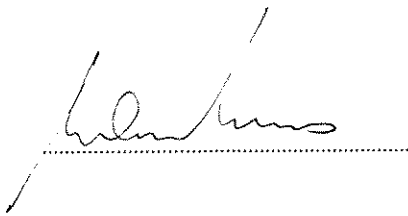


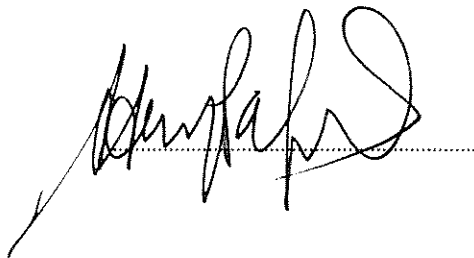
*Fisheries Management Act 1991 (Commonwealth)*  
*Fisheries Act 1994 (Qld)*

Queensland Fisheries Joint Authority  
Report of the Queensland Fisheries Joint Authority  
for the period 1 July 1998 to 30 June 1999

The Hon Warren Truss  
Commonwealth Minister for Agriculture  
Fisheries and Forestry  
Parliament House  
CANBERRA ACT 2600

A handwritten signature in black ink, appearing to read 'Warren Truss', written over a horizontal dotted line.

The Hon Henry Palaszcuk  
Queensland Minister for  
Primary Industries  
Parliament House  
BRISBANE QLD 4000

A handwritten signature in black ink, appearing to read 'Henry Palaszcuk', written over a horizontal dotted line.

Commonwealth of Australia 1999

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

November 1999

## CONTENTS

1. INTRODUCTION
2. BACKGROUND
3. MEMBERS OF THE QUEENSLAND FISHERIES JOINT  
AUTHORITY
4. FUNCTIONS 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 Statements under associated legislation:  
  
*Freedom of Information Act 1982*  
*Occupational Health and Safety (Commonwealth Employment) Act  
1991*  
*Political Broadcasting and Political Disclosures Act 1991*
- C Glossary of Terms



## 1. INTRODUCTION

This is the fifth report of the Queensland Fisheries Joint Authority (QFJA) and outlines its activities undertaken during the period 1 July 1998 to 30 June 1999. 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. 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. 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.

## 3. MEMBERS OF THE QUEENSLAND FISHERIES JOINT AUTHORITY

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

Hon Mark Vaile  
Commonwealth Minister for Resources and Energy

Hon Henry Palaszczuk MLA  
Queensland Minister for Primary Industries, Forestry and Fisheries

Deputies appointed for the reporting period were -

For the Commonwealth Minister

From 1 July 1998 to 6 November 1998, Mr Richard Stevens, Managing Director, Australian Fisheries Management Authority (AFMA).

From 10 November 1998 to 30 June 1999, Mr Frank Meere, Acting Managing Director, AFMA.

From 1 July 1998 to 30 June 1999, Mr Glenn Hurry, Assistant Secretary, Fisheries and Aquaculture Branch, Department of Agriculture, Fisheries and Forestry (AFFA).

For the Queensland Minister

Dr Richard Crossing - Chief Executive, Queensland Fisheries Management Authority (QFMA).

Mr John Pollock - Executive Director (Fisheries), Queensland Department of Primary Industries (QDPI).

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 QFMA.

#### **4. FUNCTIONS 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 *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 Queensland *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, 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*.

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**

The QFJA did not meet formally during the reporting period, having met previously on 21 May 1998 at which long term policy matters had been finalised for the fisheries under its jurisdiction.

## 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 and to provide advice to the QFJA on management of fish stocks under its jurisdiction at its second meeting in 1996. The terms of reference of that committee, requirements of the Chair, manager and secretariat, operating procedures, and composition were determined at the second meeting also. At its third meeting in 1997 the QFJA appointed the inaugural committee. Membership of that committee is now as follows:

Dr J Baker - Independent Chair  
Mr M Elmer - Fishery Manager QFMA  
Vacant through resignation - Recreational Fishing Interests  
Mr M Willis - Commercial Line Fishing Interests  
Mr B Davey - Commercial Line Fishing Interests  
Mr G Ward - Commercial Net Fishing Interests  
Mr A Vickers - Commercial Net Fishing Interests  
Vacant through resignation - Commercial Fisheries Under Permit Arrangements  
and  
Mr F Pascoe - Indigenous Fishing Interests.

