



Queensland

Fisheries and Other Legislation Amendment Regulation (No. 1) 2006

Regulatory Impact Statement for SL 2006 No. 26

made under the

Fisheries Act 1994

State Penalties Enforcement Act 1999

Transport Operations (Marine Safety) Act 1994

Preamble

This preamble seeks to put into perspective the proposed changes discussed in the document, it compares the cost of access to commercial fisheries in Queensland with the cost of access in similar fisheries in other jurisdictions. It does this on the basis of the average cost of an individual licence and as a percentage of Gross Value of Production (GVP) of all of the licences in a fishery.

If, as it is proposed in Queensland, there is a relationship between the value of the right and the size of the fee, it is apparent that Queensland is currently undervaluing its rights in comparison to other jurisdictions.

Commercial fisheries managed by Queensland Department of Primary Industries and Fisheries (DPI&F) vary in comparison to other jurisdictions. For example, some fisheries are defined by species, method or area, or a combination of these (eg. DPI&F manages the East Coast Trawl Fishery). The following “fisheries” have been identified as comparable to commercial fisheries in Queensland, and include—

prawn and scallop trawl fisheries

crab fisheries

demersal fish fisheries

net fisheries

ocean beach fisheries.

Data on the above listed fisheries was obtained from the Australian Fisheries Management Authority (AFMA), West Australian (WA) Fisheries (based on 2000/2001 data) and South Australian (SA) Fisheries (based on 2003/2004 data) and collected from the management agencies websites. The figures used are approximate, they are based on average cost of licences to the participants in the fishery. The total costs are estimates and have been derived from multiplying the average costs of a licence by the number of participants. In reality the actual total cost may differ from this number depending on how many fishers pay more or less than the average fee.

WA's commercial fisheries are very similar to those in Queensland. This can be attributed to their similar coastlines, both having tropical and temperate marine ecosystems and commercial operators targeting similar species using similar fishing gear. Additional comparisons are made to fisheries in the SA and Commonwealth jurisdictions.

Fisheries comparable to the Queensland Prawn and Scallop Trawl Fishery

For the WA prawn and scallop trawl fisheries, the combined GVP is around \$68 million per annum. There are around 117 licences issued to operate in these fisheries with the cost of a licences approximately \$12,200 per annum. The total cost of licences for commercial access to the WA prawn and scallop licence holders is approximately \$1.4 million annually, which is around 2.1 percent of the GVP of the fishery.

The GVP of the Commonwealth Northern Prawn Fishery is around \$70 million. There are approximately 96 operators in the fishery and each licence costs on average \$21,000 annually. The total cost of

licences for commercial access for trawl operators is approximately \$2 million which is around 2.9 percent of the GVP of the fishery.

Even though the SA St Vincent's Gulf prawn trawl fishery is smaller than other trawl fisheries (around 10 licences issued annually) the combined GVP of this fishery is approximately \$4.24 million. The cost of commercial access averages \$25,100 per licence. The total cost of licences for commercial access to the prawn trawl fishery is approximately \$251,000, around 5.9 percent of GVP.

In Queensland, operators pay on average \$690 per annum to access prawn and scallop fisheries. With 504 operators in these fisheries access fees total around \$350,000. The combined GVP is around \$101 million per annum. The total access fees are around 0.34 percent of GVP.

Table 1—Financial comparison between prawn and scallop trawl fisheries in other jurisdictions

Jurisdiction	No. Licences	Average Fee (\$)	Cost (\$)	GVP (\$)	Total fees/GVP
Commonwealth	96	21,000	2,016,000	70,000,000	2.9%
WA	117	12,200	1,427,400	68,000,000	2.1%
SA	10	25,100	251,000	4,240,000	5.9%
Queensland	504	690	347,760	101,000,000	0.34%

Based on the above comparisons, prawn and scallop trawl operators in other jurisdictions pay between 18-36 times more per annum than Queensland operators to gain access to similar fisheries. The Queensland fees are also significantly lower as a percentage of GVP, at only 0.34 percent compared to the Commonwealth at 2.9 percent, WA at 2.1 percent and 5.9 percent for SA.

Fisheries Comparable to the Queensland Crab Fishery

The SA crab fishery has approximately 25 licences issued annually with the average licence renewal fee being around \$14,000. The total cost of commercial access to this fishery is around \$350,000. GVP for the SA crab fishery is approximately \$3.5 million and therefore the cost of commercial access is around 10.0 percent of GVP.

The WA crab fishery is quite small with only 13 licences issued annually. It costs around \$1,626 to renew a crab licence, therefore the total cost of commercial access is approximately \$21,000 each year. The GVP of this fishery is around \$1.37 million and based on the above figures, cost of commercial access is around 1.5 percent of GVP.

