

# Rural and Regional Adjustment (Fisheries Structural Adjustment Scheme—Stage 3 and Other Matters) Amendment Regulation 2024

## Human Rights Certificate

Prepared in accordance with Part 3 of the *Human Rights Act 2019*

In accordance with section 41 of the *Human Rights Act 2019* (HR Act), I, Mark Furner MP, Minister for Agricultural Industry Development and Fisheries and Minister for Rural Communities, provide this human rights certificate with respect to the *Rural and Regional Adjustment (Fisheries Structural Adjustment Scheme—Stage 3 and Other Matters) Amendment Regulation 2024* (the Stage 3 Regulation) made under the *Rural and Regional Adjustment Act 1994*.

In my opinion, the Stage 3 Regulation, as tabled in the Legislative Assembly, is compatible with the human rights protected by the HR Act. I base my opinion on the reasons outlined in this statement.

## Overview of the Subordinate Legislation

The Stage 3 Regulation is made under the *Rural and Regional Adjustment Act 1994*.

### Fisheries Structural Adjustment

On 28 November 2022, the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the International Union for the Conservation of Nature (IUCN) released a report on the reactive monitoring mission to the Great Barrier Reef (GBR). The report recommended the GBR be listed as ‘in danger’ on the World Heritage List. The report included 18 recommendations. A priority recommendation was to “phase out destructive gill net fishing through appropriate mechanisms, including purchasing, and/or retiring all remaining industrial gill-net licences; retiring of other gill-net fisheries and the establishment of net-free sub-zones in areas of high conservation value for protected species”.

On 5 June 2023, the Honourable Tanya Plibersek MP, Commonwealth Minister for the Environment and Water; Senator Nita Green, Special Envoy for the GBR and Senator for Queensland; the Honourable Mark Furner MP, Queensland Minister for Agricultural Industry Development and Fisheries and Minister for Rural Communities; and the Honourable Leanne Linard MP, then Queensland Minister for the Environment and the Great Barrier Reef, Minister for Science and Minister for Multicultural Affairs, released a joint media release announcing that over \$160 million will be delivered to significantly reduce net fishing and other high risk fishing activities impacting the GBR. This includes ensuring the GBR is gillnet free by mid-2027 and committed to the establishment of new gillnet free areas in the Gulf of Carpentaria (Gulf). As part of these reforms, Queensland Government was asked to declare threatened hammerhead sharks a no-take species for commercial fishers. Concurrently, the Queensland Government finalised the review of the zoning plan for the Great Sandy Marine Park (GSMP).

On the 17 July 2023, the Queensland Government announced the establishment of the independent Future Fishing Taskforce (the Taskforce) to provide expert advice to government on the best approach, design and implementation of a structural adjustment package for the GBR. The terms of reference made clear the need to consider also interconnected fisheries in the Gulf and the GSMP zoning plan review.

The Taskforce sought input from subject matter experts, stakeholders and peak bodies and the Great Barrier Reef Marine Park Authority. The results of targeted consultation with affected commercial fishers and processors was also provided for consideration.

The Taskforce recommended, among other things:

- providing support and structural adjustment for commercial fishers displaced by increased protections. The Taskforce made detailed recommendations on financial assistance for authority holders, depending on the market value of the particular authority and the extent of impact from the reforms;
- providing payments to eligible employees who are impacted by the removal of gill net licences and changes to the GSMP;
- ensuring an approach to paying structural adjustment for implementing gill net free zones in the Gulf consistent with that for the GBR and Great Sandy regions;
- undertaking consultation on potential gillnet free areas in the Gulf.

On 16 November 2023, the Queensland Government announced a structural adjustment package, which adopted all the recommendations made by the Taskforce. Key components of this package include:

- financial assistance for eligible fishers and supply-chain businesses, including payments for licence packages, relevant symbols, relevant individual transferable quota (ITQ), nets and their disposal, boat refits, payments acknowledging loss of future income, and support for seeking independent advice;
- support for employees such as deckhands and skippers;
- support for making hammerhead shark a no-take species for commercial fishers;
- grants and support for reskilling and retraining;
- funding to develop a whole-of-government strategy to accelerate and adopt innovative best-practice sustainable aquaculture in Queensland;
- funding, with matching Australian Government funding from the Fisheries Research Development Corporation, to support an evidence-based approach to developing and trialling sustainable alternative commercial fishing gear; and
- funding for developing and growing sustainable regional jobs, tourism opportunities and supporting master fishers training and threatened species protection.

