



New South Wales

Fisheries Management Amendment (Declared Diseases and Noxious Fish) Regulation 2010

under the

Fisheries Management Act 1994

Her Excellency the Governor, with the advice of the Executive Council, and on the recommendation of the Minister for Primary Industries, has made the following Regulation under the *Fisheries Management Act 1994*.

STEVE WHAN, MP
Minister for Primary Industries

Explanatory note

The objects of this Regulation are:

- (a) to update the list of diseases to which Division 4 of Part 6 of the *Fisheries Management Act 1994* applies (that is, the diseases in relation to which the Minister may declare a quarantine area, that the intentional or reckless communication of which to fish is an offence and that the sale or depositing of fish infected with which is an offence), and
- (b) to update the species of fish that are specified as noxious fish in the *Fisheries Management Act 1994* (that is, the fish the sale or possession of which is an offence and that a fisheries officer may seize or destroy).

This Regulation is made under the *Fisheries Management Act 1994*, including sections 182 (3) (in relation to declared diseases), 209A (4) (in relation to noxious fish) and 289 (the general regulation-making power).

2010 No 750

Clause 1 Fisheries Management Amendment (Declared Diseases and Noxious Fish)
Regulation 2010

Fisheries Management Amendment (Declared Diseases and Noxious Fish) Regulation 2010

under the

Fisheries Management Act 1994

1 Name of Regulation

This Regulation is the *Fisheries Management Amendment (Declared Diseases and Noxious Fish) Regulation 2010*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Fisheries Management Act 1994 No 38

[1] Schedule 6B Diseases affecting fish and marine vegetation

Omit the following from Division 1 of Part 1:

Oncorhynchus masou virus disease

White sturgeon iridoviral disease

[2] Schedule 6B, Part 1, Division 2

Omit the following:

Tetrahedral baculovirus (*Baculovirus penaei*)

Spherical baculovirus (*Penaeus monodon*-type baculovirus)

Spawner-isolated mortality virus disease

Necrotising hepatopancreatitis

Baculoviral midgut gland necrosis

Monodon slow growth syndrome

[3] Schedule 6B, Part 1, Division 2

Omit "Milky lobster disease". Insert instead:

Milky haemolymph disease of spiny lobster (*Panulirus* spp)

[4] Schedule 6B, Part 1, Division 3

Omit the following:

Infection with *Haplosporidium nelsoni*

Infection with *Haplosporidium costale*

Abalone viral mortality

[5] Schedule 6C Noxious fish and noxious marine vegetation

Insert after the matter relating to *Hydrocynus* spp. (Alestiidae family) in Division 1 of Part 1:

<i>Acipenser fulvescens</i> (Acipenseridae family)	Lake sturgeon	All waters
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<i>Acipenser brevirostrum</i> (Acipenseridae family)	Shortnose sturgeon	All waters
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<i>Acipenser persicus</i> (Acipenseridae family)	Persian sturgeon	All waters
<i>Acipenser sinensis</i> (Acipenseridae family)	Chinese sturgeon	All waters
<i>Acipenser sturio</i> (Acipenseridae family)	European sturgeon	All waters
<i>Acipenser ruthenus</i> (Acipenseridae family)	Sterlet	All waters
<i>Acipenser dabryanus</i> (Acipenseridae family)	Yangtze sturgeon	All waters
<i>Acipenser medirostris</i> (Acipenseridae family)	Green sturgeon	All waters
<i>Acipenser mikadoi</i> (Acipenseridae family)	Sakhalin sturgeon	All waters
<i>Acipenser naccarii</i> (Acipenseridae family)	Adriatic sturgeon	All waters
<i>Acipenser oxyrinchus oxyrinchus</i> (Acipenseridae family)	Atlantic sturgeon	All waters
<i>Acipenser baerii baicalensis</i> (Acipenseridae family)	Baikal sturgeon	All waters
<i>Acipenser baerii baerii</i> (Acipenseridae family)	Siberian sturgeon	All waters
<i>Acipenser gueldenstaedtii</i> (Acipenseridae family)	Russian sturgeon	All waters
<i>Acipenser transmontanus</i> (Acipenseridae family)	White sturgeon	All waters
<i>Acipenser nudiventris</i> (Acipenseridae family)	Fringebarbel sturgeon	All waters
<i>Acipenser schrenckii</i> (Acipenseridae family)	Amur sturgeon	All waters
<i>Acipenser multiscutatus</i> (Acipenseridae family)	Japanese sturgeon	All waters
<i>Acipenser oxyrinchus desotoi</i> (Acipenseridae family)	Gulf sturgeon	All waters
<i>Acipenser stellatus</i> (Acipenseridae family)	Starry sturgeon	All waters
<i>Huso Huso</i> (Acipenseridae family)	Beluga	All waters

[6] Schedule 6C, Part 1, Division 1

Insert after the matter relating to *Lates niloticus* (Centropomidae family)

<i>Chaca bankanensis</i> (Chacidae family)	Angler catfish	All waters
<i>Chaca burmensis</i> (Chacidae family)	Burmensis frogmouth catfish	All waters

[7] Schedule 6C, Part 1, Division 1

Omit “Angler catfish, squarehead” from Column 2 of the matter relating to *Chaca chaca* (Chacidae family).