In reference to the figures discussed above, it is apparent that annual fees collected by the Queensland Government to access crab fisheries are well below SA and WA. In Queensland, crab operators pay on average around \$392 per annum to access the crab fisheries. With around 1,587 operators in these fisheries, the total cost of access is around \$622,000. The Queensland crab fisheries combined GVP is approximately \$25.3 million per annum. Based on the presented figures, total cost of commercial crab access is around 2.5 percent of GVP.

Table 2—Financial comparison between crab fisheries in other jurisdictions

Jurisdiction	No. Licences	Average Cost Fee (\$)	Cost (\$)	GVP (\$)	Total fees/GVP
SA	25	14,000	350,000	3,500,000	10.0%
WA	13	1,626	21,138	1,371,675	1.5%
Queensland	1587	392	622,104	25,300,000	2.5%

Annual fees to gain access to the Queensland crab fisheries are 36 times less than the annual fees for the SA crab fishery and 4 times less than those collected in WA. In comparison to those jurisdictions, the relative cost to fishers to gain access to the fisheries (expressed as a percentage of GVP) is highest in SA at 10.0 percent, followed by Queensland (2.5 percent) and then WA at 2.2 percent.

Fisheries comparable to the Queensland Demersal Fish Fisheries

For the WA demersal fish fisheries, the combined GVP is around \$6.34 million. There are around 86 licences issued to operate in these fisheries with the average licence renewal cost approximately \$3,205 per annum. Based on the above figures, the total cost of access to the

WA demersal fish licence is approximately \$276,000 annually, which is about 4.3 percent of GVP.

Similarly, the cost of renewing a SA demersal (marine scale) fish fisheries licence is around \$3,244. There are approximately 400 licences to access the fishery issued annually, at a total cost of approximately \$1.3 million. The combined GVP is around \$21 million and the total cost of access is around 6.2 percent of GVP.

In reference to the figures discussed above, it is evident that annual fees collected by the Queensland Government for the demersal fish fisheries are well below those collected by WA and SA. In Queensland, demersal fish operators pay on average \$175 per annum to access the fisheries. With around 3,256 operators in these fisheries, the cost of commercial access is around \$570,000. The GVP is estimated at \$36.2 million per annum. The total cost of access to the Queensland demersal fish fisheries is about 1.6 percent of GVP.

Table 3—Financial comparison between demersal fish fisheries in other jurisdictions

Jurisdiction	No. Licences	Average Fee (\$)	Cost (\$)	GVP (\$)	Total fees/GVP
WA	86	3,205	275,630	6,342,131	4.3%
SA	400	3,244	1,297,600	21,042,000	6.2%
Queensland	3256	175	569,800	36,200,000	1.6%

Queensland demersal fish operators pay about 18 times less than those fisheries operating in the SA and WA demersal fish fisheries. The relative cost to fishers to access demersal fish fisheries (expressed as a percentage of GVP) is highest in SA at 6.2 percent compared with WA at 4.3 percent and Queensland at 1.6 percent.

Fisheries comparable to the Queensland Net Fisheries

There are only 64 licences issued annually to operate in WA net fisheries with each costing on average \$1,860. The total cost of access is approximately \$119,000 annually. The combined GVP of the WA net fisheries is around \$3.7 million and the cost of commercial access is around 3.2 percent of GVP.

It is evident from the figures discussed above that the cost of access to Queensland's net fisheries fall well short of that in the WA net fishery. In Queensland, operators pay on average \$375 per annum to access the net fisheries. With about 1,119 operators in these fisheries, the cost of access is around \$420,000. The GVP is estimated to be \$28.8 million per annum and the cost of access is around 1.5 percent of GVP.

Table 4—Financial comparison between net fisheries in other jurisdictions

Jurisdiction	No. Licences	Average Fee (\$)	Revenue (\$)	GVP (\$)	Total fees/GVP
WA	64	1,860	119,040	3,695,790	3.2%
Queensland	1119	375	419,625	28,800,000	1.5%

Annual fees to gain access to Queensland's net fisheries are approximately 5 times less than the annual fees for the WA net fisheries. In comparison, the relative cost to fishers for access to the resource (expressed as a percentage of GVP) is lower for Queensland. That is, Queensland net operators cost of access amounts to only 1.5 percent of GVP compared to WA at 3.2 percent.

Fisheries comparable to the Queensland Ocean Beach Fisheries

For the WA beach net fisheries, the GVP is estimated to be a little less than \$1.0 million. Approximately 43 licences are issued annually to operate in these fisheries, with licence renewal costs averaging \$1,045 per annum. The total cost of access to WA's beach net fisheries is around \$45,000 annually, which is around 4.7 percent of GVP.

