

# **Rural and Regional Adjustment (Changes to Vessel Tracking Rebate Scheme) Amendment Regulation 2020**

Explanatory notes for SL 2020 No. 213

made under the

*Rural and Regional Adjustment Act 1994*

## **General Outline**

### **Short title**

*Rural and Regional Adjustment (Changes to Vessel Tracking Rebate Scheme) Amendment Regulation 2020*

### **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 main objective of the subordinate legislation is to enable the Queensland Rural and Industry Development Authority (QRIDA) to extend financial assistance under the vessel tracking rebate scheme (scheme) to the holders of eligible licences in the aquarium fish fishery (fishery symbol 'A2') and trochus fishery (east coast) (fishery symbol 'J1') to assist them with the costs incurred in purchasing and installing vessel tracking units. It will also explicitly extend the rebate scheme to holders of a L8 for completeness, but in practice all L8 licence holders are already covered by the scheme because they hold other 'L' fishery symbols which make them eligible. The subordinate legislation also makes other adjustments to the scheme which reflect requirements to install a vessel tracking unit, and extends the closing date of the scheme from 31 December 2020 to 30 June 2022.

The vessel tracking rebate scheme implements the Government's 2017 election commitment to work with industry to help minimise the costs associated with the implementation of compulsory vessel tracking. This commitment stemmed from the implementation of compulsory vessel tracking under the *Queensland Sustainable Fisheries Strategy 2017-2027* (Strategy). The Strategy requires the installation of vessel tracking units on all commercial fishing boats by the end of 2020.

Minor adjustments to eligibility for rebates under the vessel tracking rebate scheme are now required to reflect the final requirements to install a vessel tracking unit which are implemented by the *Fisheries (General) (Vessel Tracking) Amendment Regulation 2018* and the *Fisheries Legislation Amendment Regulation 2020*.

## **Achievement of policy objectives**

The subordinate legislation achieves its main objective by amending schedule 33 of the *Rural and Regional Adjustment Regulation 2011* to enable QRIDA to extend financial assistance, in the form of rebates on the purchase and installation of vessel tracking units, to the holders of eligible commercial harvest fishery licences on which are written the fishery symbols 'A2' and 'J1'. The subordinate legislation also clarifies that holders of 'L8' fishery symbols are able to apply for rebates under the scheme, even though they are already eligible because they hold other line fishery symbols in conjunction with their 'L8' symbol.

The extension of the rebate scheme to eligible licence holders in these two fisheries reflects that vessel tracking units are required to be installed on boats operated in those fisheries from 1 January 2020. Extending the rebate scheme assists the holders of prescribed licences by offsetting the costs incurred in purchasing and installing vessel tracking units through the provision of rebates.

The subordinate legislation provides that:

- the holder of a commercial harvest fishery licence with an 'A2' fishery symbol may be paid up to a maximum of three purchase and three installation rebates (comprising one rebate of each type for the primary boat, one for a tender boat and one for a spare unit);
- the holder of a commercial harvest fishery licence with a 'J1' fishery symbol may be paid up to a maximum of six purchase and six installation rebates (comprising one rebate of each type for the primary boat, one for each tender up to four and one for a spare unit); and
- explicitly states that the holders of commercial fishing boat licences on which an 'L8' fishery symbol is written are eligible to apply for rebates. As per existing class 4 commercial fishing boat licences, L8 fishery symbol holders will be eligible for up to seven rebates depending on the highest number of tender boats listed on the relevant licence.

The subordinate legislation also increases the number of purchase and installation rebates which can be paid to eligible class 1 and class 3 commercial harvest fishery licences to three rebates of each type. There are five classes of eligible Commercial Fishing Boat and three classes of Commercial Harvest Fishery Licences under the vessel tracking rebate scheme. Each class of prescribed licence represents a different variation of fishery symbols written on the licence. The maximum amount of assistance available to an applicant under the scheme is calculated by reference to the type and class of licence the applicant holds. The change to eligibility for class 1 and class 3 commercial harvest fishery licences is the result of an upcoming fishery management change which will allow the use of additional tender boats in fisheries in which class 1 and class 3 commercial fishery harvest licences are used. The change allows fishers to be reimbursed for the additional vessel tracking units required for their additional boats.

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

The subordinate legislation is consistent with the objectives of the Act.

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

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

## **Alternative ways of achieving policy objectives**

An alternative would be for the Department of Agriculture and Fisheries to administer rebates for these additional fisheries. However, the vessel tracking rebate scheme is currently administered by QRIDA for the majority of other fisheries for which the installation of vessel tracking is compulsory. The alternative would be inefficient and create unnecessary duplication of assistance measures.

The *Rural and Regional Adjustment Act 1994* enables QRIDA to give financial assistance to primary producers, small businesses or other elements of the State's economy to benefit the State's economy. QRIDA has extensive experience in administering grant, loan and rebate schemes for government and is better placed to administer rebates for these additional fisheries under the vessel tracking rebate scheme, as it does currently for other fisheries.

## **Benefits and costs of implementation**

The extension of the existing vessel tracking rebate scheme to these additional fisheries will benefit commercial fishing licence holders by providing financial assistance to offset the purchase and installation costs of vessel tracking units. The subordinate legislation delivers on the Government's commitment to provide financial assistance and further supports the implementation of the Queensland Sustainable Fisheries Strategy 2017-2027.

The additional cost of extending the vessel tracking rebate scheme to additional fisheries and extending the closing date for the scheme will be funded from within the total budget (\$3 million) allocated towards the scheme. The Queensland Government has provided \$800,000, with the remaining \$2.2 million provided by the Great Barrier Reef Marine Park Authority.

## **Consistency with fundamental legislative principles**

The subordinate legislation has been drafted with regard to the fundamental legislative principles as defined in section 4 of the *Legislative Standards Act 1992*. No potential breaches of fundamental legislative principles have been identified.

## **Consultation**

Draft *Vessel Tracking Guidelines* (the Guidelines) were released by the Department of Agriculture and Fisheries for public consultation in early January 2018. The consultation process undertaken by the department involved public meetings, online surveys and written submissions to gauge support for the proposed Guidelines. The department met

with over 280 fishers at 143 meetings across the State, and received close to 130 written and online responses. Consultation identified concerns within industry regarding the purchase and installation costs of vessel tracking units required at that time. Additional consultation for these amendments to the vessel tracking rebate scheme did not take place as the amendments are made in the context of previous consultation and help to address Industry's identified concerns.

The department sought advice from the Office of Best Practice Regulation (OBPR) within the Queensland Productivity Commission. OBPR advised that the proposal is excluded from further analysis under the *Queensland Guide to Better Regulation* on the basis of category (k) – *regulatory proposals that are designed to reduce the burden of regulation, or that clearly do not add to the burden, and it is reasonably clear there are no significant adverse impacts.*