

**Senate Standing Committee on Environment and Communications**  
**Legislation Committee**  
Answers to questions on notice  
**Environment portfolio**

**Question No:** 51  
**Hearing:** Budget Estimates  
**Outcome:** Outcome 1  
**Programme:** Wildlife Heritage and Marine Division (WHM)  
**Topic:** GIANT CLAM HARVEST  
**Hansard Page:** N/A  
**Question Date:** 16 June 2014  
**Question Type:** Written

**Senator Siewert asked:**

Are you aware of fisherman plundering over 200 giant clams (*Tridacna gigas*) from Evans and neighbouring shoals 120 nm NNW of the Tiwi Islands inside the AFZ?

What is being done to protect this natural resource?

**Answer:**

Yes.

Four Masters of Vietnamese fishing boats involved in the incident were convicted in the Darwin Magistrates Court on 1 and 3 April 2014 for the unlawful take of giant clams (*Tridacna gigas*) in Australia's northern waters. The penalties for the fishers ranged from convictions and fines from \$4000 to \$5000. The fishers were released upon entering into recognisance bonds of \$4000 to \$5000. The four fishers were given three year good behaviour bonds.

The investigations and prosecutions in this matter were led by the Australian Fisheries Management Authority. The Department provided advice and guidance in regards to breaches under the *Environment Protection and Biodiversity Conservation Act 1999*.

All species in the family Tridacnidae (subsequently reclassified as sub-family Tridacninae) are listed in Appendix II of the Convention on International Trade in Endangered Species and are afforded protection under Part 13A of the *Environment Protection and Biodiversity Conservation Act 1999*. Appendix II of the Convention includes species not necessarily threatened with extinction, but for which trade must be controlled in order to avoid utilisation incompatible with their survival. The Commonwealth is a party to the Convention and has prohibited take of *Tridacna gigas* for export or domestic purposes in Commonwealth waters. State and Northern Territory fishery agencies are responsible for domestic harvest in their waters.