The third meeting of the Committee was held at Karumba on 10 June 1999. The Committee was assisted by Messrs R Clarke (Northern Territory Department of Primary Industries and Fisheries), Dr N Gribble (Scientific Advisor Queensland Department of Primary Industries) and Mr R Grimley (Queensland Boating and Fisheries Patrol). Matters dealt with by the Committee at its third meeting included:

- the need to prepare for the development of statutory management plans for QFJA fisheries, particularly for demersal reef and pelagic finfish species;
- the adoption of best management practices for minimising unintentional catches;
- effort reduction in the Gulf of Carpentaria shark fishery;
- the use of satellite based vessel monitoring systems in QFJA fisheries;
- restrictions on certain species available for capture in line fisheries;
- the management framework for the Spanish mackerel troll fishery in the Gulf of Carpentaria;
- the appropriateness of existing boat replacement policy in established and developmental QFJA fisheries;
- joint national and international research of Spanish mackerel stocks in northern Australia;
- the development of a recovery plan for marine turtles in northern Australia;

- suspension of operations in the developmental finfish trawl fishery for red snappers in the Gulf of Carpentaria following a decline in demand for product from that fishing activity;
- review of entry criteria and policy for grant of permits in finfish fisheries of the Gulf of Carpentaria;
- proposals to remove boundaries in tuna fisheries in northern Australia;
- arrangements proposed for management of charter fishing for tuna and billfish in Australian waters; and
- arrangements for consultation on fisheries matters with fishers and the wider community, and the role and importance of the Multiple Use Strategic Plan now being prepared for the southern Gulf region.

## 7. CONDITION OF THE FISHERY

The principal target fish stocks which are managed by the QFJA include mackerels, shark and demersal finfish. Biological information on fisheries for 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 considered that stocks are at risk of over-exploitation given the constraints on levels of participation provided by the limited access licensing regime adopted by QFJA at its inaugural meeting in 1995.

Commercial catches of finfish under QFJA jurisdiction reported to the CFISH logbook system for 1998 were as follows:

- |                    |            |
|--------------------|------------|
| • shark            | 212 tonnes |
| • grey mackerel    | 380 tonnes |
| • Spanish mackerel | 145 tonnes |
| • other mackerel   | 3 tonnes   |
| • other fishes     | 77 tonnes  |

These catches include landings by operators in the inshore gill net fishery administered by the QFMA.

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. 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 Memoranda 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.

Those Governments have also agreed on an approach 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, States of northern Australia and the Commonwealth scheduled a fourth Northern Australia Fisheries Management Workshop to be held in Cairns in July 1999. The previous workshop had been held in Darwin on 20 and 21 May 1998 with representatives of all the fisheries jurisdictions of northern Australia present. The 1999 Workshop is to be comprised of three sessions, one focusing on research matters, another on management and compliance, leading to session on a continued joint approach to the management of fish stocks shared across the waters of northern Australia.

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.

Limited information is available on the impacts of fishing on non-target species and on 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 licenses and permits granted whilst fishing apparatus available for use is also restricted. In the case of the developmental finfish trawl fishery special arrangements have been adopted to monitor and report on by-catch levels and impacts on benthos through an independent observer program. Further details on the administration of the program are contained in section 8 following.

## **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*, introduced changes to the framework of fisheries management arrangements in Queensland at that time. The 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. 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 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 with 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.

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

The QFJA at its meeting on 26 May 1997 determined to approve the conduct of a developmental trawl fishery for finfish under a range of strict conditions. Full details of that policy decision are contained in the Decisions of the meeting of 26 May 1997. Five authorities were subsequently approved for operators to undertake activities in the developmental fishery during 1997/1998 year. Two of those operators commenced fishing in June 1998 and continued until December 1998, with most fishing activities occurring within the current reporting period.

Activities in this fishery during 1998/99 came under close scrutiny in accord with the agreed policy for its operations. The Committee formed to oversee the operations of the fishery met in October 1998, and in June 1999. The Committee noted at its October 1998 meeting that returns from the fishery were depressed with reduced demand overall for target species and particular difficulties with marketing the predominant species in the catch, red snapper (*Lutjanus erythropterus*). Due to continuing market decline, the fishing program was

suspended in December 1998. It is likely that fishing will recommence in early 2000. Log Book and other monitoring and observer programs for this fishery were continued during the period June to December 1998.

