



Australian Government

Parks Australia



Australian  
Marine Parks

## Australian Marine Parks

### Code of conduct for diving with grey nurse sharks Cod Grounds Marine Park and Solitary Islands Marine Park

Under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and within Australian waters, the grey nurse shark, *Carcharias taurus*, is listed as two separate populations; the East Coast population of grey nurse shark and the West Coast population of grey nurse shark. The East Coast population of grey nurse shark is listed as critically endangered under the EPBC Act and the West Coast population is listed as vulnerable. The Cod Grounds Marine Park and Pimpernel Rock in the Solitary Islands Marine Park are identified as key grey nurse shark aggregation sites, requiring high protection measures to assist with the recovery of the species and provide refuge from human threats.

NSW Department of Primary Industries and the Department of the Environment and Energy, in consultation with the dive industry, have developed a *Code of Conduct for Diving with Grey Nurse Sharks* (the Code of Conduct).

To comply the Code of Conduct, **divers must not:**

- Conduct night dives on aggregation sites at the Cod Grounds and Pimpernel Rock
- Block entrances to caves or gutters or entrap grey nurse sharks
- Interrupt the swimming pattern of the sharks
- Feed or touch or interfere with grey nurse sharks
- Chase or harass the sharks
- Use mechanical apparatus including, but not limited to, scooters, horns
- Use electronic shark protection devices, or
- Dive in groups totalling more than ten divers.

In addition to the divers obligations listed above, **commercial dive operators must:**

- Give a dive brief at each dive site identifying grey nurse shark habitat areas
- Ensure all divers on their charter vessels comply with the Code of Conduct
- Participate in scientific research to collect information regarding grey nurse shark populations and distribution, and
- Display the Code of Conduct in all dive stores and on board dive boats.

#### Offences and Penalties

Under the EPBC Act it is an offence to cause death or injury to a grey nurse shark, or to take, keep or move a grey nurse shark in Australian waters. Actions that are likely to have a significant impact on the species are also prohibited. Civil and criminal penalties can be imposed for contravention of the Act.

The maximum penalty for causing death or injury to a grey nurse shark is imprisonment for up to 2 (two) years and/or a fine of up to 1,000 penalty units (\$210,000).