

QUEENSLAND FISHERIES JOINT AUTHORITY

REPORT FOR THE PERIOD

1 JULY 2002 TO 30 JUNE 2003

Commonwealth of Australia 2004

ISSN 1328-4258

This work is copyright. Apart from any use as permitted under the *Copyright Act 1968*, no part may be reproduced by any process without written permission.

Published by:

Australian Fisheries Management Authority

John Curtin House
22 Brisbane Avenue
BARTON ACT 2600

22nd November 2004

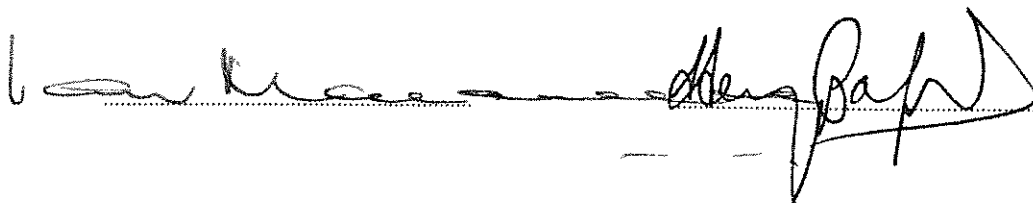
Fisheries Management Act 1991 (Commonwealth)
Fisheries Act 1994 (Qld)

Queensland Fisheries Joint Authority
Report of the Queensland Fisheries Joint Authority
for the period 1 July 2002 to 30 June 2003

Senator the Hon Ian Macdonald
Commonwealth Minister for Fisheries, Forestry
and Conservation

Parliament House
CANBERRA ACT 2600

The Hon Henry Palaszczuk MP
Queensland Minister for
Primary Industries and Rural
Communities
Parliament House
BRISBANE QLD 4000



The image shows two handwritten signatures in black ink. The signature on the left is 'Ian Macdonald' and the signature on the right is 'Henry Palaszczuk'. Both signatures are written over a horizontal dotted line.

CONTENTS

1. INTRODUCTION
2. ENABLING LEGISLATION
3. MEMBERS OF THE QUEENSLAND FISHERIES JOINT AUTHORITY
4. POWERS, FUNCTIONS AND OBJECTS OF THE QUEENSLAND FISHERIES JOINT AUTHORITY
5. MEETINGS OF THE QUEENSLAND FISHERIES JOINT AUTHORITY
6. CONSULTATIVE COMMITTEE
7. CONDITION OF THE FISHERY
8. MANAGEMENT ARRANGEMENTS
9. DELEGATION OF POWERS
10. QFJA LICENCES/FISHERY SYMBOLS AND PERMITS GRANTED
11. FINANCIAL ARRANGEMENTS

ANNEX

- A Queensland Government Gazette
No 23, Friday 10 February 1995, pp 445-450
- B Queensland Government Gazette
No 60, Friday 4 July 2003, pp 836-838
- C Decisions of the Queensland Fisheries Joint Authority 2002-03
- D Statements under associated legislation:

Freedom of Information Act 1982
*Occupational Health and Safety (Commonwealth Employment)
Act 1991*
Political Broadcasting and Political Disclosures Act 1991
- E Glossary of Terms

1. INTRODUCTION

This is the ninth report of the Queensland Fisheries Joint Authority (QFJA) and outlines its activities undertaken during the period 1 July 2002 to 30 June 2003. The QFJA was established to undertake **management of all northern demersal and pelagic finfish in waters relevant to Queensland in the Gulf of Carpentaria *excluding*:**

- (a) tuna and tuna like species;
- (b) inshore fin fish including barramundi, king and blue salmon, grey mackerel and others;
- (c) fish taken whilst trawling for prawns in the Northern Prawn Fishery; and
- (d) incidental catch of fishing operations for (a) and (c) above.

2. ENABLING LEGISLATION

The *Fisheries Management Act 1991* (Commonwealth) provides for the Commonwealth to establish Joint Authorities comprised of the Commonwealth and the relevant State Minister (subsection 61(1)). A corresponding subsection (section 126(1)) is also found in the *Fisheries Act 1994* (Qld).

Under these provisions, the establishment of the QFJA was approved on 7 February 1995 by the Arrangement between the Commonwealth of Australia and the State of Queensland in relation to the Fishery for Northern Demersal and Pelagic Fish in the Gulf of Carpentaria. A complete description of jurisdiction of species and area is contained in the Arrangement between the Commonwealth of Australia and the State of Queensland, published in the Australian Government Gazette on 8 February 1995 and the Queensland Government Gazette on 10 February 1995. A copy of the Queensland Gazette Notice (which is identical to the Commonwealth Gazette Notice) is at Annex A. The Arrangement provides, amongst other things, that the fishery be managed under Queensland law.

A further arrangement between the Commonwealth and the State of Queensland, under section 71 of the *Fisheries Management Act 1991* and section 132 of the *Fisheries Act 1994* of Queensland, in relation to the Gulf of Carpentaria grey mackerel fishery was approved by the Administrator of the Commonwealth of Australia on 25 June 2003. That arrangement was published in the Commonwealth of Australia Gazette No. GN 26 on 2 July 2003 and in the Queensland Government Gazette No. 60 on 4 July 2003. A copy of the Queensland Gazette Notice (which is identical to the Commonwealth Gazette Notice) is at Annex B. The Arrangement provides, amongst other things, that this fishery be also managed under Queensland law by the Queensland Fisheries Joint Authority.

3. MEMBERS OF THE QUEENSLAND FISHERIES JOINT AUTHORITY

The members of the Queensland Fisheries Joint Authority for the reporting period were:

Senator the Hon Ian Macdonald
Commonwealth Minister for Fisheries, Forestry and Conservation

The Hon Henry Palaszczuk MP
Queensland Minister for Primary Industries and Rural Communities

Deputies appointed for the reporting period were :

For the Commonwealth Minister

Mr Frank Meere, Managing Director, Australian Fisheries Management Authority (AFMA).

Mr Les Roberts, Acting Managing Director, Australian Fisheries Management Authority (AFMA) – 17-20 September 2002 (inclusive).

Mr Glenn Hurry, General Manager, Fisheries and Aquaculture Group, Department of Agriculture, Fisheries and Forestry - Australia (AFFA).

For the Queensland Minister

Mr Peter Neville – Deputy Director General, Queensland Fisheries Service, Department of Primary Industries (QDPI).

Mr Colin Bishop – Acting Deputy Director General, Queensland Fisheries Service, Department of Primary Industries (QDPI) – 13 September 2003 to 25 October 2003.

Mr James Gillespie – Acting Deputy Director General, Queensland Fisheries Service, Department of Primary Industries (QDPI) – 26 October 2003 to 13 December 2003.

