



BY AUTHORITY

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EXTRA-ORDINARY GAZETTE

LEGAL NOTICE

The following is published as a Supplementary to this Gazette:
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**FISHERIES MANAGEMENT PLAN (TRIDACNA AND HIPPOPUS CLAMS)
2020**

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**FISHERIES MANAGEMENT ACT 2015
(NO. 2 OF 2015)**

**FISHERIES MANAGEMENT PLAN (TRIDACNA AND HIPPOPUS CLAMS)
2020**

I, Honourable Nestor Giro, Minister for Fisheries and Marine Resources, under section 17(2) of the *Fisheries Management Act* 2015, approve the following Management Plan:

1 Citation

This Fisheries Management Plan may be cited as the *Fisheries Management Plan (Tridacna and Hippopus Clams) 2020*.

2 Commencement

This Fisheries Management Plan commences on the date it is published in the Gazette.

3 Definitions

In these Regulations:

“**assessment team**” means a team of persons from the Ministry of Fisheries and Marine Resources who carries out an assessment under paragraph 5;

“**clam**” means a clam of the genus *Tridacna* and *Hippopus*;

“**export licence**” means a licence required under section 43 of the Act and regulation 54 of the Fisheries Management Regulations 2017;

“**non-detriment finding**” means a non-detriment finding set out in Article

V (Appendix III) of the Convention on International Trade in Endangered Species of Wild Fauna and Flora;

“*non-detriment finding requirement*” means the requirement that there is a finding by a scientific authority that the taking of clams under an export licence from the licence area is sustainable.

4 Management Measure: Limitation on issue of export licences

- (1) The purpose of this management measure is to enable a limited export trade of clam shells under a licensing system.
- (2) There may only be 3 export licences for the export of clams, in force at any one time.
- (3) The Director must not issue an export licence unless:
 - (a) the non-detriment findings requirements for the species of clam proposed to be exported under the licence have been met; and
 - (b) the assessment under paragraph 5 has been completed and indicates that the export of the clams under the licence in a specified area is sustainable; and
 - (c) the conditions imposed on the licence include any conditions recommended by the assessment team relating to the size of the clams that may be harvested under the licence and the maximum quota of clams that may be exported under the licence.

5 Management measure: Assessment

- (1) The purpose of this management measure is to ensure that the quantity of clams to be exported must comply with the non-detriment finding for clams.
- (2) An assessment team must carry out an assessment at the licence area proposed in the application for an export licence to ensure that harvesting of the clams in the area is sustainable.
- (3) The assessment team must take into account the following:
 - (a) the ecosystem and habitat of the marine life surrounding the areas where the clams are harvested;
 - (b) the prevalence of clams in the area, and the ages of the clams;
 - (c) the harvesting method proposed by the applicant to ensure that it is done in a sustainable manner.

6 Indicators

The indicators for assessing the effectiveness of the management measures are:

- (a) that the non-detriment findings are complied with;

- (b) that the manner of harvesting the clams does not damage their ecosystem and habitat.

Made this thirtieth day of September 2020

HON. NESTOR GIRO
MINISTER FOR FISHERIES AND MARINE RESOURCES