In comparison to WA, Queensland beach net fisheries annual licence fees are significantly less. In Queensland, operators pay on average \$182 per annum. With 63 operators in these fisheries the cost of access is around \$11,500. The Queensland beach net fisheries GVP is around \$8 million and the total cost of access is around 0.14 percent of GVP.

Table 5—Financial comparison between beach net fisheries in other jurisdictions

Jurisdiction	No. Licences	Average Fee (\$)	Revenue (\$)	GVP (\$)	Total fees/GVP
WA	43	1,045	44,935	954,672	4.7%
Queensland	63	182	11,466	8,000,000	0.14%

Queensland beach net operators pay around 6 times less than those operating in the WA beach net fisheries. The relative cost to fishers to access beach net fisheries (expressed as a percentage of GVP) is significantly lower in Queensland. That is the cost in Queensland is only 0.14 percent of GVP compared to WA at around 4.7 percent.

In addition to this comparison, the document discusses the basis on which it is proposed to determine Queensland's fees and licensing structure.

Background

Queensland fisheries legislation provides a framework for the management, use, development and protection of Queensland's fisheries and aquaculture resources and habitat. This framework relies heavily on the use of a range of authorities, including licences and permits designed to regulate the use of fisheries resources by commercial fishers, recreational fishers, indigenous persons, charter fishing operators and broodstock/ culture stock collectors.

This consultation paper focuses on proposed changes to the fisheries licensing, permitting and fee arrangements resulting from the National Competition Policy (NCP) review of Queensland's fisheries legislation. A guiding principle of NCP is that legislation should not restrict competition unless it can be demonstrated that—

- the benefits of the restriction to the community as a whole outweigh the costs; and
- the objectives of the legislation can only be achieved by restricting competition.

To meet the Queensland Government's obligations to both community and industry, the Minister for Primary Industries and Fisheries established a committee to review Queensland's fisheries legislation for compliance with NCP. A stakeholders' reference group with representatives from the fishing and aquaculture industries, conservation bodies and other key stakeholder groups was also formed to provide input into the review process.

The NCP review committee produced an interim report of its findings, which was used as the basis for public consultation. During public consultation, input was received from fishing and aquaculture industry organisations, conservation groups and other bodies. Public meetings were held in ten regional centres throughout Queensland and 48 submissions were received. The review committee's final report was considered by the Queensland Government in October 2001.

The NCP review of Queensland's fisheries legislation identified, among other things, a number of restrictions to competition under the current licensing arrangements. The following changes were recommended—

- Authorisation to undertake commercial fishing should be granted as a single licence rather than the multiple licences currently required;
- Those licences unnecessary for achieving the objectives of the *Fisheries Act 1994* should be removed from the legislation;
- Restrictions on numbers of licences for particular fisheries should be specified in regulation or management plans;
- Licences should be transferable except where it can clearly be demonstrated that there are significant resource management reasons; and
- Licences should be issued for periods longer than one year except in exceptional circumstances.

The review also found that a wide range of anti-competitive restrictions existed within the current regime of fees and charges. The following changes were recommended—

- The removal of licence fees identified as financial barriers to market entry for new participants. Under current arrangements there are instances where a significantly higher than normal fee applies in the first year a licence is issued;

- The removal of unnecessary differences in fee levels associated with some licence types such as fee disparities based on vessel lengths;
- The introduction of a fee regime that better reflects the private financial benefits derived by fishing licence holders and reduces the extent to which government funding is supporting these private benefits; and
- The removal of cross subsidisation where it can be identified that fees paid by some licence holders are being used (or partly used) for the benefit of other licence holders.

In response to the review recommendations the Queensland Government has already made changes to the *Fisheries Act 1994* and subordinate legislation. These changes have included—

- Introducing a new main purpose into the *Fisheries Act 1994* to better reflect government's commitment to managing fisheries in accordance with the principles of Ecologically Sustainable Development (ESD) and to meet the needs of fisheries resource management into the future;
- Removing previous restrictions on the transfer of fishing authorities, including requirements for approval from the chief executive of the department;
- Removing requirements for a minimum quota to be retained on fishing authorities in quota managed fisheries; and
- Removing a range of other legislative arrangements identified as unnecessarily restricting the activities of fishers operating under the provisions of the *Fisheries Act 1994*.

