
NOMINATION OF SPECIES

Sections of the *Fisheries Management Act 1994* (as amended in 2006), relating to threatened species conservation, and additional information required for the nomination of a species.

A: FISHERIES MANAGEMENT ACT 1994

“**Fish**” means any marine, estuarine or freshwater fish or other aquatic animal (including invertebrates) at any stage of their life cycle **except** mammals, birds, reptiles and amphibians.

“**Marine vegetation**” means any species of plant that at any time in its life must inhabit water (other than fresh water).

SECTION 220F Eligibility for listing of species

- (1) A species is eligible to be listed as a *species presumed extinct* at a particular time if, in the opinion of the Fisheries Scientific Committee, it has not been recorded in its known or expected habitat in New South Wales, despite targeted surveys, over a time frame appropriate, in the opinion of the Fisheries Scientific Committee, to its life cycle and form.
- (2) A species is eligible to be listed as a *critically endangered species* if, in the opinion of the Fisheries Scientific Committee, it is facing an extremely high risk of extinction in New South Wales in the immediate future, as determined in accordance with criteria prescribed by the regulations.
- (3) A species is eligible to be listed as an *endangered species* if, in the opinion of the Fisheries Scientific Committee:
 - (a) it is facing a very high risk of extinction in New South Wales in the near future, as determined in accordance with criteria prescribed by the regulations, and
 - (b) it is not eligible to be listed as a critically endangered species.
- (4) A species is eligible to be listed as a *vulnerable species* if, in the opinion of the Fisheries Scientific Committee:
 - (a) it is facing a high risk of extinction in New South Wales in the medium-term future, as determined in accordance with criteria prescribed by the regulations, and
 - (b) it is not eligible to be listed as an endangered or critically endangered species.

SECTION 220I Making a nomination for inclusion in or omission from threatened species lists

Any person may nominate an amendment to Schedules 4, 4A, 5 or 6.

SECTION 220N Species eligible for provisional listing

- (1) This section applies to the provisional listing, on an emergency basis, of a species in Part 1 of Schedule 4 as an endangered species, being a species that:
 - (a) although not previously known to have existed in New South Wales, is believed on current knowledge to be indigenous to New South Wales, or
 - (b) was presumed to be extinct in New South Wales but has been rediscovered.

It is an OFFENCE to make a vexatious nomination.

B: ADDITIONAL INFORMATION

The nomination of a native species for listing in Schedule 4; Part 1 or Part 4, Schedule 4A; Part 1 or Schedule 5 of the *Fisheries Management Act 1994* must include the following information:

- a) detailed reasons why the species is considered to be endangered, critically endangered, vulnerable or presumed extinct, within the meaning of the Act, by the person or persons making the nomination. Any specific threats or threatening processes should be identified;
- b) the best estimation that is available to the person or persons making the nomination of:
 - i) the current distribution of the species, and
 - ii) the current population of the species;
- c) in the case of a provisional listing, the reason why the species is eligible to be provisionally listed, within the meaning of the Act, by the person or persons making the nomination;
- d) if the species is not conventionally accepted, a description of the species in a form suitable for publication in conventional scientific literature;
- e) in cases where a threatened taxon is defined as a sub-species or taxon below a sub-species, details should be provided;
- f) in cases of a de-listing, the reasons why the species is no longer considered threatened within the meaning of the Act; and
- g) references to any scientific literature that supports the information provided in the nomination.