



New South Wales

Fisheries Management (Continuation of Activities Relating to Southern Bluefin Tuna) Interim Order 2006

under the

Fisheries Management Act 1994

I, the Minister for Primary Industries, in pursuance of section 221IG of the *Fisheries Management Act 1994*, make the following Order.

Dated, this 28th day of June 2006.

IAN MACDONALD, M.L.C.,
Minister for Primary Industries

Explanatory note

Southern bluefin tuna is listed as an endangered species under the *Fisheries Management Act 1994 (the Act)*.

However, the Act enables the Minister to make an order authorising a class of persons to carry out an activity that may result in harm to an endangered species, population or ecological community or damage to its habitat. While such a proposed order is being assessed under the Act, the Minister may make an interim order lasting up to 6 months to allow an existing activity to be continued. The Act also provides for the remaking of an interim order.

The object of this interim Order is to remake the *Fisheries Management (Continuation of Activities Relating to Southern Bluefin Tuna) Interim Order 2005* (which took effect on 17 June 2005 and ceased to have effect on 10 December 2005) to permit recreational fishers to take and possess southern bluefin tuna, for a further period of 6 months.

The activities the subject of this interim Order may only continue subject to compliance with any applicable fishing regulatory controls imposed by or under the Act. The recommendation of the Fisheries Scientific Committee referred to in this interim Order is available on the Internet at:

www.fisheries.nsw.gov.au/__data/assets/pdf_file/10659/FR-26-SBT.pdf

This interim Order is made under section 221IG of the *Fisheries Management Act 1994*.

2006 No 376

Clause 1

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1 Name of Order

This Order is the *Fisheries Management (Continuation of Activities Relating to Southern Bluefin Tuna) Interim Order 2006*.

2 Commencement and repeal

This Order:

- (a) takes effect on the day that it is published in the Gazette, and
- (b) has effect for 6 months, and
- (c) is repealed at the end of the last day on which it has effect.

3 Continuation of existing activities

- (1) Recreational fishers may continue to take and possess *Thunnus maccoyii* (southern bluefin tuna), subject to compliance with any applicable fishing regulatory controls.
- (2) In this clause:
applicable fishing regulatory controls means requirements imposed by or under the *Fisheries Management Act 1994* that apply to or in respect of the activities concerned.

BY AUTHORITY