During the reporting period, policy development, licensing, permits, data collection and monitoring, administration and consultation services were provided to the QFJA by officers of the Queensland Fisheries Service (QFS).

4. POWERS, FUNCTIONS AND OBJECTS OF THE QUEENSLAND FISHERIES JOINT AUTHORITY

For a Joint Authority managing a fishery under Queensland law, the following functions apply under section 135 of the Queensland *Fisheries Act 1994*:

- "(a) keeping constantly under consideration the fishery's condition;
- (b) formulating policies and plans for the fishery's management;
- (c) exercising for the fishery's management powers conferred on the Joint Authority under this Act;
- (d) co-operating and consulting with other entities on issues of common interest."

The *Fisheries Act 1994* provides that a Joint Authority managing a fishery under Queensland law has, "to the exclusion of the fisheries agencies (defined as the Chief Executive, QDPI) all the functions and powers of the fisheries agencies for the fishery" (subsection 136(3)). Such functions and powers are provided at sections 20, 21, 25, 26, 27 and 28 of the *Fisheries Act 1994*.

During the year under review the QFJA has performed its functions and pursued the above objectives through its activities contained in sections 5, 6, 8, 9,10 and 11 of this report and has reported on the condition of fisheries for which it is responsible in section 7 of this report. Those sections outline the principal policies adopted by the QFJA since its inception, any changes to those policies during the reporting period, as well as the outcomes flowing from the application of those policies.

5. MEETINGS OF THE QUEENSLAND FISHERIES JOINT AUTHORITY

Two meetings of the QFJA were held during the period under review, on 18 September 2002 and 2 May 2003. Principal matters dealt with at these meetings included:

18 September 2002

- Reviewed and acted on the reports of the Gulf of Carpentaria Fisheries Management Advisory Committee (GulfMAC);
- Approved as policy that grey mackerel be taken as a target species in the Offshore Net Fishery (N9) under a condition of licence;
- Approved as policy the streamlining of requirements relating to the use of nets in the Gulf of Carpentaria Gill Net Fishery in waters beyond 25 nautical miles;
- Approved amendments to the Policy Guidelines on "Policy for Management of the L4 and L5 Line Fisheries in the Gulf of Carpentaria";
- Considered the draft of the proposed Bycatch Action Plan for the Gulf of Carpentaria Set Mesh Net Fishery (BAP); and
- Noted progress in the development of the National Plan of Action for the Conservation and Management of Sharks (NPOA-Sharks).

2 May 2003

- Approved amendments to the Policy Guidelines on "Policy for Management of the L4 and L5 Line Fisheries in the Gulf of Carpentaria".

A complete list of decisions of these meetings is provided at Annex C.

6. ADVISORY COMMITTEE

The QFJA, in undertaking its responsibilities, is required under Queensland law to consult with stakeholders in developing fishery management plans and regulations.

The *Fisheries Act 1994* provides the power for a Joint Authority to establish Advisory Committees consisting of such persons as it thinks fit to provide information and advice to the Joint Authority.

The QFJA supported, in conjunction with the Chief Executive, QDPI who manages the inshore finfish fisheries in the Gulf of Carpentaria, the formation of a Gulf Management Advisory Committee (GulfMAC) in November 2001. Gulf MAC had been preceded by a Fisheries Advisory Group to the QFJA for the preceding period from 1996 to 2001.

The 2002 and 2003 members of GulfMAC were:

Dr Joe Baker	Chair
Des Callope	Gkuthaarn People
Ray Clarke	Department of Business, Industry and Resource Development, Northern Territory Fisheries
David Donald	Recreational Fisher
Mark Doohan	Queensland Fisheries Service (QFS)
Rod Garrett	QDPI Research
Sue Gould	Weipa Catchment Coordinating Committee
Bob Grimley	Queensland Boating and Fisheries Patrol, QFS
Greg Howard	Commercial fisher – line fishery
Jack Jules	Wellesley Island Sea Claim (Carpentaria Land Council)
Colin Limpus	Environmental Protection Agency, Queensland
David McAtamney	Marketer
Stephen Parker	Recreational fisher (Sunfish Mareeba)
John Smith	Local Government
Gary Ward	Commercial fisher – inshore net fishery and Crab
David Wren	Commercial fisher - offshore net fishery
Kim Parkinson	Permanent observer (AFMA).

GulfMAC met on 15/16 August 2002 and 15/16 December 2002. Matters dealt with at these meetings included:

15/16 August 2002

- Progress of legislative amendments relating to the shark fishery;
- Fisheries Education and Information Program;
- Status of indigenous community fishing permits in the Gulf of Carpentaria;
- Excess capacity in Gulf of Carpentaria Line Fisheries;
- Draft Bycatch Action Plan;
- Overview of the National Plan of Action for Sharks;
- Management of shark stocks in the GOC; and
- In-possession net limits in GOC net fisheries.

15/16 December 2002

- Indigenous representation on the MAC and consultation processes with Aboriginal communities;
- Funding for an Observer Program in the net fishery;
- Recreational in-possession limits for shark;
- Tagged fish returns;
- Update on excess capacity in the line fishery;

- Management of grey mackerel stocks in the GOC;
- In-possession net limits in GOC net fisheries;
- Impact on protected species;
- Draft By-catch Action Plan;
- Development finfish trawling in offshore waters;
- Comparison of management arrangements for NT and Queensland GOC fisheries;
- Ghost net fishing; and
- Target catch and release fishing for barramundi during closed seasons.

7. CONDITION OF THE FISHERY

The principal target fish stocks managed by the QFJA include mackerels, shark and demersal finfish. Biological information on the distribution and abundance of those species in the Gulf of Carpentaria is limited.

To assist in examining the condition of the fishery, the QFJA has implemented formal arrangements for the collection of catch and effort information from commercial participants. Once a time series of this data has been collected, the data, together with available research information, will be used to establish the condition of the fishery. At the present time, it is not possible to determine with certainty the status of stocks of those species. Research assessments are underway and levels of knowledge are improving. This uncertainty underpins the restrictive limited entry licensing policies adopted by QFJA at its inaugural meeting in 1995 and maintained and enhanced since that time.

Commercial catches of finfish for species under QFJA jurisdiction are contained in table 1. Such catches were made using net and line fishing apparatus. Information provided has been drawn from the Queensland Fisheries Commercial Log Book System (CFISH) for waters adjacent to Queensland west of 142° 30' east longitude (at Cape York) as at 12 August 2003. Sharks include all shark species, whilst other Finfish and Trawled Finfish include all fish species except those otherwise listed below.

