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MEDIA RELEASE

The Hon Peter Garrett MP

Minister for the Environment, Heritage and the Arts

25 January 2010

LEGISLATIVE CHANGES FOR REC FISHING OF MAKO'S

Environment Minister, Peter Garrett, said today the Government would move to introduce legislative amendments to ensure that international changes to the status of mako sharks would not affect recreational fishing activities in Australia.

Mr Garrett said it was a requirement of the national environment law, the *Environment Protection and Biodiversity Conservation (EPBC) Act*, enacted by the previous government, that species listed internationally under the Convention on Migratory Species (CMS) were automatically included on Australia's national list of migratory species.

However, with a lack of evidence suggesting that Australian populations of these shark species face the same threats as other parts of the world, or a demonstrable conservation benefit, the Government has decided to act.

"Australia takes its international obligations seriously, however we also believe that our own legislation should provide the flexibility to properly take into account our particular domestic circumstances.

"Unfortunately the national environment law, as written by the previous government, does not allow the Government that flexibility.

"That's why the Government will ensure that recreational fishers, including charter boat operations, are not unfairly impacted by this international decision, which was driven primarily by concern about northern hemisphere populations of these sharks.

"Importantly, the inflexibility of the EPBC Act when it comes to the listing of species under the international convention was identified as an issue needing correction by the Government's recently completed independent review of the legislation.

"While the Government will be responding in full to the recommendations of that review, because the new listing will impact disproportionately on recreational fishers for no demonstrable conservation benefit, we think it is important that we act separately on this matter to minimise the impacts on recreational fishers.

"A number of Government MPs, including Member for Corangamite Darren Cheeseman and the Member for Braddon, Sid Sidebottom, have been promoting the need for a practical solution to this issue within Government, and I'm pleased to say we will deliver that."

Mr Garrett said while a the listing of the three shark species would still have to take effect on 29 January 2010 the Government will act as a priority, upon the resumption of the Parliament.

In the interim the Government has already announced that catch and release fishing of these species is not expected to have a significant impact on populations and therefore is unlikely to be subject to enforcement action.

Minister Garrett has also directed his department to work with fishery managers to improve data on mako and porbeagle sharks in Australian waters, to provide a more comprehensive information base on these shark species for the future.