## 9. DELEGATION OF POWERS

For effective functioning, licensing and permit issuing powers have been delegated to those 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 at its inaugural meeting 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>  | (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. |                    |   |

Such delegated powers were exercised during the reporting period for the grant and refusal of licences, fisheries symbols on licenses and permits detailed in section 10 following:

## 10. QFJA LICENCES/FISHERY SYMBOLS AND PERMITS GRANTED

The following table indicates the number of authorisations issued by the QFJA in the reporting period and in the preceding year.

Licence/Symbol*	1995/96	1996/97	1997/98	1998/99
L4 (primary)	45	83	82	82
L4 (tender)	74	114	114	114
L5 (primary)	7	14	22	23
L5 (tender)	10	26	39	43
Permits		8	12	10

\* 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 which 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 in the December 1995 Regulation gave effect to these principles. Those fees have been varied in line with the 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 System
- Monitoring Including VMS
- Consultation
- Administration
- Contribution to Research
- Compliance Costs
- Fisheries Agency (QFMA) Overheads

In the 1998-99 financial year, total revenue received by the QFJA was \$89,927. This was received from licence holders where the licence contained an authorisation (fishery symbol) (\$29,256) and from permits (\$60,671) granted by the QFJA. These monies were used to defray the costs incurred by the QFJA, which included licensing and administration costs as well as meeting expenses. Details of income and expenditures are reported in the Annual Report of the QFMA.

ANNEX A: Queensland Government Gazette No 23, Friday 10 February 1995, pp 445-450.

**ARRANGEMENT BETWEEN THE COMMONWEALTH OF AUSTRALIA AND THE STATE OF QUEENSLAND IN RELATION TO THE FISHERY FOR FISH AND OTHER AQUATIC BIOLOGICAL RESOURCES OFF THE EAST COAST OF QUEENSLAND**

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 Part IVA of the *Fisheries Act 1952* of the Commonwealth;
- (b) paragraph 7(4)(b) of 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) Arrangements were entered into under section 12H(4) between the Commonwealth and the State in relation to the:
  - (i) Demersal Reef Fishery, published in the Commonwealth of Australia Gazette No. S253 on 31 August 1988;
  - (ii) Finfish Fishery published in the Commonwealth of Australia Gazette No. S201 on 19 July 1990;
  - (iii) Marine Aquarium Specimens Fishery published in the Commonwealth of Australia Gazette No. S104 on 1 June 1987;
  - (iv) Coral Fishery published in the Commonwealth of Australia Gazette No. S104 on 1 June 1987;
  - (v) Rock Lobster Dive Fishery published in the Commonwealth of Australia Gazette No. S253 on 31 August 1988;
  - (vi) Certain Species of Sedentary Organisms and Molluscs published in the Commonwealth of Australia Gazette No.

22

S201 on 19 July 1990;

- (vii) Crustacea Trawl Fishery published in the Commonwealth of Australia Gazette No. S201 on 19 July 1990;
- (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) paragraph 72(b) of the Management Act provides that the Commonwealth may make an arrangement with a State with respect to a particular fishery in waters relevant to the State, not being a fishery to which an arrangement under section 71 applies, that the fishery (being a fishery wholly or partly in the coastal waters of the State) is to be managed in accordance with the law of the State;
- (h) no arrangement has been entered into under section 71 of the Management Act with respect to the fishery for which this Arrangement provides;
- (i) subsection 74(1) of the Management Act provides that an arrangement under, inter alia, paragraph 72(b) is to be made by instrument approved by the Governor-General and the Governor or Governors of the State or States concerned;
- (j) 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
- (n) 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 Arrangements entered into between the Commonwealth and the State as listed in paragraph (c) of the recitals to this Arrangement are, 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 5.
2. The Commonwealth and State hereby arrange that fishery is to be managed in accordance with the law of the State being 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) for fish of the Class Osteichthyes (bony fishes); Class Chondrichthyes (cartilaginous fishes); Class Crustacea; Class Mollusca; Phylum Echinodermata; Phylum Coelenterata, Class Polychaeta; and Phylum Porifera; except for:
  - (a) the following fish taken in the fishery for tuna or tuna-like fish:
    - (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) fish taken as bait (dead or alive) by a person for his or her own use in the exercise of a fishing concession granted by the Australian Fisheries Management Authority to take tuna and tuna like species as listed above;



