



Department of Primary Industries

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Mr Ross McGowan
Executive Director
Seafood Industry Victoria
Ground Floor, 484 William Street
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Our Ref: FB/13/0028

Dear Mr ^{Ross} McGowan

RE: Reporting of fisheries interactions with protected species

Thank you for your letter of October 19 2009 regarding the expiry of the amnesty on 18 November 2009. I also refer to your telephone conversation with Luke Cromie, Acting Director, Fisheries Policy & Licensing on 13 November 2009 regarding this matter.

I wish to confirm that Fisheries Victoria is actively seeking the assistance of the Department of Sustainability and Environment to extend the amnesty until 2012. During that time, we plan to seek amendments to the *Wildlife Act 1975* and the *Flora and Fauna Guarantee Act 1988* to provide a longer term way to exempt commercial fishers from offences relating to incidental interactions with protected species.

The current amnesty from prosecution under the *Wildlife Act 1975* and the *Flora and Fauna Guarantee Act 1988* was signed by the Department of Primary Industries and Department of Sustainability and Environment in 2007 to enable fishers to report any interactions with protected wildlife. All commercial licence holders in the rock lobster, giant crab and scallop fisheries are covered by the current amnesty and are required to report interactions with protected species in their logbooks.

I also note that the export approvals issued by the Commonwealth Government for the rock lobster, giant crab and scallop fisheries under the *Environment Protection and Biodiversity Conservation Act 1999* require the reporting of incidental interactions with protected species.

As you have noted, the Protected Species Action Plan describes the actions to be taken by DPI once the data on protected species interactions is recorded in logbooks. The Action Plan outlines a process for monitoring the data, summarising the data, sharing the summarised data with relevant agencies, and management action to be taken should there be any unacceptable fisheries impacts on protected species.

I can advise that Fisheries Victoria has not received any reports of incidental interactions with protected species over the last two years.



I acknowledge that no interactions may have taken place in rock lobster, giant crab and scallop fisheries. However, I am advised that anecdotal information indicates that some interactions might have occurred but not been reported.

The effectiveness of the amnesty/exemption approach will depend on commercial fishers reporting any incidental interactions with protected species

Accordingly, I would be most grateful to receive any feedback you might be able to provide about the possible occurrence of any interactions with protected species. I also would appreciate any assistance that Seafood Industry Victoria might be able to provide to encourage licence holders to report any incidental interactions with such species.

If you would like to discuss this further, please contact Dallas D'Silva, Manager Marine Fisheries and Planning, on (03) 9658 4363.

Yours sincerely



Anthony Hurst
Executive Director Fisheries Victoria

16/11/09