The *Fisheries and Other Legislation (Structural Reform) Amendment Regulation 2023*. *Fisheries and Other Legislation (Structural Reform) Amendment Regulation 2023* implemented Stage 1 of the Fisheries Structural Adjustment Package by:

- amending the *Rural and Regional Adjustment Regulation 2011* to prescribe assistance scheme no. 57, to be administered by the Queensland Rural and Industry Development Authority (QRIDA), for holders of fishing authorities affected by the structural reform; and

- reducing impacts on threatened, endangered and protected species within the GBR and the GSMP by consequential amendments to fisheries legislation. These amendments removed the fishing authorities associated with commercial gillnet fishing within the GBR and specific areas within the GSMP and prohibited the commercial take of hammerhead sharks in Queensland, to take effect on 31 December 2023.

On 14 March 2024, closing dates for Stage 1 of the Fisheries Structural Adjustment Package were extended.

A ‘Gulf of Carpentaria inshore fishery consultation on gillnet-free areas and fishery reforms - Discussion paper’ was released for public consultation from 10 October 2023 to 11 December 2023. The Gulf discussion paper received 4,104 responses and recorded 93 per cent support from respondents for the implementation of the proposed gillnet-free zones. There was also majority support for extra areas to be protected as gillnet-free areas, prompting the need for further consultation and analysis. Additional consultation was undertaken in March 2024 with the Gulf of Carpentaria Inshore Fishery working group, Sustainable Fisheries Expert Panel and Traditional Owner groups in the Gulf. This additional consultation led to minor adjustments to some of the proposed boundaries to improve enforcement capabilities, mitigate economic impacts and support economic opportunities, views and aspirations of Traditional Owners.

On 23 April 2024, the Honourable Mark Furner MP, Minister for Agricultural Industry Development and Fisheries and Minister for Rural Communities, considered the results of consultation to inform the final design and implementation of new gillnet free areas in the Gulf and approved the drafting of amendments to the Fisheries Declaration 2019 to implement the new gillnet free areas in the Gulf.

On 16 May 2024, the *Fisheries (Structural Reform Stage 2) and Other Legislation Amendment Regulation 2024* commenced. The *Fisheries (Structural Reform Stage 2) and Other Legislation Amendment Regulation 2024* implemented Stage 2 of the Fisheries Structural Adjustment Package by:

- amending the *Fisheries Declaration 2019* to introduce new gillnet-free areas in the Gulf and consolidated where relevant the existing net free areas.
- introducing a new assistance scheme under the *Rural and Regional Adjustment Regulation 2011* to deliver Stage 2 of the structural adjustment assistance for holders of fishing authorities affected by the new gillnet-free areas in the Gulf, as well as employees (skippers and crew members) and particular licence holders who were not accommodated in Stage 1.

#### Extension of the closing date for eligibility for the Vessel Tracking Rebate Scheme

The Vessel Tracking Rebate Scheme was implemented to assist holders of eligible fishing licences by offsetting the costs incurred for:

- buying new vessel tracking units from authorised suppliers for installation in eligible boats authorised for use under the licences, and/or
- having vessel tracking units professionally installed in the eligible boats.

The prescribed period for eligibility for the Vessel Tracking Rebate Scheme currently ends on 30 June 2024. However, the roll-out of vessel tracking units has taken longer than anticipated. A decision was made therefore to extend the closing date for eligibility for this Scheme, to ensure all affected fishers have an opportunity to receive assistance. Extending the scheme end

date to 30 June 2027 ensures financial assistance remains available and the closing date aligns with the duration of the Sustainable Fisheries Strategy reforms.

On 10 May 2024, The Honourable Mark Furner MP, Minister for Agricultural Industry Development and Fisheries and Minister for Rural Communities, approved the drafting of Stage 3 of the structural adjustment, including an extension of the closing date for eligibility for the Vessel Tracking Rebate Scheme.

The Stage 3 Regulation:

- implements Stage 3 of the Fisheries Structural Adjustment package by introducing a new financial assistance scheme to provide assistance to former gillnet fishers wishing to surrender usable nets and remove gillnet equipment from their boats, and to provide assistance to eligible businesses to assist them to adjust to the structural reforms,
- extends the closing date for the Vessel Tracking Rebate Scheme’s prescribed period to 30 June 2027.

## Human Rights Issues

### Human rights relevant to the subordinate legislation (Part 2, Division 2 and 3 HR Act)

The Stage 3 Regulation has been considered with regards to the HR Act and it has been determined that no human rights are engaged by the Stage 3 Regulation.

## Conclusion

I consider that the Stage 3 Regulation is compatible with the HR Act 2019 because it does not limit human rights.

**MARK FURNER MP**  
MINISTER FOR AGRICULTURAL INDUSTRY DEVELOPMENT AND FISHERIES  
AND MINISTER FOR RURAL COMMUNITIES

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