

**QUEENSLAND FISHERIES JOINT AUTHORITY**

**REPORT FOR THE PERIOD**

**8 FEBRUARY 1995 TO 30 JUNE 1995**

Commonwealth of Australia 1997

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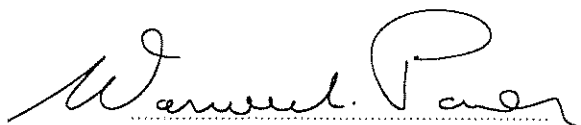
Australian Fisheries Management Authority

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

Queensland Fisheries Joint Authority  
Report of the Queensland Fisheries Joint Authority  
for the period 8 February 1995 to 30 June 1995

Senator The Hon Warwick Parer  
Commonwealth Minister for Resources & Energy  
Parliament House  
CANBERRA ACT 2600

Handwritten signature of Warwick Parer in black ink, written over a dotted horizontal line.

Hon Trevor John Perrett  
Queensland Minister for Primary Industries,  
Forestry and Fisheries  
Parliament House  
BRISBANE QLD 4000

Handwritten signature of Trevor John Perrett in black ink, written over a dotted horizontal line.

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## **1. INTRODUCTION**

This, the inaugural Report of the Queensland Fisheries Joint Authority (QFJA), outlines the activities undertaken during the period from its inception on 8 February 1995 to 30 June 1995. The QFJA has been established to undertake management of all northern demersal and pelagic fin fish 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.

A complete description of jurisdiction in terms of species and area is contained in the Arrangement between the Commonwealth of Australia and the State of Queensland, published in the Commonwealth of Australia 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.

## **2. BACKGROUND**

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* (Queensland).

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. This Arrangement was published in the Commonwealth of Australia Gazette (and thereby came into effect) on 8 February 1995 and in the Queensland Government Gazette on 10 February 1995. The Arrangement provides, amongst other things, that the fishery be managed under Queensland law.

## **3. THE QUEENSLAND FISHERIES JOINT AUTHORITY AND ITS MEMBERS**

The members of the QFJA for the reporting period were:

Hon David Peter Beddall, MP  
Commonwealth Minister for Resources  
(8 February 1995 - 30 June 1995)

Hon Edmund Casey, MLA  
Queensland Minister for Primary Industries  
(8 February 1995 - 30 June 1995)

Deputies appointed for the reporting period were -

For the Commonwealth Minister

Mr Richard Stevens - Managing Director, Australian Fisheries Management Authority (AFMA)

The person occupying the position number 14345 in the Department of Primary Industries and Energy

For the Queensland Minister

Mr John Tanzer - Chair, Queensland Fisheries Management Authority (QFMA)

The QFJA met once during the reporting period, its inaugural meeting of 26 May 1995.

The QFJA resolved to recommend to the Commonwealth Minister that Mr Allan Gamble of AFMA be appointed Secretary to the QFJA pursuant to subsection 69(1) of the *Fisheries Management Act 1991*.

#### **4. FUNCTIONS OF THE QUEENSLAND FISHERIES JOINT AUTHORITY**

Under section 78 of the *Fisheries Management Act 1991*, the following functions of Joint Authorities are provided -

- "(a) to keep constantly under consideration the condition of the fishery; and
- (b) to formulate policies and plans for the management of the fishery; and
- (c) for the purposes of the management of the fishery:
  - (i) to exercise the powers conferred on it by this Division; and
  - (ii) to co-operate and consult with other Authorities (including other Joint Authorities) in matters of common concern."

The same section provides that, in performance of those functions, the Joint Authority must pursue the objectives of -

- "(a) implementing efficient and cost-effective fisheries management; and
- (b) ensuring that the exploitation of fisheries resources and the carrying on of any related activities are conducted in a manner consistent with the principles of ecologically sustainable development, in particular the need to have regard to the impact of fishing activities on non-target species and the marine environment; and
- (c) maximising economic efficiency in the exploitation of fisheries resources; and
- (d) ensuring accountability to the fishing industry and to the community generally in its management of fisheries resources."