Table 1 - Commercial Catches of Finfish by calendar year

Species	1997	1998	1999	2000	2001	2002
	<i>Catch (t)</i>	<i>Catch (t)</i>	<i>Catch (t)</i>	<i>Catch (t)</i>	<i>Catch (t)</i>	<i>Catch (t)</i>
Shark	322.3	346.8	368.5	389.2	476.8	625.0
Mackerel-Grey	378.8	372.1	310.8	425.4	500.4	358.3
Mackerel-Spanish	214.5	130.8	176.6	146.3	174.9	220.9
Other Finfish	132.6	126.4	201.2	336.0	243.2	348.0
Trawled Finfish	-	79.0	74.0	12.9	9.7	199.3
Totals	1048.2	1055.0	1131.1	1309.9	1405.0	1751.4

Note - Catches recorded in this table have been reported using new standard weight conversion codes which better reflect the recovery rate for each species and as a consequence have changed in years previously reported. Catches are converted from reported product forms (fillets, gilled and gutted, trunk) to reflect live weight as a standard reporting approach. These catches include small catches by operators in the Inshore Net Fishery administered by the QFS, however landings of barramundi, blue salmon and king salmon have been excluded. Significant changes have been reported in catches for past years. This is as a result primarily of changes to the weight conversion factors converting fillet, trunk and gilled and gutted product forms to a standard data set for all years since 1997 when catch data were first reported by the QFJA.

The QFJA has acknowledged the need to undertake fisheries assessment and status reports for demersal finfish, shark, mackerels and other similar pelagic species. Such reports are to be prepared in consultation with adjacent jurisdictions. In 1995, to facilitate such an approach, the Northern Territory and Queensland governments agreed to a Memorandum of Understanding (MoU) on co-operative management of stocks in the Gulf of Carpentaria, which includes consultation and co-operation on:

- catch and effort data;
- results of scientific research;
- monitoring and surveillance; and
- proposed management regimes.

The MoU between the Commonwealth, Queensland and Northern Territory governments associated with the OCS arrangements places obligations on those governments, and thus the QFJA, to co-operate and consult on a variety of issues and to make available information on matters of mutual interest.

Those governments have also agreed to formal consultation between the parties and with stakeholders, having released a joint statement in August 1995 on how such consultation is to occur. Matters covered in the statement include:

- research;
- management;
- monitoring;
- surveillance; and
- consultation with stakeholders.

Consistent with the provisions of the joint statement, Queensland, Western Australia, the Northern Territory and the Commonwealth conducted the seventh Northern Australia Fisheries Management Workshop in Darwin on 18-20 September 2002. The eighth workshop has been scheduled for August 2003 in Darwin and will be reported in the next Annual Report of the QFJA.

A number of matters were considered at the September workshop. Research and management arrangements for Spanish mackerel stocks were reviewed including stock structure, genetic based monitoring and coordination of research across northern Australia. Each jurisdiction observed that whilst current landings of Spanish mackerel are seasonally low, the fishery is considered to be fully exploited. The Workshop noted the initiative of the QFJA to address excess fishing capacity on these stocks and noted that the Northern Territory and Western Australian jurisdictions were currently reviewing their management arrangements.

Arrangements for coordinated research and management of shark stocks in the Gulf of Carpentaria were discussed. These arrangements are being progressed consistent with the National Plan of Action for Sharks. The Workshop reviewed arrangements for management of shared snapper fishery stocks in northern Australia and the relationship of those stocks with the adjacent Indonesian fishery, which is regarded to be over-exploited.

Recreational, charter and commercial fishing by indigenous issues were also addressed by the Workshop along with other matters relating to fisheries for stocks not administered by the QFJA.

Logbook data from commercial operators are being collected on behalf of the QFJA by QFS under its CFISH system. Surveillance and enforcement functions have been integrated with other existing tasks of the Queensland Boating and Fisheries Patrol. Prioritisation of fisheries research and monitoring needs are undertaken by the QFJA on the advice of GulfMAC.

Limited information is available on the impacts of fishing on non-target species and the marine environment. The QFJA has adopted a cautious approach towards allowing access to fish stocks under its jurisdiction as a consequence of this limitation. Policies in force limit the number of licences and permits granted, whilst fishing apparatus available for use is also restricted.

8. MANAGEMENT ARRANGEMENTS

The formation of the QFJA on 8 February 1995 coincided with the implementation of the new fisheries legislation in Queensland proclaimed on 27 January 1995.

That legislation, the *Fisheries Act 1994*, introduced changes to the framework of fisheries management arrangements in Queensland at that time. The main purpose of the Act is to provide for the use, conservation and enhancement of the community's fisheries resources and fish habitats in a way that seeks to –

- (a) apply and balance the principles of ecologically sustainable development; and
- (b) promote ecologically sustainable development

This statutory framework applies to the QFJA.

At its inaugural meeting in 1995, the QFJA adopted policies which provided for continuance of commercial fishing activities under its jurisdiction by those persons who were actively involved in the relevant fisheries under previous management arrangements. In particular, the QFJA:

- (a) continued the developmental fishery status for access to resources under its jurisdiction in the Central Gulf of Carpentaria (beyond 25 nautical miles of the territorial sea baseline);
- (b) continued access to resources now under QFJA jurisdiction for those Queensland licence holders who participated in the fishery during the year prior to the changeover day; and
- (c) determined that no additional or new access authorisations be granted for commercial harvesting of fish stocks under QFJA jurisdiction pending:
 - (i) in the case of harvesting activities for presently licensed or permitted activities, completion of a fishery assessment and status report; and

- (ii) in the case of new activities, consideration only under an exploratory or developmental fishery policy framework approved by the QFJA.

Those policies have continued to be strengthened through the adoption of further policies at subsequent meetings of the QFJA as follows:

- Boat replacement policy and licensing of tender boats;
- Licensing of shark fisheries in adjacent jurisdictions;
- Data collection from authority holders; and
- Arrangements for the conduct of a developmental finfish trawl fishery.

During the period under review, the QFJA approved the introduction of a new policy to deal with excess fishing capacity in its L4 and L5 line fisheries. Details of that policy are contained in the Records of Decisions at Annex C to this report.

Details of previous policies are contained in the Record of Decisions of meetings of the QFJA and are reported in previous Annual Reports of the QFJA.

9. DELEGATION OF POWERS

For effective functioning, licensing and permit issuing powers have been delegated to those QFS staff associated with QFJA processes. Powers were also delegated for the detention, seizure, forfeiture and disposal of fisheries resources and other things such as equipment.

