

Department of Primary Industries

FISHERIES MANAGEMENT ACT 1994

Section 8 Notification – Fishing Closure

Prohibition of Shark Finning

I, KATRINA HODGKINSON, M.P., Minister for Primary Industries, pursuant to section 8 of the Fisheries Management Act 1994 (“the Act”), do by this notification prohibit the taking of any species of shark by any person on board any vessel in any waters to which this Act applies, unless the shark are taken in accordance with the conditions specified in Schedule 1 to this notification.

SCHEDULE 1

- (1) Shark taken must remain on board the vessel, whole and with all fins naturally attached until the vessel berths at a port; or
- (2) Shark taken may:
 - (a) be discarded immediately, whole and with all fins naturally attached;
 - (b) be cut across the body and vertically from the top of the body through the carcass into portions (commonly referred to as barrels), provided all fins remain naturally attached to the respective portions of the carcass, and all such portions remain on board the vessel until the vessel berths at a port;
 - (c) have the head, gills, gut and/or other internal organs removed and discarded, provided the remainder of the shark remains on board the vessel until the vessel berths at a port. However, if the shark is a School Shark (*Galeorhinus galeus*) the head must not be removed;
 - (d) if the shark is of a species specified in Schedule 2 to this notification, have the belly flaps (with ventral fins attached) removed and discarded, provided the remainder of the shark remains on board the vessel until the vessel berths at a port.
- (3) Shark taken or any relevant portion of a shark taken may not be on board any vessel at any time (including after landing) without fins naturally attached.

SCHEDULE 2

<i>Common Name</i>	<i>Family</i>
Gulper sharks	CENTROPHORIDAE
Dogfishes	SQUALIDAE
Catsharks	SCYLIORHINIDAE

<i>Common Name</i>	<i>Scientific Name</i>
School shark	<i>Galeorhinus galeus</i>
Gummy shark	<i>Mustelus antarcticus</i>

The provisions of this fishing closure in respect of endorsement holders in the Ocean Trap and Line Fishery have effect despite any provision in the Fisheries Management (Ocean Trap and Line Share Management Plan) Regulation 2006.

The provisions of this fishing closure in respect of endorsement holders in the Ocean Trawl Fishery have effect despite any provision in the Fisheries Management (Ocean Trawl Share Management Plan) Regulation 2006.

The provisions of this fishing closure in respect of endorsement holders in the Ocean Hauling Fishery have effect despite any provision in the Fisheries Management (Ocean Hauling Share Management Plan) Regulation 2006.

The provisions of this fishing closure in respect of endorsement holders in the Lobster Fishery have effect despite any provision in the Fisheries Management (Lobster Share Management Plan) Regulation 2000.

The provisions of this fishing closure in respect of endorsement holders in the Estuary General Fishery have effect despite any provision in the Fisheries Management (Estuary General Share Management Plan) Regulation 2006.

The provisions of this fishing closure in respect of endorsement holders in the Estuary Prawn Trawl Fishery have effect despite any provision in the Fisheries Management (Estuary Prawn Trawl Share Management Plan) Regulation 2006.

Notes:

1. Any taking of sharks occurring pursuant to this fishing closure notification must also comply with all other relevant requirements of the Act and any regulations, fishing closure notifications and other subordinate legislation made under the Act.
2. A separate fishing closure applying to holders of line fishing western zone endorsements, line fishing eastern zone endorsements and demersal fish trap endorsements in the Ocean Trap and Line Fishery entitled Fishing Closure – Catch limits for certain shark species harvested in the Ocean Trap and Line Fishery prescribes, for certain species, the way in which the head may be removed and prohibits the removal and discarding of the belly flaps (with ventral fins attached) prior to when the vessel berths at a port.

This fishing closure is effective for a period of five years from the date of publication in the *NSW Government Gazette* unless sooner amended or revoked.

Dated this 26th day of August 2011.

KATRINA HODGKINSON, M.P.,
Minister for Primary Industries

FISHERIES MANAGEMENT ACT 1994

Section 8 Notification – Fishing Closure

Catch Limits for Certain Shark Species Harvested in the Ocean Trap and Line Fishery

I, GEOFF ALLAN, Acting Principal Director, Fisheries, with the delegated authority of the Minister for Primary Industries and the Director General pursuant to sections 227 and 228 of the Fisheries Management Act 1994 (“the Act”) and pursuant to section 8 of the Act do by this notification:

1. revoke the fishing closure notification entitled “Catch limits for certain shark species harvested in the Ocean Trap and Line Fishery dated 11 February 2011 and