For a Joint Authority managing a fishery under Queensland law, the following additional functions apply under section 135 of the *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 activities of the QFJA are limited to commercial fisheries. Sub-section 10(3) of the *Fisheries Management Act 1991* provides that the Act does not apply to recreational fishing other than recreational fishing that is prohibited or regulated by a plan of management. No such action has been taken to date.

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 either the Chief Executive, Queensland Department of Primary Industries (QDPI) or the QFMA), 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*.

## **5. MEETINGS OF THE QUEENSLAND FISHERIES JOINT AUTHORITY**

The inaugural Meeting of the QFJA was convened in Canberra on 26 May 1995. Decisions arising from this meeting are shown in Annex B.

## **6. CONSULTATIVE 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 Authorities.

The QFJA resolved to establish a fisheries advisory committee to meet annually to provide advice to the QFJA on management of fish stocks under its jurisdiction.

## **7. CONDITION OF THE FISHERY**

Biological information on fisheries administered by the QFJA 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. It will be from this data, together with available research information, that the condition of the fishery will be kept constantly under consideration. Given the level of participation provided

by the limited access licensing regime adopted by QFJA at its inaugural meeting, it is not considered that stocks are at risk of over-exploitation.

Available catch and effort information indicates that Spanish mackerel is the key target species of line fishing (trolling). Total reported landings were 19.7 tonnes for the period 8 February 1995 to 30 June 1995. Minor catches of grey mackerel and shark are also taken by the line fishing method, with additional catches of demersal reef fish.

The QFJA has acknowledged the need to undertake fisheries assessment and status reports for demersal fin fish, shark, mackerels and similar pelagics. Such reports are to be *prepared* in consultation with adjacent jurisdictions. To facilitate such an approach, the Northern Territory and Queensland governments agreed to a Memorandum of Understanding about co-operative management of stocks in the Gulf of Carpentaria which provides, amongst other matters, for consultation and co-operation about:

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

The Memorandums of Understanding between the Commonwealth, Queensland and Northern Territory Governments associated with the Offshore Constitutional Settlement (OCS) place 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.

Logbook data from commercial operators are being collected on behalf of the QFJA by QFMA under its QFISH system. Surveillance and enforcement has been integrated with other existing tasks of the Queensland Boating and Fisheries Patrol (part of QDPI). Prioritisation of fisheries research and monitoring needs will be undertaken by the QFJA on the advice of its Fisheries Advisory Committee.

## 8. MANAGEMENT ARRANGEMENTS

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

That legislation, the *Fisheries Act 1994*, heralded sweeping changes to the framework underpinning fisheries management arrangements. Specifically, this legislation provides statutory requirements to ensure fair access rights and ecologically sustainable use of fisheries resources having regard to optimum community benefit from those resources. That same statutory framework applies to the QFJA.

At its inaugural meeting, 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 the 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 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.

## 9. DELEGATION OF POWERS

For effective functioning, licensing and permit issuing powers have been delegated to the QFMA 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 has delegated the following powers to the QFMA under section 130 of the *Fisheries Act 1994*. QFMA has sub-delegated those powers to relevant staff under subsection 130(2) of that Act as follows.

- |     |   |  |   |
|-----|---|--|---|
| (1) | The powers under -  | <b>section 55</b><br><b>section 58</b><br><b>section 61</b><br><br><b>section 63</b><br><b>section 65</b><br><b>section 71</b>       | (issue of authorities)<br>(renewal of authorities)<br>(conditions imposed on issue or renewal of authorities)<br><br>(amendment of authorities)<br>(transfer of authorities)<br>(replacement of authorities)  |
| (2) | The powers under -  | <b>section 59</b><br><b>section 67</b>   | (refusal to issue or renew authorities)<br>(suspension or cancellation of authorities)  |
| (3) | The powers under -  | <b>section 160</b><br><b>section 161</b><br><b>section 162</b><br><b>section 163</b><br><b>section 164</b><br><br><b>section 178</b> | (disposal of seized fisheries resources)<br>(Authority may return seized things)<br>(obligation to return seized things)<br>(obligation to pay net proceeds of sale)<br>(Authority may order forfeiture of unclaimed things)<br><br>(dealing with forfeited things) |
| (4) | The powers under section 130(2) with respect to the power to sub-delegate, with the exercise of such power being limited to sub-delegation of QFJA powers to QFMA staff members only. |  |   |