In particular, the QFJA at its inaugural meeting delegated the following powers under section 130 of the *Fisheries Act 1994* to relevant staff as follows:

- | | | |
|------------------------|--------------------|---|
| (1) The powers under - | section 55 | (issue of authorities) |
| | section 58 | (renewal of authorities) |
| | section 61 | (conditions imposed on issue or renewal of authorities) |
| | section 63 | (amendment of authorities) |
| | section 65 | (transfer of authorities) |
| | section 71 | (replacement of authorities) |
| (2) The powers under - | section 59 | (refusal to issue or renew authorities) |
| | section 67 | (suspension or cancellation of authorities) |
| (3) The powers under - | section 160 | (disposal of seized fisheries resources) |
| | section 161 | (Authority may return seized things) |
| | section 162 | (obligation to return seized things) |
| | section 163 | (obligation to pay net proceeds of sale) |
| | section 164 | (Authority may order forfeiture of unclaimed things) |
| | section 178 | (dealing with forfeited things) |

Such delegated powers were exercised during the reporting period for the grant and refusal of licences, fisheries symbols on licenses and permits. This is further detailed in Section 10.

10. QFJA LICENCES/FISHERY SYMBOLS AND PERMITS GRANTED

Table 2 indicates the number of authorisations issued by the QFJA in the reporting period and in the preceding years.

Table 2 – Number of authorisations issued by the QFJA

Licence/Symbol	95/96	96/97	97/98	98/99	99/00	00/01	01/02	02/03 (31 May 2003)
L4 (primary)*	45	83	82	82	82	83	83	83
L4 (tender)*	74	114	114	114	113	113	113	113
L5 (primary)*	7	14	22	23	21	22	22	22
L5 (tender)*	10	26	39	43	42	42	42	42
Permits/Authority	-	8	12	10	10	11	11	11
Totals	136	245	269	262	268	271	271	271

Note - * Refer to *Fisheries Regulation 1995* for full details of activities authorised by the relevant symbol. In summary, the symbol L4 authorises commercial fishing activities in waters of Gulf of Carpentaria to a distance of 25 nautical miles from the Territorial Sea baseline using rod and line or handline fishing apparatus. The symbol L5 authorises similar line fishing activities. Tender boats are licensed boats that operate in conjunction with an associated primary boat.

11. FINANCIAL ARRANGEMENTS

The financial basis for management of QFJA fisheries is that a policy of cost recovery should apply to QFJA activities and that fees charged for authorisations should reflect that philosophy. Fees payable are to be based on recovery of attributable management costs. Fee levels implemented on the recommendation of the QFJA by the Queensland Minister for Primary Industries and Rural Communities in the December 1995 Regulation gave effect to these principles. Those fees have been varied in line with consumer price index increases in subsequent periods.

The QFJA at its meeting on 26 May 1997 identified specific items and determined that their costs were attributable costs of management and were to be recovered from authority holders as beneficiaries of those managed fisheries. Those items were:

- logbook data collection and analysis;
- observer program;
- monitoring including vessel monitoring systems (VMS);
- consultation;
- administration;
- contribution to research;
- compliance costs; and
- fisheries agency (QFS) overheads.

In the 2002-03 financial year, total revenue received by the QFJA was \$55,115.20. This was received from licences with a QFJA authorisation (\$29,526) and from permits (\$25,589.20) granted by the QFJA. These moneys were used to pay costs incurred by the QFJA, which included licensing and administration costs, as well as meeting expenses. Full details of income and expenditure are reported as part of the Annual Report of the QDPI of which the QFS is a part.

ARRANGEMENT BETWEEN THE COMMONWEALTH OF AUSTRALIA AND THE STATE OF QUEENSLAND IN RELATION TO THE FISHERY FOR NORTHERN DEMERSAL AND PELAGIC FIN FISH IN THE GULF OF CARPENTARIA

AN ARRANGEMENT entered into between the Commonwealth of Australia (the Commonwealth) of the one part and the State of Queensland (the State) of the other part.

WHEREAS—

- (a) Part 5 of the *Fisheries Management Act 1991* of the Commonwealth (the Management Act), which provides for co-operation with the States and Northern Territory in the management of fisheries, commenced on 3 February 1995 upon the ceasing to have effect of the *Fisheries Act 1952* of the Commonwealth;
- (b) Paragraph 7(4)(b) of the *Fisheries Legislation (Consequential Provisions) Act 1991* (the Consequential Provisions Act) provides that upon the commencement of Part 5 of the Management Act, any Arrangement made with a State or Territory under subsection 12H(1) or (4) of the *Fisheries Act 1952* that was in force immediately before that commencement continues in force as if it had been made under Part 5 of the Management Act;
- (c) an Arrangement was entered into under section 12H(4) between the Commonwealth and the State of Queensland in relation to the Demersal Gillnet Fishery, published in the Commonwealth of Australia Gazette No. S104 on 1 June 1987;
- (d) subsection 75(1) of the Management Act provides that an Arrangement under Division 3 of Part 5 of the Management Act may be terminated by instrument approved by the Governor-General and the Governor or Governors of the State or States concerned;
- (e) subsection 236(1) of the *Fisheries Act 1994* of Queensland (the State Act) provides that an arrangement in force under Part 6A of the *Fisheries Act 1976* of Queensland has effect as if it had been entered into under Part 7 of the State Act on the commencement of Part 7;

- (f) subsection 133(1) of the State Act provides that the State may terminate, under Part 5 of the Management Act, an arrangement;
- (g) subsection 61(1) of the Management Act provides that the Commonwealth may make an arrangement with a State or States for the establishment of a Joint Authority consisting of the Commonwealth Minister together with the appropriate Minister or Ministers of that State or States;
- (h) subsection 61(2) of the Management Act provides that each arrangement under subsection 61(1) is to be made by instrument approved by the Governor-General and the Governor or Governors of the State or States represented on the Joint Authority;
- (i) subsection 71(1) of the Management Act provides that the Commonwealth may make an arrangement with the State or States represented on a Joint Authority that the Joint Authority is to have the management of a particular fishery in waters relevant to that State or any of those States;
- (j) subsection 71(2) of the Management Act provides that an Arrangement with only one State may provide that the fishery is to be managed in accordance with the law of the State;
- (k) subsection 74(1) of the Management Act provides that an arrangement under, inter alia, section 71 is to be made by instrument approved by the Governor-General and the Governor or Governors of the State or States concerned;
- (l) subsection 132(1) of the State Act empowers the State to make an arrangement, under Part 5 of the Management Act, for the management of a particular fishery; and
- (m) both the Commonwealth and the State are desirous of exercising their powers to make a further Arrangement in relation to the fishery referred to in clause 2 of this Arrangement.

NOW THEREFORE, in pursuance of the Management Act and the State Act and of all other powers so enabling, it is mutually arranged as follows:

1. The Arrangement entered into between the Commonwealth and the State as listed in paragraph (c) of the recitals to this Arrangement is, pursuant to subsection 75(1) of the Management Act and subsection 133(1) of the State Act, terminated on the date of publication referred to in clause 6.

