment Protection and  
Biodiversity Conservation Act 1999***

November 2007

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## ***Introduction***

The new South Australian (SA) *Fisheries Management Act 2007* (FM Act 2007) is expected to come into force on 1 December 2007 to replace the current SA *Fisheries Act 1982*. Twelve SA fisheries have current export declarations under Part 13A of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The management arrangements for seven SA fisheries have an accreditation under Part 13 of the EPBC Act in relation to listed threatened species, listed migratory species, whales and other cetaceans, and listed marine species provisions (protected species).

The environmental assessments and declarations for these fisheries were determined under the SA *Fisheries Act 1982*. As the FM Act 2007 will soon be in force, the Department of the Environment and Water Resources (DEW) must consider these new arrangements in relation to the current fisheries export declarations and protected species accreditations.

In August 2007, the Department of Primary Industries and Resources, South Australia (PIRSA) provided DEW with information on the new FM Act 2007 and the *Fisheries Management (General) Regulations 2007* (FM Regulations 2007). The information provided by PIRSA on the FM Act 2007 and the Regulations 2007 was released for a twenty-day public comment period that closed on 23 August 2007. No comments were received.

The DEW assessment considers the information provided by PIRSA on the new legislative framework in terms of maintenance of, or improvement on the previous legislative framework in relation to the current Part 13 and 13A declarations for SA fisheries.

**Table 1: The Department of the Environment and Water Resources (DEW) consideration of the SA FM Act 2007 and FM Regulations 2007 against the requirements of the EPBC Act related to decisions made under Parts 13 and 13A**

**Please Note** – the table below is not a complete or exact representation of the EPBC Act. It is intended as a summary of relevant sections and components of the EPBC Act to provide advice on the decisions under Parts 13 and 13A. A complete version of the EPBC Act can be found on the DEW website.

**Part 13**

<p><b>Division 1 Listed threatened species</b>  <b>Section 208A Minister may accredit plans or regimes</b></p>	<p><b>DEW consideration of FM Act 2007 in relation to existing SA fisheries Part 13 declarations</b></p>
<p>(1) Minister may, by instrument in writing, accredit for the purposes of this Division:</p> <p>(c) a plan of management, or a policy, regime or any other arrangement, for a fishery that is:</p> <p>i. made by a State or self-governing Territory; and</p> <p>ii. in force under a law of the State or self-governing Territory;</p> <p>if <b>satisfied</b> that:</p> <p>(f) the plan, regime or policy requires persons engaged in fishing under the plan, regime or policy to take all reasonable steps to ensure that members of listed threatened species (other than conservation dependent species) are not killed or injured as a result of the fishing; and</p> <p>(g) the fishery to which the plan, regime or policy relates does not, or is not likely to, adversely affect the survival or recovery in nature of the species.</p>	<p>Management regimes have been accredited under section 208A of the EPBC Act for the following SA fisheries:</p> <ul style="list-style-type: none"> <li>• Abalone Fishery</li> <li>• Blue Crab Fishery</li> <li>• Giant Crab Fishery</li> <li>• Marine Scalefish Fishery</li> <li>• Pilchard Fishery</li> <li>• Prawn Trawl Fisheries</li> <li>• Rock Lobster Fishery</li> </ul> <p>DEW considered persons fishing in accordance with the management regimes in force for these fisheries are taking all reasonable steps to ensure that members of listed threatened species are not killed or injured as a result of the fishing.</p> <p>There have been no significant changes to the protected species provisions with the introduction of the SA FM Act 2007 that would adversely affect the current accreditations for the seven SA fisheries. Therefore it is recommended that the seven fisheries continue to have accreditation and new Part 13 declarations under section 208A are made to reflect the new legislation.</p>