## **10. FINANCIAL ARRANGEMENTS**

The financial basis for management of QFJA fisheries was determined at the inaugural meeting, specifically 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.

## ANNEX A

11

## 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);

- (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) *Nibeas squamosa*, *Protonibeas diacanthus* (jewfish)
  - (vi) *Pomadourys 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

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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.



QUEENSLAND FISHERIES JOINT AUTHORITY  
INAUGURAL MEETING  
CANBERRA - 26 MAY 1995

DECISIONS

Members noted the statutory powers and functions of the QFJA.

Members noted the scope of jurisdiction to be exercised by the QFJA.

Members noted that the Commonwealth and Queensland Ministers comprising the QFJA had each provided for and appointed persons as their deputies on the QFJA as follows -

Deputy for Commonwealth Minister -

1. The person occupying the position of Managing Director of the Australian Fisheries Management Authority.
2. The person occupying the position number 14345 in the Department of Primary Industries and Energy.

Deputy for Queensland Minister -

1. The Chairperson of the Queensland Fisheries Management Authority.
2. The person who for the time being is occupying, acting in or discharging the duties of the office of Chairperson of the Queensland Fisheries Management Authority.

Members noted an intention to seek the appointment of an additional deputy for the Queensland Minister, being a person from the Queensland Department of Primary Industries, to complement the arrangements approved by the Commonwealth Minister.

Members agreed to recommend to the Commonwealth Minister that Mr Allan Gamble, Australian Fisheries Management Authority (AFMA), be appointed as Secretary for the QFJA pursuant to sub-section 69(1) of the *Fisheries Management Act 1991*.

Members agreed that the matters of -

- policy development services
- licensing and permit administration
- records and correspondence

comprising appropriate services to the QFJA be provided by officers of the Queensland Fisheries Management Authority (QFMA), noting that such arrangements are to be considered as preliminary only to address specific issues of an immediate nature.

Members agreed -

- (a) for the QFJA to establish a fisheries advisory committee to meet annually to provide advice to the QFJA on management of fish stocks under its jurisdiction.
- (b) that Queensland develop a framework for operations of that committee and for its composition.
- (c) that outcomes of meetings of this committee be available for the information of existing relevant management and zonal advisory committees formed by AFMA or QFMA.

Members agreed that the QFJA -

- (a) review arrangements for satisfying requirements for co-operation contained in Memorandums of Understanding entered into concurrently with the Offshore Constitutional Settlement Arrangements of February 1995
- (b) approve the development of a joint statement consistent with the provisions of Memorandums of Understanding associated with the Offshore Constitutional Settlement Arrangements agreed in February 1995 in the time frame required, and
- (c) recommend that the Queensland Minister for Primary Industries arrange for the inclusion in the Queensland Fisheries Regulation of a trip limit on licensed Queensland fishers for those fish species specified in the Memorandum of Understanding in the Queensland Fisheries Regulation.

Members agreed to

- (a) recommend to the Queensland Minister for Primary Industries an amendment to the Fisheries Regulation 1995 to describe endorsements for -
  - (i) the line fishery
  - (ii) the Gulf of Carpentaria line fishery
  - (iii) the Multiple Hook fishery, and
  - (iv) the Bait fisherywithin 25 nautical miles of the territorial sea baseline in the Gulf of Carpentaria;
- (b) authorise licensed Queensland commercial fishers to take charge or assist in fishing activities under QFJA jurisdiction with Queensland to assess appropriate administrative means by which this can be achieved.