2. The Commonwealth and the State hereby arrange for the establishment of the Queensland Fisheries Joint Authority consisting of the Commonwealth Minister and the State Minister to manage the fishery to which this Arrangement applies in accordance with the law of the State.
3. The fishery to which this Arrangement applies is the fishery (which in accordance with Section 9 of the Management Act does not extend to or in relation to the Protected Zone as defined in the *Torres Strait Fisheries Act 1984* or to the area adjacent to the Protected Zone to which area the *Torres Strait Fisheries Act 1984* applies by virtue of a Proclamation under subsections 15(1) or (2) of that Act) in the waters relevant to the State, being coastal waters and waters of the Australian fishing zone that lie within the area described in Schedule 2 to the *Petroleum (Submerged Lands) Act 1967* under the heading "Area that includes the Adjacent Area in respect of Queensland", west of Longitude 142°31'49" East, for all species of fish of the Class Osteichthyes and Class Chondrichthyes, except for:
 - (a) the following fish taken in the fishery for tuna and tuna like species—
 - (i) *Thunnus albacares* (yellowfin tuna)
Thunnus maccoyii (southern bluefin tuna)
Thunnus obesus (bigeye tuna)
Thunnus tonggol (longtail tuna)
Thunnus alalunga (albacore tuna)
Thunnus thynnus (northern bluefin tuna)
Katsuwonus pelamis (skipjack tuna);
 - (ii) fish of the family Bramidae (pomfrets);
 - (iii) fish of the families Istiophoridae and Xiphiidae (billfish);
 - (iv) those fish taken in the exercise of a right conferred by a fishing concession granted by the Australian Fisheries Management Authority under the Management Act allowing the taking of the fish specified in paragraphs (i), (ii) and (iii);

14

- (v) excluding the fish specified in paragraphs (i), (ii) and (iii) when taken in the exercise of a right conferred by a licence or other authority granted by the State;
 - (vi) fish taken as bait (dead or alive) by a person for his or her own use in the exercise of a right conferred by a fishing concession granted by the Australian Fisheries Management Authority under the Management Act to take tuna and tuna like species as listed above.
- (b) fish of the following species:
- (i) *Lates calcarifer* (barramundi)
 - (ii) *Polydactylus sheridani* (king salmon)
 - (iii) *Eleutheronema tetradactylum* (blue salmon)
 - (iv) *Scomberomorus semifasciatus* (grey mackerel)
 - (v) *Nibea squamosa*, *Protonibea diacanthus* (jewfish)
 - (vi) *Pomadasyys kaakan* (spotted grunter-bream)
 - (vii) *Scomberoides lysan*, *S. commersonianus* (queenfish);
- (c) fish taken whilst trawling for prawns in the exercise of a right conferred by a fishing concession granted by the Australian Fisheries Management Authority under the Management Act for the Northern Prawn Fishery, which is described as the fishery for:
- (i) decapod crustacea of the families Penaeidae, Aristeidae, Solenoceridae (prawns), Nephropidae (Scampi), Scyllaridae (bugs) and Infraorder Caridae (shrimps) and Mollusca of the family Pectinidae (Scallops) other than when a bait net or a haul net, set from the shore and drawn to the shore with or without the use of a boat, is used;
 - (ii) Mollusca of the family Loliginidae (squid) when prawn trawl apparatus is used; and
 - (iii) all fish taken in the exercise of a right conferred by a fishing concession granted by the Australian Fisheries Management Authority under the Management Act for the fish to which paragraph (c)(i) applies, but excluding pearl shell (*Pinctada* spp), trochus (*Trochus niloticus*),

and fish listed in paragraph (b) of this Arrangement;

- (d) all fish specified in paragraph (a) taken in the exercise of a right conferred by a licence or other authority granted by the State for the fish to which this Arrangement applies;
 - (e) but excluding those fish to which this Arrangement applies taken in the exercise of a right conferred by a fishing concession granted by the Australian Fisheries Management Authority under the Management Act for the fisheries described in paragraphs (a) and (c).
4. Where for the purposes of this Arrangement it is necessary to determine the position on the surface of the Earth of a point, line or area, that position shall be determined by reference to the Australian Geodetic Datum, that is, by reference to the spheroid having its centre at the centre of the Earth and a major (equatorial) radius of 6,378,160 metres and a flattening of 1/298.25 and by reference to the Johnston Geodetic Station in the State of Queensland of Australia. That station shall be taken to be situated at Latitude 25° 56' 54.5515" South and at Longitude 133° 12' 30.0771" East and to have a ground level of 571.2 metres above the spheroid referred to above.
 5. The Minister responsible for administering the Management Act and the Minister responsible for administering the State Act may agree in writing to the maximum quantity of other fish, the subject of paragraphs 3(d) and 3(e), that may be taken from time to time under a licence or other authority referred to in that paragraph and on matters of mutual interest in relation to the fishery.
 6. This arrangement shall, upon being executed on behalf of the Commonwealth and of the State and upon being approved by the Governor-General of the Commonwealth and the Governor of the State, take effect on the date of publication in the Gazette.
 7. Without affecting the construction which this Arrangement would have if no provision of this Arrangement or part thereof is invalid, it is the intention of this Arrangement that if any provision of this Arrangement or part thereof is invalid, the remainder of this Arrangement and of that provision shall be construed as if that provision or part thereof was not included in this Arrangement even if the result is to extend the fishery described by this

16.

Arrangement.

Dated the 3rd day of February 1995

Signed for and on behalf of the
Commonwealth of Australia by the
Honourable DAVID PETER
BEDDALL, Minister for Resources

D P Beddall
in the presence of
P Steven

Signed for and on behalf of the
State of Queensland by the
Honourable EDMUND DENIS
CASEY, Minister for Primary
Industries

E D Casey
in the presence of
A B Peake

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia,
acting with the advice of the Federal Executive Council, in pursuance of
paragraph subsections 74(1) and 75(1) of the *Fisheries Management Act
1991*, hereby approve this instrument.

Dated 7th February 1995

Bill Hayden
Governor-General

By His Excellency's command

D P Beddall
Minister for Resources

I, LENEEN FORDE, the Governor of the State of Queensland, acting by
and with the advice of the Executive Council in pursuance of the provisions
of the *Fisheries Act 1994* hereby approve this instrument.

Given under my hand this 2nd day of February 1995

Leneen Forde
Governor

By Her Excellency's command

E D Casey
Minister for Primary Industries.