<p><b>Division 2 Migratory species</b>  <b>Section 222A Minister may accredit plans or regimes</b></p>	<p><b>DEW consideration of FM Act 2007 in relation to existing SA fisheries Part 13 declarations</b></p>
<p>(1) Minister may, by instrument in writing, accredit for the purposes of this Division:</p> <p>(c) a plan of management, or a policy, regime or any other arrangement, for a fishery that is:</p> <p>i. made by a State or self-governing Territory; and</p> <p>ii. in force under a law of the State or self-governing Territory;</p> <p>if <b>satisfied</b> that:</p> <p>(f) the plan, regime or policy requires persons engaged in fishing under the plan, regime or policy to take all reasonable steps to ensure that members of listed migratory species are not killed or injured as a result of the fishing; and</p> <p>(g) the fishery to which the plan, regime or policy relates does not, or is not likely to, adversely affect the conservation status of a listed migratory species or a population of that species.</p>	<p>Management regimes have been accredited under section 222A of the EPBC Act for the following SA fisheries:</p> <ul style="list-style-type: none"> <li>• Abalone Fishery</li> <li>• Blue Crab Fishery</li> <li>• Giant Crab Fishery</li> <li>• Marine Scalefish Fishery</li> <li>• Pilchard Fishery</li> <li>• Prawn Trawl Fisheries</li> <li>• Rock Lobster Fishery</li> </ul> <p>DEW considered persons fishing in accordance with the management regimes in force for these fisheries are taking all reasonable steps to ensure that members of listed migratory species are not killed or injured as a result of the fishing.</p> <p>There have been no significant changes to the protected species provisions with the introduction of the SA FM Act 2007 that would adversely affect the current accreditations for the seven SA fisheries. Therefore it is recommended that the seven fisheries continue to have accreditation and new Part 13 declarations under section 222A are made to reflect the new legislation.</p>

<p><b>Division 3 Whales and other cetaceans</b>  <b>Section 245 Minister may accredit plans or regimes</b></p>	<p><b>DEW consideration of FM Act 2007 in relation to existing SA fisheries Part 13 declarations</b></p>
<p>(1) Minister may, by instrument in writing, accredit for the purposes of this Division:</p> <p>(c) a plan of management, or a policy, regime or any other arrangement, for a fishery that is:</p> <p>i. made by a State or self-governing Territory; and</p> <p>ii. in force under a law of the State or self-governing</p>	<p>Management regimes have been accredited under section 245 of the EPBC Act for the following SA fisheries:</p> <ul style="list-style-type: none"> <li>• Abalone Fishery</li> <li>• Blue Crab Fishery</li> <li>• Giant Crab Fishery</li> <li>• Marine Scalefish Fishery</li> </ul>

<p style="text-align: center;">Territory;</p> <p>if <b>satisfied</b> that:</p> <p>(f) the plan, regime or policy requires persons engaged in fishing under the plan, regime or policy to take all reasonable steps to ensure that cetaceans are not killed or injured as a result of the fishing; and</p> <p>(g) the fishery to which the plan, regime or policy relates does not, or is not likely to, adversely affect the conservation status of a species of cetacean or a population of that species.</p>	<ul style="list-style-type: none"> <li>• Pilchard Fishery</li> <li>• Prawn Trawl Fisheries</li> <li>• Rock Lobster Fishery</li> </ul> <p>DEW considered persons fishing in accordance with the management regimes in force for these fisheries are taking all reasonable steps to ensure that whales and other cetaceans are not killed or injured as a result of the fishing.</p> <p>There have been no significant changes to the protected species provisions with the introduction of the SA FM Act 2007 that would adversely affect the current accreditations for the seven SA fisheries. Therefore it is recommended that the seven fisheries continue to have accreditation and new Part 13 declarations under section 245 are made to reflect the new legislation.</p>
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<p><b>Division 4 Listed marine species</b> <b>Section 265 Minister may accredit plans or regimes</b></p>	<p><b>DEW consideration of FM Act 2007 in relation to existing SA fisheries Part 13 declarations</b></p>
<p>(1) Minister may, by instrument in writing, accredit for the purposes of this Division:</p> <p>(c) a plan of management, or a policy, regime or any other arrangement, for a fishery that is:</p> <p style="margin-left: 20px;">i. made by a State or self-governing Territory; and</p> <p style="margin-left: 20px;">ii. in force under a law of the State or self-governing Territory;</p> <p>if <b>satisfied</b> that:</p> <p>(f) the plan, regime or policy requires persons engaged in fishing under the plan, regime or policy to take all reasonable steps to ensure that members of listed marine species are not killed or injured as a result of the fishing; and</p>	<p>Management regimes have been accredited under section 265 of the EPBC Act for the following SA fisheries:</p> <ul style="list-style-type: none"> <li>• Abalone Fishery</li> <li>• Blue Crab Fishery</li> <li>• Giant Crab Fishery</li> <li>• Marine Scalefish Fishery</li> <li>• Pilchard Fishery</li> <li>• Prawn Trawl Fisheries</li> <li>• Rock Lobster Fishery</li> </ul> <p>DEW considered persons fishing in accordance with the management regimes in force for these fisheries are taking all reasonable steps to ensure that members of listed marine species are not killed or injured as a result of the fishing.</p>

