



The Hon Mark Furner MP
Minister for Agricultural Industry Development and Fisheries

Our ref: CTS 33809/18.
Your ref:

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13 DEC 2018

Mr Neil Laurie
The Clerk of the Parliament
Queensland Parliamentary Services
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr Laurie

Thank you for your letter of 14 November 2018 regarding Petition No. 3006-18 concerning the provisions of the *Fisheries (Sustainable Fisheries Strategy) Amendment Bill 2018* (the Bill) that relate to Urgent Fisheries Declarations.

Queensland's fisheries are an important community resource. It is critical that the Queensland Government has appropriate tools to maintain the sustainability and commercial viability of our marine resource now and into the future.

Petitioners may be aware that section 46 of the *Fisheries Act 1994* currently provides the Chief Executive with the capacity to make an emergency declaration when action is needed to meet a significant threat to fisheries resources or fish habitat or another emergency.

The intention of the Bill is to replace the current provisions with new provisions (clause 38) that provide for the Chief Executive to make an urgent declaration.

The new provisions would provide for the Chief Executive to make a fisheries declaration or a quota declaration if the Chief Executive is satisfied that urgent action is needed to deal with:

- a significant threat to fisheries resources or a fish habitat; or
- a significant threat caused by fishing to a thing that is not a fish; or
- another emergency.

The Act does not currently provide for the payment of compensation if the Chief Executive makes an emergency declaration. Consistent with this approach, the Bill also does not provide for the payment of compensation if the Chief Executive makes an urgent declaration.

Importantly, the Bill would provide the Chief Executive with the capacity to make a new authorising declaration (clause 39) to allow commercial fishing authority holders to do a stated thing for a temporary period, as a means of offsetting the impacts of an urgent declaration where it would not be a risk to sustainability.

For example, this may temporarily (no more than 3 months) allow commercial fishers to operate in an expanded fishing area. This has been done in the past to minimise the impact of cyclones and chemical spills on commercial fisheries that would otherwise be confined to an affected area, however, the proposed changes would formalise and provide a transparent process for these decisions.

The provisions raised by petitioners were considered by the State Development, Natural Resources and Agricultural Industry Development Committee during their examination of the Bill. The Government has also considered these matters during the consultation processes that preceded the introduction of the Bill.

I encourage petitioners to consider the Committee's report on the Bill tabled in the Queensland Parliament on 2 November 2018. The Government will provide a response to this report in due course.

If you require any further information regarding this matter, please contact Mr Brett Murphy, Chief of Staff, in my office on telephone 07 3719 7420.

Yours sincerely



MARK FURNER MP

Minister for Agricultural Industry Development and Fisheries