**Arrangement between the Commonwealth
and the State of Queensland, under
section 71 of the Fisheries Management
Act 1991 and section 132 of the Fisheries
Act 1994 of Queensland, in relation to the
Gulf of Carpentaria grey mackerel fishery**

made under the

*Fisheries Management Act 1991 and Fisheries Act 1994 of
Queensland*

1 Commencement

This arrangement commences on gazettal.

2 Origin of geographical coordinates

For this arrangement, the origin of geographical coordinates is the Australian Geodetic Datum 1966 (AGD66).

3 Arrangement

- (1) This arrangement is made under subsection 71 (1) of the *Fisheries Management Act 1991* and subsection 132 (1) of the *Fisheries Act 1994* of Queensland.
- (2) The fishery specified in section 4 is to be managed by the Queensland Fisheries Joint Authority in accordance with the law of Queensland.

Section 4

4 The fishery

The fishery:

- (a) is commercial fishing for grey mackerel (*Scomberomorus semifasciatus*); and
- (b) includes the taking of incidental catch of finfish by a person fishing for grey mackerel under an authority granted under Queensland law; in that part of the area described as 'The adjacent area in respect of Queensland' in Schedule 2 to the *Petroleum (Submerged Lands) Act 1967* that is west of 142° 31' 49".

Note The fishery does not include Protected Zone, within the meaning given in the *Torres Strait Fisheries Act 1984*, or an area adjacent to the Protected Zone: see section 9 of the *Fisheries Management Act 1991*.

5 Ministers may make agreement

The Commonwealth and State Ministers may agree in writing about:

- (a) the amount of fish that may be taken by a person under an authority of a kind mentioned in paragraph 4 (b); and
- (b) other matters in relation to the fishery.

GUY STEPHEN MONTAGUE GREEN, Administrator
I, ~~PETER JOHN HOLLINGWORTH, Governor-General~~ of the Commonwealth of
Australia, acting with the advice of the Federal Executive Council, approve this
instrument.

A.A.M.S.
W.M.

Dated 25 June 2003

A.A.M.S.
Administrator
Governor-General

A.A.M.S.

By His Excellency's Command

Ian Macdonald

IAN MACDONALD
Minister for Fisheries, Forestry and Conservation

I, MAJOR GENERAL PETER ARNISON, Governor of the State of Queensland,
acting by and with the advice of the Executive Council of that State, approve this
instrument.

Dated 8 May 2003

Peter Arnison

Governor

By His Excellency's Command

Henry Palaszczuk

HENRY PALASZCZUK
Minister for Primary Industries and Rural Communities

ANNEX C: Record of Decisions of the Queensland Fisheries Joint Authority 2002-03

NOTE: Reference to details that would identify individual licence holders or applications has been omitted from the text of the following decisions.

Meeting Number 11 (18 September 2002) at Darwin

Resolutions and Action Sheet from 18 September 2002

The QFJA:

- (a) noted the resolutions and action list of meeting No.2/2001 of the QFJA Fisheries Advisory Committee held on 9 August 2001 at Darwin; and
- (b) noted the resolutions of GulfMAC meetings held on 21-22 November 2001 and 15-16 August 2002.

The QFJA noted the formation of GulfMAC and its membership in accordance with resolution on Item 2.6 of QFJA meeting No. 10, 9 August 2001.

The QFJA:

- (a) noted the status of the Gulf of Carpentaria Developmental Fin Fish Fishery as at 30 June 2002;
- (b) noted that two existing permit holders had amalgamated quota;
- (c) determined that current activity in the fishery warranted the restart of the assessment and monitoring program associated with the fishery.
- (d) resolved that the holders of fishing permits meet their share of the attributable costs of management of the developmental fishery as determined by the QFS and in accordance with permit condition 23.
- (e) Note that the recorded level of bycatch in the fishery was consistently in excess of 50% of the landed catch by weight of red snapper, which in accordance permit condition 21 is deemed to be significant.
- (f) resolved to amend permits to include the condition that the holder cannot possess shark or any shark product taken under the permit.

The QFJA noted:

- (a) the progress on the development of an amended OCS arrangement for the fishery for northern demersal and pelagic finfish in the Gulf of Carpentaria to include the species grey mackerel (*Scomberomorus semifasciatus*); and
- (b) the progress on the concurrent amendment to the *Fisheries Regulation 1995* to enable holders of L4 and L5 symbols to retain grey mackerel.

The QFJA noted that GulfMAC considered this matter at its 15/16 August 2002 meeting and provided the following recommendation for QFJA consideration:

- (a) That grey mackerel be taken as a target species in the Offshore QFJA Net fishery under a condition of licence.
- (b) That grey mackerel be taken as a target species in the Inshore Net Fishery (N3), but this be limited to licence holders demonstrating consistent catch of mackerel over an extended period of time prior to 1999.
- (c) That fishers unable to demonstrate this catch be limited to an appropriate in possession limit of a figure determined by GulfMAC to cater for incidental catch of grey mackerel.
- (d) The date of 1999 is used because prior to April 1999 grey mackerel was identified as a target species in the fishery in the *Fisheries Regulation 1995*.

As a consequence, the QFJA approved as policy:

- (a) That grey mackerel be taken as a target species in the Offshore Net Fishery (N9) under a condition of licence;
- (b) That licence holders authorised to fish in the Inshore Net Fishery (N3), who can demonstrate that they have taken commercial quantities of grey mackerel prior to 1999, be granted QFJA authorisations enabling them to target grey mackerel;
- (c) That licence holders authorised to fish in the Inshore Net Fishery (N3), who can not meet the requirement of (b) be limited to a specified in possession catch limit to accommodate the non-target catch of grey mackerel; and
- (d) That GulfMAC be requested to recommend an appropriate catch history for the purpose of granting authorisations under (b) and an appropriate in-possession limit for the purpose under (c).

The QFJA noted the conduct of the seventh Northern Australia Fisheries Management Workshop in Darwin on 18-20 September 2002 in accordance with the formal consultative arrangements agreed under Offshore Constitutional Settlement arrangements and associated Memoranda of Understanding. Also, that matters discussed at the Workshop are being acted upon by participants at that workshop in accordance with the cooperative management approach envisaged under the OCS arrangements.

The QFJA:

- (a) noted the progress on the recommendations contained in the Report on the Gulf of Carpentaria Gill Net Fishery;
- (b) Approved as policy:
 - a reduction in the authorised length of nets used in all QFJA net fisheries in the Gulf of Carpentaria from 2500 metres to 1200 metres;
 - the introduction of a 100 metres net attendance rule;

- the introduction of a requirement to fix or anchor nets with at least one end fixed to the primary fishing vessel;
 - the mandatory use of a Vessel Monitoring System, with the requirement to notify QFS when going inside the 25 nautical mile line; and
 - that the policy be implemented on licence renewal.
- (c) noted that this policy was required to reduce the risk of capturing protected species.