<p>(g) the fishery to which the plan, regime or policy relates does not, or is not likely to, adversely affect the conservation status of a listed marine species or a population of that species.</p>	<p>There have been no significant changes to the protected species provisions with the introduction of the SA FM Act 2007 that would adversely affect the current accreditations for the seven SA fisheries. Therefore it is recommended that the seven fisheries continue to have accreditation and new Part 13 declarations under section 265 are made to reflect the new legislation.</p>
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<p><b>Section 303AA Conditions relating to accreditation of plans, regimes and policies</b></p>	<p><b>DEW consideration of FM Act 2007 in relation to existing SA fisheries Part 13 declarations</b></p>
<p>(1) This section applies to an accreditation of a plan, regime or policy under section 208A, 222A, 245 or 265.</p>	<p>DEW recommends that seven SA fisheries with current Part 13 accreditation be accredited under sections 208A, 222A, 245 and 265 reflecting the new FM Act 2007.</p>
<p>(2) The Minister may accredit a plan, regime or policy under that section even though he or she considers that the plan, regime or policy should be accredited only:</p> <ul style="list-style-type: none"> <li>(a) during a particular period; or</li> <li>(b) while certain circumstances exist; or</li> <li>(c) while a certain condition is complied with.</li> </ul> <p>In such a case, the instrument of accreditation is to specify the period, circumstances or condition.</p>	<p>No additional conditions were specified as part of the existing accreditations given to the seven SA fisheries. No additional conditions are recommended for the new Part 13 declarations.</p>

**Part 13A**

<p><b>Section 303DC Minister may amend list</b></p>	<p><b>DEW consideration of FM Act 2007 in relation to existing SA fisheries export declarations</b></p>
<p>(1) Minister may, by instrument in published in the Gazette, amend the list referred to in section 303DB (list of exempt native specimens) by:</p> <ul style="list-style-type: none"> <li>(a) including items in the list;</li> <li>(b) deleting items from the list; or</li> <li>(c) imposing a condition or restriction to which the inclusion of a specimen in the list is subject; or</li> <li>(d) varying of revoking a condition or restriction to which the</li> </ul>	<p>For each of the twelve SA fisheries with export declarations, the Minister included the product from the fishery on the List of Exempt Native Specimens (LENS) following an environmental assessment and after the declaration instrument was gazetted.</p> <p>To ensure the existing SA declarations reflect the new legislative framework, the Minister will need to amend the LENS for the following SA fisheries:</p>

<p>inclusion of a specimen in the list is subject; or  (e) correcting an inaccuracy or updating the name of a species.</p>	<ul style="list-style-type: none"> <li>• Southern Rock Lobster Fishery</li> <li>• Abalone Fishery</li> <li>• Beach-cast Seagrass and Marine Algae Fishery</li> <li>• Blue Crab Fishery</li> <li>• Scallop and Turbo Fisheries</li> <li>• Pilchard Fishery</li> <li>• Prawn Trawl Fisheries</li> <li>• Specimen Shell Fishery</li> </ul> <p>New export decisions for the other four SA fisheries do not require amendments to the LENS as the existing notations on the LENS refer to WTO declarations being in place.</p> <p>DEW considers the new management arrangements will allow the amendment of the LENS to be consistent with the provisions of Part 13A. The LENS amending instrument to make these changes will be published in the Gazette prior to the LENS being amended.</p>
<p>(3) Before amending the list referred to in section 303DB (list of exempt native specimens), the Minister:</p> <ul style="list-style-type: none"> <li>(a) must consult such other Minister or Ministers as the Minister considers appropriate; and</li> <li>(b) must consult such other Minister or Ministers of each State and self-governing Territory as the Minister considers appropriate; and</li> <li>(c) may consult such other persons and organisations as the Minister considers appropriate.</li> </ul>	<p>DEW considers that the consultation requirements have been met. In undertaking the assessments for the twelve SA fisheries, public comment periods on the fishery submissions were made available and provided sufficient opportunity for consultation with other persons and organisations.</p> <p>Additionally, a public comment period on the intention to make new decisions for all SA fisheries consistent with their current declarations and timeframes whilst reflecting the new FM Act 2007 was made available.</p> <p>A letter to the Hon Rory McEwen, SA Minister for Agriculture, Food and Fisheries advises him of the intention to make new declarations for the twelve SA fisheries with the new legislative framework.</p>

