

Rural and Regional Adjustment Amendment Regulation (No. 6) 2014

Explanatory Notes for SL 2014 No. 180

made under the

Rural and Regional Adjustment Act 1994

General Outline

Short title

Rural and Regional Adjustment Amendment Regulation (No. 6) 2014

Authorising law

Sections 3, 10, 11 and 44 of the *Rural and Regional Adjustment Act 1994* (the Act).

Policy objectives and the reasons for them

The policy objective of this subordinate legislation is to establish the *Queensland East Coast Commercial Net Fishing Reduction Scheme (No. 3)* (the Scheme) as an assistance scheme under the Act. The Scheme will be the third stage in the Government's election commitment to undertake a \$9 million voluntary buy-back of eligible east coast commercial net fishing authorities over three years. The overarching intent of this buy-back, and therefore this Scheme, is to support the voluntary exit of commercial net fishers from the industry and in turn provide for the sustainability of the commercial fishing industry.

The Scheme will operate in three stages. Stage 1 will be a fixed price offer for N1 and N2 fishery symbols. A holder of such a fishery symbol can voluntarily make a surrender offer for the symbol to be removed from the licence on which it is written. QRAA will publish an invitation notice on its website stating the day from which an offer can be made. This notice will also specify a closing date for the surrender offer, which will be seven weeks from the day the invitation notice is published. QRAA will also provide the invitation notice to each holder of a N1 or N2 symbol.

Stage 2 of the Scheme will be an offer to the remaining holders of N1 and N2 fishery symbols for their complete licence packages up to a capped amount of \$140,000. The Scheme will specify the amount payable for each symbol in this regard, with the amounts reflecting market value of the symbols. Stage 2 will commence after Stage 1 has closed and all Stage 1 offers

have been dealt with. QRAA will publish an invitation notice on its website stating the day from which an offer can be made. Licence holders will have four weeks to accept this offer from the time of notification. QRAA will also provide a copy of the invitation notice to each holder of a relevant licence.

Stage 3 of the Scheme will allow holders of N4, N10 and K symbols to submit a surrender offer for these symbols for a fixed price. Stage 3 will commence after Stage 2 has closed and all Stage 2 offers have been dealt with. QRAA will publish a notice on its website stating that holders of N4, N10 and K symbols that allow for the use of N1 apparatus are invited to make a surrender offer for the fishery symbol. This notice will state the day from when the offer can be made and the closing date for the surrender offer which will be four weeks from the day the notification is made. QRAA will also provide the invitation notice to each relevant symbol holder.

Achievement of policy objectives

The subordinate legislation will achieve its objectives by amending the *Rural and Regional Adjustment Regulation 2011* to establish the Queensland East Coast Commercial Net Fishing Reduction Scheme (No. 3) as an approved scheme to provide financial assistance to eligible applicants under the Act. The value of each symbol is prescribed in the Scheme.

Consistency with policy objectives of authorising law

The subordinate legislation is consistent with the main policy objectives of the Act to support the State's economy by providing assistance to primary producers, small business and other elements of the economy for the benefit of the State's economy.

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

This subordinate legislation is beneficial in nature in that it will allow QRAA to buy-back eligible commercial net symbols and licences that are voluntarily offered for surrender. This allows those fishers to exit the industry whilst also reducing the fishing effort to the benefit of those remaining commercial net fishers.

The total budget for the three stages of the buy-back of eligible east coast commercial net fishing authorities is \$9 million, with \$5.16 million available for this third stage. This is considered to represent value for money in securing the future sustainability of the east coast commercial net fishery.

Consistency with fundamental legislative principles

The subordinate legislation is consistent with fundamental legislative principles.

Consultation

The Minister for Agriculture, Fisheries and Forestry established a Netting Buyback Stakeholder Working Group for the purpose of providing advice on the buybacks. The Working Group represents the recreational fishing sector, the commercial fishing sector and tourism and conservation groups. The Working Group has made recommendations to the Minister on the structure and form of the proposed Scheme.

The Office of Best Practice Regulation (OBPR) of the Queensland Competition Authority was consulted with regard to the Regulatory Impact Statement (RIS) requirements. OBPR advised that the proposed amendments were unlikely to result in significant adverse impacts and that a RIS was not required.