



Queensland

# Fisheries Amendment Regulation (No. 3) 2011

## Explanatory Notes for SL 2011 No. 224

made under the  
*Fisheries Act 1994*

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## General outline

### Short title

*Fisheries Amendment Regulation (No. 3) 2011.*

### Authorising law

Section 223 of the *Fisheries Act 1994*.

### Policy objectives and the reasons for them

The objective of this subordinate legislation is to incorporate a number of minor amendments to the *Fisheries Regulation 2008* (the Regulation) identified through Fisheries Queensland's regular review of its legislation. These amendments are needed to better reflect the intent of the policy and to correct minor errors. Generally the amendments involve:

- the removal of certain unnecessary regulatory burden requirements such as the removal of some possession restrictions;
- allowing increased flexibility relating to what fishing apparatus may be used;
- expanding the list of noxious fish; and

- amending certain descriptions of regulated waters to make corrections and/or to reflect the current status.

### **Achievement of policy objectives**

The subordinate legislation will achieve its objectives by amending the legislation.

### **Consistency with policy objectives of authorising law**

The subordinate legislation is consistent with the main purpose of the *Fisheries Act 1994*, which is to provide for the use, conservation and enhancement of the community's fisheries resources and fish habitats.

### **Inconsistency with policy objectives of other legislation**

The subordinate legislation is not inconsistent with the policy objectives of other legislation.

### **Benefits and costs of implementation**

The State Government will not incur any additional costs in the implementation of this subordinate legislation.

### **Consistency with fundamental legislative principles**

The subordinate legislation is consistent with fundamental legislative principles.

### **Consultation**

A number of proposed amendments included in this subordinate legislation have undergone the Preliminary Impact Assessment (PIA) system, including amendments to the Spanish mackerel fishery; prohibiting fishing in regulated waters; and, certain descriptions for declared Fish Habitat Areas. However, these proposed amendments have subsequently been exempted from the Regulatory Assessment Statement (RAS) process by the Queensland Office for Regulatory Efficiency (QORE). QORE also advised that the other proposed amendments in this subordinate legislation

do not require a RAS as they constitute minor changes to policy and intent and do not impose a burden on fisheries stakeholders.

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#### ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Employment, Economic Development and Innovation.

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