(5) A copy of an instrument made under section 303DC is to be made available for inspection on the Internet.	The LENS amending instrument made under sections 303DC will be gazetted and made available on the DEW website.
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<b>Section 303FN Approved wildlife trade operation</b>	<b>DEW consideration of FM Act 2007 in relation to existing SA fisheries export declarations</b>
(2) The Minister may, by instrument published in the <i>Gazette</i> , declare that a specified wildlife trade operation is an <b><i>approved wildlife trade operation</i></b> for the purposes of this section.	<p>The following SA fisheries have been declared approved Wildlife Trade Operations (WTOs) under section 303FN of the EPBC Act with the respective expiration dates:</p> <ul style="list-style-type: none"> <li>• Giant Crab Fishery- 14 March 2010</li> <li>• Lakes and Coorong Fishery - 25 November 2008</li> <li>• Marine Scalefish Fishery - 25 November 2008</li> <li>• Sea Urchin Fishery - 20 October 2008</li> <li>• Scallop and Turbo Fisheries - 12 September 2010</li> </ul>
<p>(3) The Minister must not declare an operation as an approved wildlife trade operation unless the Minister is <b>satisfied</b> that:</p> <p>(a) the operation is consistent with the objects of Part 13A of the Act; and</p> <p>(b) the operation will not be detrimental to:</p> <ol style="list-style-type: none"> <li>i. the survival of a taxon to which the operation relates; or</li> <li>ii. the conservation status of a taxon to which the operation relates; and</li> </ol>	<p>In declaring the five SA fisheries approved WTOs the Minister was satisfied that the management arrangements for each fishery are consistent with objects of Part 13A (listed after this table) in that:</p> <ul style="list-style-type: none"> <li>▪ the fishery will not harvest any Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) listed species;</li> <li>▪ there are management arrangements in place to ensure that the resource is being managed in an ecologically sustainable way;</li> <li>▪ the operation of the relevant fishery is unlikely to be unsustainable and threaten biodiversity within the period of the declaration; and</li> <li>▪ the EPBC Regulations 2000 do not specify fish as a class of animal in relation to the welfare of live specimens.</li> </ul> <p>In undertaking the assessments for the Giant Crab, Lakes and Coorong, Marine Scalefish, Sea Urchin and Scallop and Turbo Fisheries, DEW considered that these fisheries will not be detrimental to the survival or conservation status of a taxon to which it relates within the period of the declaration, given the management measures in place. The Objects</p>

