

Fisheries (Vessel Tracking) Amendment Regulation 2018

Explanatory notes for SL 2018 No. 179

made under the

Fisheries Act 1994

General Outline

Short title

Fisheries (Vessel Tracking) Amendment Regulation 2018

Authorising law

Sections 118 and 223 of the *Fisheries Act 1994* (the Act).

Policy objectives and the reasons for them

The purpose of the *Fisheries (Vessel Tracking) Amendment Regulation 2018* (the regulation) is to deliver upon one of the key commitments made by the Queensland Government through the *Sustainable Fisheries Strategy 2017 – 2027* (the Strategy) relating to the employment of vessel monitoring systems (VMS) across the commercial fishing fleet.

Specifically, action 9.6 of the Strategy requires installation of VMS on all commercial boats by 2020, with a priority to install VMS on net, line and crab boats by 2018.

The use of vessel tracking technology will enhance compliance capabilities, provide data for more informed and responsive management and will help ensure the sustainability of Queensland's fisheries, which will benefit the marine resources upon which many operators and regional communities are dependent.

Achievement of policy objectives

The regulation achieves the policy objective by imposing an obligation on licence holders and/or commercial fishers using commercial fishing boats in the commercial net, line and crab fisheries to install and maintain VMS equipment.

Consistency with policy objectives of authorising law

The regulation is consistent with the objectives of the Act.

Inconsistency with policy objectives of other legislation

The regulation is consistent with the policy objectives of other legislation.

Alternative ways of achieving policy objectives

An alternative to the regulation would be to implement vessel tracking on a voluntary basis. However, voluntary adoption would not provide the Department of Agriculture and Fisheries (DAF) with sufficient capability to ensure compliance with management arrangements and would detract from the department's ability to provide responsive and sustainable management of a common property resource.

Benefits and costs of implementation

In terms of the management of Queensland's fisheries, the benefits from the employment of vessel tracking technology are substantial.

The most important benefit of vessel tracking technology is that it enables real time monitoring of commercial fishing fleets and facilitates more responsive and evidence-based decision making. Vessel tracking is used to monitor fishing quotas and compliance with seasonal and spatial closures particularly in and around areas which may be sensitive to fishing pressures. This technology also assists in validating logbook data and ensures that logbook information is robust and provides valuable fishing effort data used for stock and biomass assessments.

There will be costs incurred by commercial fishers through the employment of vessel tracking technology as fishers across the entire fleet will progressively be required to install, maintain and use this equipment.

However, to mitigate the costs to industry in delivering upon this commitment, the Government, with assistance from the Great Barrier Reef Marine Park Authority (GBRMPA), has set aside up to \$3 million to help fishers pay for the purchase and installation costs associated with implementing vessel tracking through the Vessel Tracking Rebate Scheme. Fishers will be able to apply for a rebate through the Queensland Rural and Industry Development Authority.

Once installed, commercial fishers will be required to pay for the ongoing reporting costs associated with vessel tracking. These costs are estimated to be approximately \$30-40/month.

Many commercial fishers operate several vessels as part of their fishing operations. Consequently, some fishers will be required to maintain several vessel tracking units. To minimise the potential costs to industry, DAF will allow commercial fishers to move vessel tracking units between their respective fishing vessels and has negotiated lower airtime costs with vessel tracking providers to reduce ongoing operational costs.

Consistency with fundamental legislative principles

The regulation has been drafted with regard to the fundamental legislative principles as defined in section 4 of the *Legislative Standards Act 1992*.

Consultation

Development of the Strategy involved significant consultation with stakeholders in 2016. DAF received more than 11,800 submissions from the community with the majority supporting reform of the way in which fisheries are managed.

GBRMPA strongly supports the proposal to introduce vessel tracking, particularly as it also satisfies the Government's commitments under the Reef 2050 Long-Term Sustainability Plan and addresses recommendations in the Great Barrier Reef Strategic Assessment Program Report.

DAF also engaged affected stakeholders in the development of the "Vessel Tracking Policy" and "Vessel Tracking Guidelines" in early 2018. Officers met with more than 280 people at 143 meetings across 22 locations in Queensland to gather an understanding of fishing operations and to determine if the draft vessel tracking policy and guidelines accommodated all fisheries operations. A total of 128 responses were received in reply to an online survey, including by letter, telephone and email.

The Vessel Tracking Consultation Report is available on DAF's website.

The Office of Best Practice Regulation (OBPR), within the Queensland Productivity Commission, was consulted with regard to regulatory impact considerations under the Queensland Government Guide to Better Regulation.

The OBPR provided the opinion that, as stakeholders have been given the opportunity to comment on the proposed amendments, including through public consultation, further analysis and consultation in the form of a Regulatory Impact Statement would not be beneficial.