The QFJA noted:

- (a) the proposed actions contained in the Bycatch Action Plan for the Inshore and Offshore net fisheries in the Gulf of Carpentaria; and
- (b) the recent report of one dolphin death in the Offshore Net Fishery (N9).

The QFJA approved the “Policy Guidelines for Writing QFJA Fishery Symbols on Commercial Fishing Boat Licences”.

The QFJA noted the recommendations from the August 2002 GulfMAC meeting with respect to the introduction of an in-possession limit for sharks in the N3 fishery: Queensland advised the QFJA that the proposed in-possession limit for sharks in the N3 fishery would:

- (a) Address the issue of the target shark fishery which is contrary to current fisheries legislation and the OCS agreement between the Commonwealth and State of Queensland;
- (b) Legitimise the possession of shark taken as by-catch;
- (c) Minimize the dumping of shark taken as by-catch;
- (d) Assist in the conservation of shark species in the Gulf of Carpentaria;
- (e) Negate the need to issue an investment warning and associated policy on the taking of shark in the GoC; and
- (f) Assist in the accreditation of the Gulf of Carpentaria Net Fishery under the Environment Australia Ecological Assessment process.

The QFJA noted the progress in the development of a National Plan of Action for the Conservation and Management of Sharks (NPOA-Sharks).

The QFJA noted that one new application for an additional authority was lodged in the last financial year and that this application was refused by a QFJA delegate with the use of powers sub-delegated under Section 130 of the *Fisheries Act 1994*:

The QFJA noted that one new appeal against decisions of the QFJA has been lodged with the Fisheries Tribunal and that this appeal relates to the application mentioned in Agenda Item 5.1.

The QFJA noted the number of licences and permits issued as at 30 June 2002 for fishing activities under its jurisdiction as follows:

- L4 83 Primary Boats
 113 Tender Boats associated with those Primary Boats
- L5 22 Primary Boats
 42 Tender Boats associated with those Primary Boats
- Permits/other authorities 10

The QFJA also noted that the number of authorities detailed above is the same as the number as at 30 June 2001.

The QFJA noted the issue of one new permit for the Gulf of Carpentaria Finfish Trawl Developmental Fishery and that this permit was issued to enable holders to amalgamate quota on to one primary commercial fishing vessel.

The QFJA noted arrangements for the preparation and presentation of its 2001/2 Annual Report.

The QFJA noted that fees and charges for licences and permits it issues are not to increase in the financial year 2002/2003.

The QFJA resolved to adopt the budget for the financial year 2002/2003.

Meeting No 12 (2 May 2003) at Canberra

Resolution and Action Sheet from 2 May 2003

The QFJA determined to amend its current "Policy for Management of the L4 and L5 Line Fisheries in the Gulf of Carpentaria", previously approved at Meeting Number 11, by replacing it with the attached policy.

POLICY FOR MANAGEMENT OF THE L4 AND L5 LINE FISHERIES IN THE GULF OF CARPENTARIA

Queensland Fisheries Joint Authority



Contents

- 1. TITLE**
- 2. EFFECTIVE DATE**
- 3. RELEVANT LEGISLATION**
- 4. INTRODUCTION**
- 5. PURPOSE AND OBJECTIVES**
- 6. APPLICATION OF POLICY**
- 7. POLICY PROVISIONS**
 - 7.1 NO NEW FISHERY SYMBOLS**
 - 7.2 POLICY ON NON-RENEWAL UNLESS APPLICANT DEMONSTRATES CERTAIN HISTORY OF PARTICIPATION**
- 8. POLICY AMENDMENTS**
- 9. REFERENCES**

1. TITLE

Policy for management of the L4 and L5 line fisheries in the Gulf of Carpentaria.

2. EFFECTIVE DATE

2 May 2003

3. RELEVANT LEGISLATION

Fisheries Act 1994

Fisheries Regulation 1995 (in particular Schedule 12, Parts 2, 4, and 5)

4. INTRODUCTION

This policy has been developed to assist in the management of QFJA line fisheries in accordance with the *Fisheries Act 1994* ("the Act").

In accordance with the "Arrangement between the Commonwealth of Australia and the State of Queensland in relation to the Fishery for Northern Demersal and Pelagic Fin Fish in the Gulf of Carpentaria", the L4 and L5 commercial line fisheries are to be managed by the QFJA, applying Queensland law.

The QFJA recognises that fishing effort in the L4/L5 commercial fisheries is most likely at maximum levels in terms of the principles of ecologically sustainable development. Community and resource pressures are such that there is a need to control, and in some cases reduce, the numbers of commercial fishing operations that can access a fishery, and the level of fishing catch or effort that may be applied by them to the fishery resource. It is proposed that most fisheries will ultimately be managed under the provisions of a management plan or plans to be made under Part 5 of the Act.

Catches of Spanish mackerel make up a large proportion of the total catch of the L4/L5 fishery (between approximately 85% and 95% by weight annually) and represent the main management focus for the fishery. The remainder of the catch is comprised of demersal reef species, for which there is limited habitat within the fishery area, and other pelagics.

An assessment of Spanish mackerel stocks in Northern Australia, including the Gulf of Carpentaria, concluded that stocks are:

"heavily exploited and have been reduced to near or below optimum levels for long term production.....there are disturbing indications of continuing stock decline in recent years, in spite of elimination of the legal foreign fishing that was mainly responsible for declines in the first place" (Walters and Buckworth 1997).

It has been recognised that the excess capacity in the fishery, combined with the potential for effort transfer once new management arrangements in the East Coast Spanish mackerel and coral reef fin fish fisheries are introduced, is likely to cause significant effort displacement resulting in the take up of existing excess capacity in the Gulf of Carpentaria fishery.

Excess capacity is the difference between actual fishing effort and the level of effort if all licences

were used to their full capacity. In the L4/L5 fisheries, more than half the licences are unused or have been rarely used since their issue.

A number of combined Northern Territory, Queensland and Western Australian research projects are currently underway which will provide more information on which to base future stock assessments of Northern Australian stocks.

5. PURPOSE AND OBJECTIVES

This policy has been developed in response to concerns of a sustainability threat posed by excess capacity in the QFJA line fisheries (fishery symbols 'L4' or 'L5'). The purpose of this policy is to provide guidance for delegated decision makers under section 63 of the Act to ensure the appropriate management of this fishery in accordance with the main purpose of the Act (section 3 of the Act), which is:

- (1) "to provide for the use, conservation and enhancement of the community's fisheries resources and fish habitats in a way that seeks to –
 - (a) apply and balance the principles of ecologically sustainable development; and
 - (b) promote ecologically sustainable development.
- (2) In balancing the principles, each principle is to be given the relative emphasis appropriate in the circumstances.
- (3) In this section –
"ecologically sustainable development" means using, conserving and enhancing the community's fisheries resources and fish habitats so that –
 - (a) the ecological processes on which life depends are maintained; and
 - (b) the total quality of life, both now and in the future, can be improved.