<p>(ba) the operation will not be likely to threaten any relevant ecosystem including (but not limited to) any habitat or biodiversity; and</p> <p>(c) if the operation relates to the taking of live specimens that belong to a taxon specified in the regulations – the conditions that, under the regulations, are applicable to the welfare of the specimens are likely to be complied with; and</p> <p>(d) such other conditions (if any) as are specified in the regulations have been, or are likely to be, satisfied.</p>	<p>of the FM Act 2007 continue to require proper conservation and management measures to protect aquatic resources from over exploitation and ensure the resources are not endangered. DEW considers that the new legislative framework maintains, and in some areas, improves on the previous management arrangements.</p> <p>The Objects of the FM Act 2007 include an additional principle for aquatic habitat to be protected and conserved and aquatic ecosystems and genetic diversity are to be maintained and enhanced. DEW considers this additional object of the FM Act 2007 as an improvement to ensuring the ecologically sustainable management of fisheries.</p> <p>The EPBC Regulations 2000 do not specify fish as a class of animal in relation to the welfare of live specimens.</p> <p>No other conditions are specified in relation to commercial fisheries in the EPBC Regulations 2000.</p>
<p>(4) In deciding whether to declare an operation as an approved wildlife trade operation the Minister must have <b>regard</b> to:</p> <p>(a) the significance of the impact of the operation on an ecosystem (for example, an impact on habitat or biodiversity); and</p> <p>(b) the effectiveness of the management arrangements for the operation (including monitoring procedures).</p>	<p>In declaring the five SA fisheries as approved WTO, DEW considered that the fisheries would not have a significant impact on any relevant ecosystem within the period of the declaration, given the management measures in place. The inclusion in the Objects of the FM Act 2007 to maintain and enhance aquatic ecosystems and genetic diversity is a positive focus towards ecosystems based fisheries management.</p> <p>It is likely the FM Act 2007 and FM Regulations 2007 will bring into force an effective framework for fisheries management. The information provided by PIRSA indicates that the FM Act 2007 will improve fisheries legislation to provide for the ecologically sustainable development of SA fisheries.</p>
<p>(5) In deciding whether to declare an operation as an approved wildlife trade operation the Minister must have <b>regard</b> to:</p> <p>(a) whether legislation relating to the protection, conservation or management of the specimens to which the operation</p>	<p>The FM Act 2007 includes provisions which relate to the protection, conservation and management of aquatic resources in a manner that is consistent with ecologically sustainable development. The FM Regulations 2007 provide fishing activities which are prohibited.</p>

relates is in force in the State or Territory concerned; and	
(b) whether the legislation applies throughout the State or Territory concerned; and	The FM Act 2007 and FM Regulations 2007 apply throughout SA waters.
(c) whether, in the opinion of the Minister, the legislation is effective.	The FM Act 2007 and FM Regulations 2007 are likely to be effective.
(10) For the purposes of section 303FN, an operation is a wildlife trade operation if, and only if, the operation is an operation for the taking of specimens and: (d) the operation is a commercial fishery.	The five SA fisheries with current WTO accreditations are commercial fisheries.

<b>Section 303FR Public consultation</b>	<b>DEW consideration of FM Act 2007 in relation to existing SA fisheries export declarations</b>
(1) Before making a declaration under section 303FN, the Minister must cause to be published on the Internet a notice: (a) setting out the proposal to make the declaration; and (b) setting out sufficient information to enable persons and organisations to consider adequately the merits of the proposal; and (c) inviting persons and organisations to give the Minister, within the period specified in the notice, written comments about the proposal.	DEW considers that consultation requirements of the EPBC Act for declaring a WTO have been met. A public notice, which set out the proposal to declare the SA Giant Crab Fishery; Lakes and Coorong Fishery; Marine Scalefish Fishery; Sea Urchin Fishery and Scallop and Turbo Fishery as approved WTOs consistent with their current WTO declarations and timeframes whilst reflecting the new legislative framework, was released for public comment which closed on 23 August 2007. No submissions were received.  Under the EPBC Act, a decision to amend the LENS does not require a public consultation period. However, a public notice, which set out the proposal to grant export approval to the SA Abalone Fishery; Beach-Cast Seagrass and Marine Algae Fishery; Blue Crab Fishery; Pilchard Fishery; Prawn Trawl Fisheries; Rock Lobster Fishery and Specimen Shell Fishery consistent with their current exemptions and timeframes, was released for public comment which closed on 23 August 2007. No submissions were received.
(2) A period specified in the notice must not be shorter than 20 business days after the date on which the notice was published on the	A public notice, which set out the proposal to declare the five SA fisheries as approved WTOs and the seven SA fisheries as exempt

Internet.	from the export provisions of the EPBC Act, including the information provided by PIRSA was released for public comment on 26 July 2007 and closed on 23 August 2007 a total of 21 business days.
(3) In making a decision about whether to make a declaration under section 303FN, the Minister must consider any comments about the proposal to make the declaration that were given in response to the invitation in the notice.	No public comments about the proposal were received.

#### Part 16

<b>Section 391 Minister must consider precautionary principle in making decisions</b>	<b>DEW consideration of FM Act 2007 in relation to existing SA fisheries export declarations</b>
(1) The Minister must take account of the precautionary principle in making a decision under section 303DC and/or section 303FN, to the extent he or she can do so consistently with the other provisions of this Act.	The precautionary principle has been considered in making a decision to amend the LENS to reflect the new SA fisheries legislation under the existing declarations.
(2) The precautionary principle is that lack of full scientific certainty should not be used as a reason for postponing a measure to prevent degradation of the environment where there are threats of serious or irreversible environmental damage.	