Members agreed

- (a) that a policy of cost recovery is to apply to QFJA activities and fees charged for authorisations should reflect that philosophy.
- (b) that licence, endorsement or permit fees for authorisations issued by the QFJA should be based on the recovery of attributable management costs of the QFJA

and that fee levels to give effect to that purpose be recommended for approval by the Queensland Minister for Primary Industries for inclusion in the *Fisheries Regulation 1995*.

Members agreed that the QFJA adopt as policy the following management approaches to fisheries under its jurisdiction -

- (a) continue 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) continue access to resources now under QFJA jurisdiction for those Queensland licence holders who participated in the fishery during the year prior to changeover day
- (c) resolve not to approve further new applications 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 of such issue only under an exploratory or developmental fishery policy framework approved by the QFJA.

Members agreed to approve under section 130 of the *Fisheries Act 1994* the delegation to the Queensland Fisheries Management Authority of the following powers of the QFJA.

- (1) The powers under -
 

<b>section 55</b>	(issue of authorities)
<b>section 58</b>	(renewal of authorities)
<b>section 61</b>	(conditions imposed on issue or renewal of authorities)
<b>section 63</b>	(amendment of authorities)
<b>section 65</b>	(transfer of authorities)
<b>section 71</b>	(replacement of authorities)
- (2) The powers under -
 

<b>section 59</b>	(refusal to issue or renew authorities)
<b>section 67</b>	(suspension or cancellation of authorities)
- (3) The powers under -
 

<b>section 160</b>	(disposal of seized fisheries resources)
<b>section 161</b>	(Authority may return seized things)
<b>section 162</b>	(obligation to return seized things)
<b>section 163</b>	(obligation to pay net proceeds of sale)
<b>section 164</b>	(Authority may order forfeiture of unclaimed things)
<b>section 178</b>	(dealing with forfeited things)
- (4) The powers under section 130(2) with respect to the power to sub-delegate, with the exercise of such power being limited to sub-delegation of QFJA powers to QFMA staff members only.

Members agreed that the QFJA approve -

- A. A call for applications -
- (i) for licences/endorsements to licences for line and for multiple hook fishing activities in the 25 nautical miles inshore fishery in the Gulf of Carpentaria from persons/companies who held a licence/endorsement/permit issued under Queensland law to take fish now under QFJA jurisdiction by those methods
  - (ii) for endorsement of licences for line and multiple hook fishing activities in waters out to 3 nautical miles from the Queensland Territorial Sea Baseline from persons holding Gulf of Carpentaria Net Fishery licence endorsement together with a line fishery endorsement to primary vessel licences issued by the QFMA. With such an endorsement being granted to the applicant if they are unable to satisfy the particular participation requirements of B below for issue of a licence/endorsement for a greater area of operation.
  - (iii) for permits for developmental fishing activities in waters outside the 25 nautical miles inshore fishery in the Gulf of Carpentaria from persons/companies who held a permit issued by AFMA to take fish now under QFJA jurisdiction in those waters.
- B. That issue of such licences/endorsements or permits be granted to those persons/companies who could demonstrate a commercial level of participation in the licensed/permitted activity in waters now under QFJA jurisdiction during the year prior to 7 February 1995.
- C. The release of a notification to other parties in the "Queensland Fishermen" journal about arrangements whereby other new participants may enter QFJA fisheries at a future date as outlined in paragraph (c) of the QFJA's decision above.

Members agreed that the QFJA -

- (a) within the context of developing a joint statement on inter-jurisdictional arrangements for management, research, monitoring and surveillance, develop a strategy for long-term provision of such services and arrange for their delivery.
- (b) seek to establish arrangements for short-term provision of such services with the Queensland Fisheries Management Authority and Queensland Department of Primary Industries where appropriate and report the results of those arrangements back to the QFJA.