24

- (b) all fish to which paragraph (a) applies taken in the exercise of a right conferred by a licence or other authority granted by the State for the species to which this Arrangement applies;
- (c) excluding the 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 fishery described in paragraph (a);

in waters relevant to the State bounded by a line

- (a) commencing at the intersection of the coastline of the northern shore of Australia at the mean low water mark with the meridian of Longitude  $142^{\circ} 31' 49''$  East;
- (b) running thence north along that meridian to its intersection with the meridian of Latitude  $10^{\circ} 28'$  South;
- (c) thence east along that parallel to its intersection with the meridian of Longitude  $144^{\circ} 10'$  East;
- (d) thence north-easterly along the geodesic to the point of Latitude  $10^{\circ} 15'$  South, Longitude  $144^{\circ} 12'$  East;
- (e) thence north-easterly along the geodesic to the point of Latitude  $9^{\circ} 54'$  South, Longitude  $144^{\circ} 28'$  East;
- (f) thence north along the meridian of Longitude  $144^{\circ} 28'$  East to its intersection with the outer limit of the Australian fishing zone;
- (g) thence south-easterly along that outer limit to its intersection with the meridian of Longitude  $145^{\circ}$  East;
- (h) thence southerly along that meridian to its intersection with the meridian of Latitude  $13^{\circ}$  South;
- (i) thence south-easterly along the geodesic to the point of Latitude  $15^{\circ}$  South, Longitude  $146^{\circ}$  East;
- (j) thence south-easterly along the geodesic to the point of Latitude  $18^{\circ} 20'$  South, Longitude  $148^{\circ} 20'$  East;
- (k) thence south-easterly along the geodesic to the point of Latitude  $18^{\circ} 45'$  South, Longitude  $152^{\circ} 35'$  East;
- (l) thence southerly along the geodesic to the point of Latitude  $22^{\circ} 15'$  South, Longitude  $154^{\circ} 40'$  East;

- (m) thence south along the meridian of Longitude  $154^{\circ} 40'$  East to its intersection with the parallel of Latitude  $27^{\circ} 47' 25.29''$  South;
  - (n) thence south-westerly along the geodesic to the point of Latitude  $27^{\circ} 48'$  South, Longitude  $154^{\circ} 22'$  East;
  - (o) thence south-westerly along the geodesic to the point of Latitude  $27^{\circ} 58'$  South, Longitude  $154^{\circ}$  East;
  - (p) thence south-westerly along the geodesic to the intersection of the eastern shore of Australia with the parallel of Latitude  $28^{\circ} 10'$  South; and
  - (q) northerly along the eastern shore of Australia to the point of commencement.
3. 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  $25^{\circ} 56' 54.5515''$  South and at Longitude  $133^{\circ} 12' 30.0771''$  East and to have a ground level of 571.2 metres above the spheroid referred to above.
  4. 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 2(b) and 2(c), that may be taken from time to time under a licence or other authority referred to in those paragraphs and on matters of mutual interest in relation to the fishery.
  5. 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.

26

6. 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 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

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

D P Beddall  
in the presence of  
P Steven

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 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. Page 15

## **STATEMENTS UNDER ASSOCIATED LEGISLATION**

### *Freedom of Information Act 1982*

Information relating to the Freedom of Information Act 1982 with respect to a Queensland joint authority fishery is contained within the annual report issued by the Queensland Fisheries Management Authority.

### *Occupational Health and Safety (Commonwealth Employment) Act 1991*

Information relating to Occupational Health and Safety issues with respect to a Queensland joint authority fishery is contained within the annual report issued by the Queensland Fisheries Management Authority.

### *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.

**GLOSSARY OF TERMS**

AFFA	Agriculture, Fisheries and Forestry Australia
AFMA	Australian Fisheries Management Authority
QDPI	Queensland Department of Primary Industries
QFISH	Queensland Fisheries Commercial Log Book System
QFJA	Queensland Fisheries Joint Authority
QFMA	Queensland Fisheries Management Authority