#### Objects of Part 13A

- (a) to ensure that Australia complies with its obligations under CITES and the Biodiversity Convention;
- (b) to protect wildlife that may be adversely affected by trade;
- (c) to promote the conservation of biodiversity in Australia and other countries;
- (d) to ensure that any commercial utilisation of Australian native wildlife for the purposes of export is managed in an ecologically sustainable way;
- (e) to promote the humane treatment of wildlife;
- (f) to ensure ethical conduct during any research associated with the utilisation of wildlife; and
- (h) to ensure the precautionary principle is taken into account in making decisions relating to the utilisation of wildlife.

## **Final recommendation to the Delegate of the Minister for the Environment and Water Resources**

DEW has considered the new legislative framework and the material provided by PIRSA on the key attributes of the FM Act 2007 and FM Regulations 2007. The information provided by PIRSA indicates that the FM Act 2007 provides for an improved governance framework for the management of SA fisheries which will provide for the ecologically sustainable development (ESD) of SA fisheries.

New provisions in the FM Act 2007 include:

- the establishment of a Fisheries Council as the advisory body to the SA Minister and primarily responsible for the development of the new fishery management plans;
- the establishment of advisory committees under the Fisheries Council to provide expert advice and ensure stakeholder involvement in decision making;
- prescribed processes for the development and approval of statutory management plans including greater community involvement in the development of the plans;
- the development of new possession limits for recreational fishers following community consultation;
- broad Ministerial delegation powers to allow for greater industry control over management;
- a new category of fishing under the FM Act 2007 for Aboriginal traditional fishing;
- increased penalties for breaches of fisheries legislation including new offence provisions for trafficking priority species such as abalone and rock lobster and a new system of demerit points; and
- new powers that allow officers to search suspected persons and to attach/implant identification devices to aquatic resources for tracking purposes.

DEW notes that the Objects of the FM Act 2007 have been developed so as to include principles for the ecologically sustainable development of fisheries including: principles to protect aquatic resource from over exploitation; allocate access to aquatic resources between users in a manner that achieves optimum utilisation and equitable distribution; and maintain and enhance aquatic ecosystems and genetic diversity. The FM Act 2007 also includes a clear definition of ESD which is consistent with the National Strategy for ESD.

In considering the new legislative framework and information supplied by PIRSA, DEW considers that the legislation maintains, and in areas improves on, the previous management framework for SA fisheries. Therefore it is recommended that new declarations be made for the twelve SA fisheries consistent with their current declarations and timeframes to reflect the new legislation coming into force on 1 December 2007. Table 2 below provides the updated management arrangements for the twelve SA fisheries.

DEW considers that new legislative framework does not adversely affect the existing Part 13 protected species accreditations given to five SA fisheries. However new Part 13 declarations will also be required to reflect the new legislation coming into force on 1 December 2007.

**Table 2: Summary of SA fisheries management arrangements reflecting new SA legislation**

FISHERY	NEW MANAGEMENT ARRANGEMENTS	Exempt/WTO and expiry date	PART 13 – Protected species accreditation
Abalone	Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act, taken in the South Australian Abalone Fishery, as defined in the <i>Fisheries Management (Abalone Fisheries) Regulations 2006</i> in force under the <i>Fisheries Management Act 2007</i> (South Australia)	Exempt - 21 June 2009	Yes
Beach-cast Seagrass & Marine Algae	Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act, taken in the South Australian Beach-cast Seagrass and Marine Algae fishery, as defined in the <i>Fisheries Management (Miscellaneous Fishery) Regulations 2000</i> in force under <i>Fisheries Management Act 2007</i> (South Australia)	Exempt – 1 August 2009	n/a
Blue Crab	Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act, taken in the South Australian Blue Crab Fishery, as defined in the <i>Fisheries Management (Blue Crab Fishery) Regulations 1998</i> and the <i>Fisheries Management (Marine Scalefish Fisheries) Regulations 2006</i> in force under the <i>Fisheries Management Act 2007</i> (South Australia)	Exempt - 29 November 2009	Yes
Giant Crab	The operations for the harvesting of specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the EPBC Act, taken in the South Australian Giant Crab Fishery, as defined in the <i>Fisheries Management (Miscellaneous Fishery) Regulations 2000</i> , the <i>Fisheries Management (Rock Lobster Fisheries) Regulations 2006</i> and the <i>Fisheries Management (General) Regulations 2007</i> in force under the <i>Fisheries Management Act 2007</i> (South Australia)	WTO - 14 March 2010	Yes
Lakes & Coorong	The operations for the harvesting of specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the EPBC Act, taken in the South Australian Lakes and Coorong Fishery, as	WTO - 25 November 2008	n/a