"principles of ecologically sustainable development" means the following principles –

- (a) enhancing individual and community wellbeing through economic development that safeguards the wellbeing of future generations;
- (b) providing fairness within and between generations;
- (c) protecting biological diversity, ecological processes and life-support systems;
- (d) in making decisions, effectively integrating fairness and short and long-term economic, environmental and social considerations;
- (e) considering the global dimension of environmental impacts of actions and policies;
- (f) considering the need to maintain and enhance competition, in an environmentally sound way;
- (g) considering the need to develop a strong, growing and diversified economy that can enhance the capacity for environmental protection;
- (h) that decisions and actions should provide for broad community involvement on issues affecting them;
- (i) the precautionary principle.

"precautionary principle" means the principle that, if there is a threat of serious or irreversible environmental damage, lack of scientific certainty should not be used as a

reason to postpone measures to prevent environmental degradation, or possible environmental degradation, because of the threat.”

To ensure that fisheries resource exploitation levels are controlled such that they meet the main objective of the Act, the QFJA has adopted this policy for the guidance of its delegates in making management decisions affecting the L4/L5 fisheries.

6. APPLICATION OF POLICY

This policy applies generally and is to be read and applied in conjunction with all other relevant policies of the QFJA and the policies of the Queensland Fisheries Service (QFS) also adopted by the QFJA under the Act. The policy applies to all management decisions of the QFJA or its delegates in relation to the L4 and L5 commercial fisheries made on and from 2 May 2003.

7. POLICY PROVISIONS

7.1 NO NEW FISHERY SYMBOLS

Access to L4 and L5 fisheries is restricted by the *Fisheries Regulation 1995* (“the Regulation”) to the holders of authorities endorsed with a commercial fishery symbol (section 41 of the Regulation).

The QFJA’s view is that, in the present situation of concern for the status of the primary species targeted by the fishery and the presence of considerable excess fishing capacity, the precautionary principle must be given the primary emphasis in applying the principles of ESD to the L4/L5 fishery and that the precautionary principle requires the adoption of the policy that generally, no new L4 or L5 fishery symbols should be written on new or existing authorities.

The QFJA will require delegated decision makers to have regard to this policy in deciding applications or requests for ‘L4’ or ‘L5’ fishery symbols to be written on authorities or for the issue of new authorities with a L4 or L5 fishery symbol

In forming this view the QFJA has had regard to:

- The assessment of shark and Spanish mackerel stocks in northern Australian waters (Walters and Buckworth 1997); and
- Advice of its Gulf of Carpentaria Management Advisory Committee

The QFJA will give each applicant or authority holder affected by this policy notice of it and a reasonable opportunity to make submissions before individual decisions having regard to this policy are made.

The QFJA will continue to monitor the impacts of this policy (and the continuing impacts of those policies previously adopted by the QFJA) for the purpose of reviewing and determining appropriate access levels for commercial fisheries.

7.2 POLICY OF NON-RENEWAL UNLESS APPLICANT DEMONSTRATES CERTAIN HISTORY OF PARTICIPATION

This part of the policy applies to applications for renewal of authorities with ‘L4’ or ‘L5’ fishery symbols.

Under section 59 of the Act, the chief executive may refuse to renew an authority if the chief executive is satisfied the refusal is:

“necessary or desirable for the best management, use, development or protection of fisheries resources”.

In the absence of clear information that the fishery resource can sustain any further fishing effort, the QFJA's policy is that the precautionary principle must be given primary emphasis in applying the principles of ecologically sustainable development.

The QFJA policy is that the precautionary principle requires the reduction in the excess capacity represented by licences that have historically not operated at all or not operated to a commercial level in the fishery. Generally, this policy requires the QFJA or its delegated decision makers, when considering applications for renewal of authorities with an L4 or L5 fishery symbol, to decide whether the holder of the licence has demonstrated a not insignificant commercial level of fishing activity in the L4 or L5 fishery, having regard to the log books submitted for the licence under the Act up to and including 6 December 2002, the date from which the QFJA confirmed the policy to operate.

In deciding whether to renew the licence with the L4 or L5 fishery symbols included, the QFJA or its delegated decision maker must decide the level of fishing catch or effort under the symbol undertaken by the holder or previous holders, up to and including 18 September 2002 (the date of the QFJA meeting at which the policy was initially decided), and decide whether, in the decision maker's reasonable opinion, the holder has demonstrated a level of fishing catch or effort that indicates a not insignificant commercial level of activity since first issued.

The QFJA will not generally write the L4 or L5 fishery symbol on a licence it renews if it forms the view that the actual level of historical catch on the licence is not regarded as a commercial level of activity or if other special circumstances do not exist.

8. POLICY AMENDMENTS

Amends previous policy dated 6 December 2002.

9. REFERENCES

Walters, C.J., and Buckworth, R.C. (1997). Shark and Spanish mackerel stocks assessed. Northern Territory Fishing Industry News, July 1997, 8(2) 14-15.

ANNEX D

STATEMENTS UNDER ASSOCIATED LEGISLATION

Freedom of Information Act 1982

Information relating to the Freedom of Information Act 1982 with respect to a Queensland Fisheries Joint Authority fishery is contained within the annual report issued by the Queensland Department of Primary Industries.

Occupational Health and Safety (Commonwealth Employment) Act 1991

Information relating to Occupational Health and Safety issues with respect to a Queensland Fisheries Joint Authority fishery is contained within the annual report issued by the Queensland Department of Primary Industries.

Political Broadcasting and Political Disclosures Act 1991

The Queensland Fisheries Joint Authority has undertaken no advertising or market research activities during the period under review.

ANNEX E

GLOSSARY OF TERMS

AFFA	Department of Agriculture, Fisheries and Forestry - Australia
AFMA	Australian Fisheries Management Authority
CFISH	Queensland Fisheries Commercial Log Book System
CSIRO	Commonwealth Scientific and Industrial Research Organisation
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
GulfMAC	Gulf of Carpentaria Fisheries Management Advisory Committee
MAC	Management Advisory Committee
MoU	Memorandum of Understanding
NGO	Non-government Organisation
OCS	Offshore Constitutional Settlement
QDPI	Queensland Department of Primary Industries
QFISH	Queensland Fisheries Commercial Log Book System
QFJA	Queensland Fisheries Joint Authority
QFS	Queensland Fisheries Service