Insert instead “Squarehead”.

[8] Schedule 6C, Part 1, Division 1

Insert after the matter relating to *Elassoma* spp. (Elassomatidae family):

<i>Gobiomorphus gobioides</i> (Eleotridae family)	Giant bully	All waters
<i>Oxyeleotris heterodon</i> (Eleotridae family)	Sentani gudgeon	All waters
<i>Oxyeleotris urophthalmoides</i> (Eleotridae family)		All waters
<i>Oxyeleotris siamensis</i> (Eleotridae family)		All waters
<i>Allomogurnda nesolepis</i> (Eleotridae family)	Yellowbelly gudgeon	All waters
<i>Dormitator maculatus</i> (Eleotridae family)	Pacific sleeper	All waters
<i>Gobiomorus dormitor</i> (Eleotridae family)	Bigmouth sleeper	All waters
<i>Oxyeleotris urophthalmus</i> (Eleotridae family)		All waters
<i>Gobiomorphus huttoni</i> (Eleotridae family)	Redfin bully	All waters
<i>Gobiomorus maculatus</i> (Eleotridae family)		All waters
<i>Hypseleotris cyprinoides</i> (Eleotridae family)	Tropical carp-gudgeon	All waters
<i>Hypseleotris tohizonae</i> (Eleotridae family)		All waters
<i>Dormitator latifrons</i> (Eleotridae family)	Pacific fat sleeper	All waters

[9] Schedule 6C, Part 1, Division 1

Insert after the matter relating to *Heteropneustes fossilis* (Heteropneustidae family):

<i>Ictalurus punctatus</i> (Ictaluridae family)	Channel catfish	All waters
<i>Lebiasina bimaculata</i> (Lebiasinidae family)	Twospot lebiasina	All waters

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Lepidosiren paradoxa (Lepidosirenidae family) South American lungfish All waters

[10] Schedule 6C, Part 1, Division 1

Insert after the matter relating to *Mormyrops anguilloides* (Mormyridae family):

Pangasius nieuwenhuisii (Pangasiidae family) All waters

Pangasius gigas (Pangasiidae family) Mekong giant catfish All waters

Pangasius conchophilus (Pangasiidae family) All waters

Pangasius elongatus (Pangasiidae family) All waters

Pangasius krempfi (Pangasiidae family) All waters

Pangasius kunyit (Pangasiidae family) All waters

Pangasius pangasius (Pangasiidae family) Yellowtailed catfish All waters

Pangasius nasutus (Pangasiidae family) All waters

Pangasius larnaudii (Pangasiidae family) Spot pangasius All waters

Pangasianodon hypophthalmus (Pangasiidae family) Sutchi catfish All waters

Pangasius macronema (Pangasiidae family) All waters

Perca fluviatilis (Percidae family) Redfin perch All waters

Alfaro cultratus (Poeciliidae family) Knife-edged livebearer All waters

Alfaro huberi (Poeciliidae family) All waters

Heterandria bimaculata (Poeciliidae family) Twospot livebearer All waters

[11] Schedule 6C, Part 1, Division 1

Insert after the matter relating to *Gambusia holbrooki* (Poeciliidae family):

Tomeurus gracilis (Poeciliidae family) All waters

[12] Schedule 6C, Part 1, Division 1

Insert after the matter relating to *Psephurus gladius* (Polyodontidae family):

Erpetoichthys calabaricus (Polypteridae family) Reedfish All waters

[13] Schedule 6C, Part 1, Division 1

Insert after the matter relating to *Carcinus maenas* (Portunidae family):

<i>Paratrygon aiereba</i> (Potamotrygonidae family)	Discus ray	All waters
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[14] Schedule 6C, Part 1, Division 1

Insert after the matter relating to *Protopterus annectens* (Protopteridae family):

<i>Protopterus dolloi</i> (Protopteridae family)	Slender lungfish	All waters
<i>Protopterus aethiopicus</i> (Protopteridae family)	Marbled lungfish	All waters
<i>Protopterus amphibius</i> (Protopteridae family)	Gilled lungfish	All waters
<i>Leptolebias opalescens</i> (Rivulidae family)	Opal pearlfish	All waters
<i>Leptolebias aureoguttatus</i> (Rivulidae family)		All waters
<i>Leptolebias marmoratus</i> (Rivulidae family)	Marbled pearlfish	All waters
<i>Leptolebias minimus</i> (Rivulidae family)	Barred tail pearlfish	All waters
<i>Schilbe marmoratus</i> (Schilbeidae family)	Shoulderspot catfish	All waters
<i>Schilbe intermedius</i> (Schilbeidae family)	Silver butter catfish	All waters