	defined in the <i>Fisheries Management (Lakes and Coorong Fishery) Regulations 2006</i> and the <i>Fisheries Management (General) Regulations 2007</i> in force under the <i>Fisheries Management Act 2007</i> (South Australia)		
Marine Scalefish	The operations for the harvesting of specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the EPBC Act, taken in the South Australian Marine Scalefish Fishery, as defined in the <i>Fisheries Management (Marine Scalefish Fisheries) Regulations 2006</i> and the <i>Fisheries Management (General) Regulations 2007</i> in force under the <i>Fisheries Management Act 2007</i> (South Australia)	WTO - 25 November 2008	Yes
Pilchard	Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act, taken in the South Australian Pilchard Fishery, as defined in the <i>Fisheries Management (Marine Scalefish Fisheries) Regulations 2006</i> in force under the <i>Fisheries Management Act 2007</i> (South Australia)	Exempt - 15 October 2009	Yes
Prawn Trawl	Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act, taken in the Spencer Gulf Prawn Fishery, the Gulf St Vincent Prawn Fishery and the West Coast Prawn Fishery, as defined in the <i>Fisheries Management (Prawn Fisheries) Regulations 2006</i> and the <i>Fisheries Management (General) Regulations 2007</i> in force under the <i>Fisheries Management Act 2007</i> (South Australia)	Exempt- 3 November 2009	Yes
Rock Lobster	Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act, taken in the South Australian Rock Lobster Fishery as defined in the <i>Fisheries Management (Rock Lobster Fisheries) Regulations 2006</i> and the <i>Fisheries Management (General) Regulations 2007</i> in force under the <i>Fisheries Management Act 2007</i> (South Australia)	Exempt - 31 October 2008	Yes
Sea Urchin	The operations for the harvesting of specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of	WTO - 20 October 2008	n/a

	the EPBC Act, taken in taken in the South Australian Sea Urchin Fishery, as defined in the <i>Fisheries Management (Miscellaneous Fishery) Regulations 2000</i> in force under the <i>Fisheries Management Act 2007</i> (South Australia)		
Specimen Shell	Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act, taken in the South Australian Specimen Shell Fishery, as defined in the <i>Fisheries Management (Miscellaneous Fishery) Regulations 2000</i> and the <i>Fisheries Management (General) Regulations 2007</i> in force under the <i>Fisheries Management Act 2007</i> (South Australia)	Exempt - 15 November 2009	n/a
Scallop and Turbo	The operations for the harvesting of specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the EPBC Act, taken in taken in the South Australian Scallop and Turbo Fisheries, as defined in the <i>Fisheries Management (Miscellaneous Fishery) Regulations 2000</i> and the <i>Fisheries Management (General) Regulations 2007</i> in force under the <i>Fisheries Management Act 2007</i> (South Australia)	WTO - 12 September 2010	n/a

## References

PIRSA, 2007. "Information provided on the South Australian *Fisheries Management Act 2007* and *Fisheries Management (General) Regulations 2007*" 4pp.

South Australian *Fisheries Management Act 2007*. 99pp.

South Australian *Fisheries Act 1982*. 62pp.

## Acronyms

CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
DEW	Department of the Environment and Water Resources
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
ESD	Ecologically Sustainable Development
FM Act 2007	<i>Fisheries Management Act 2007</i>
FM Regulations 2007	<i>Fisheries Management (General) Regulations 2007</i>
PIRSA	Primary Industries and Resources, South Australia
LENS	List of Exempt Native Specimens
SA	South Australian
WTO	Wildlife Trade Operations