The changes to licensing and fee arrangements outlined in this consultation paper will have far reaching implications for those who currently hold licences, permits or other authorities issued under fisheries legislation including those who hold—

- Commercial fishing boat licences;
- Carrier boat licences;
- Authorities to take fish for trade or commerce;
- Authorities to undertake recreational charter fishing;
- Buyer and storage licences;

- Commercial fisher, assistant fisher and crew licences; and
- Some permit types (eg indigenous commercial fishing activities).

This paper also proposes that the funding arrangements for the recreational sector through the Private Pleasure Vessel (PPV) levy be retained and the fee increased from \$12.30 to \$15.00. It is also proposed that the Stocked Impoundment Permit Scheme (SIPS) be retained as the basis for funding freshwater fish stocking programs and extended to include the Koombooloomba and Storm King Dams. The current weekly fee of \$7.00 or yearly fee of \$35.00 will be retained.

This paper does not deal with development related approvals, such as resource allocation authorities, preliminary approvals or development permits relating to aquaculture or fisheries habitat. Legislative amendments to meet NCP requirements for these authorities and fees were introduced in late 2004, for commencement on 1 March 2005.

Title

Consultation Paper, Regulatory Impact Statement and Draft Public Benefit Test for proposed amendments to fisheries licensing and fee arrangements.

Authorising law

The proposed legislation is to be made under the provisions of the *Fisheries Act 1994* and the *Transport Operations (Marine Safety) Act 1994*.

Section 49 of the *Fisheries Act 1994* gives the power to issue authorities as prescribed in a regulation. Sections 30, 34, 35 and 36 of the *Fisheries Regulation 1995* describe the types of authorities that can be issued.

Section 223 of the *Fisheries Act 1994* gives the power to impose fees by way of a regulation. Schedule 10 of the *Fisheries Regulation 1995* prescribes the fees that can be imposed.

Section 208 of the *Transport Operations (Marine Safety) Act 1994* gives the power to make regulations under the Act and section 209 gives the power to make fees and charges payable. Schedule 10 section 2 of the *Transport Operations (Marine Safety) Regulation 2004* prescribes the Private Pleasure Vessel levy and section 60(2)(h) of that Regulation provides for mutual recognition of tender boats licensed under the *Fisheries Act 1994*.

Policy objectives

To implement new fisheries licensing and fee arrangements based on—

- Removing licensing and fee arrangements unnecessary in meeting the main purpose of the *Fisheries Act 1994*. This includes anti-competitive licensing provisions and barriers to market entry for new participants;
- Providing greater resource security through a rights based model for commercial fisheries access;
- Providing a more equitable basis for setting commercial fishery access fees in a way that reflects the value of the rights being purchased;
- Providing a more equitable basis for setting fees for service based on the cost of the services; and
- Reducing the costs to the community of managing Queensland's fisheries resources by increasing the financial contributions made by the recreational and commercial fishing sectors.

Legislative intent

Private Pleasure Vessel (PPV) Levy

Background

The recreational sector currently makes financial contributions to fisheries management through the Private Pleasure Vessel (PPV) levy. Under the *Transport Operations (Marine Safety) Regulation 1995*, this levy is paid each time a boat registration is renewed. Those funds are then remitted to the Department of Primary Industries and Fisheries for the management of recreational fisheries.

The Queensland Government currently spends approximately \$13 million annually on the management of recreational fishing and around \$2.2 million is collected through the PPV levy.

Proposal

To increase the PPV levy from \$12.30 to \$15.00 per boat registration per annum.

Rationale

The PPV levy provides a simple, fair and cost effective means of recreational fishers contributing to the costs of fisheries management. While it is recognised that not all recreational fishers own boats and not all boat owners take part in recreational fishing, the government is of the view that this mechanism captures the majority of recreational fishers who derive significant benefits from access to fisheries resources. This is particularly the case in relation to offshore fisheries where the costs of management, in particular compliance, are generally much greater.

Alternatives

Adoption of alternative arrangements to the PPV levy for collecting monies is unlikely to be as cost effective as the current system. Any alternative arrangements would require the establishment by

government of additional administrative arrangements to those currently in place for the registration of private vessels. This would result in additional costs to government without any measurable benefits to the community and would not be in the public interest.

Impacts

The proposed fee increase of \$2.70 per annum is unlikely to have a measurable impact at the individual or regional level. The increased revenues will assist the government in maintaining and improving the management services currently provided to the recreational fishing sector.

Stocked Impoundment Permit Scheme

Background

Fisheries legislation currently requires that persons fishing in some freshwater impoundments within Queensland hold a permit to do so. There are currently 29 freshwater impoundments covered by the scheme. Permits are issued for periods of one week at a fee of \$7 or for one year at a fee of \$35.

The majority of the money spent by the Queensland Government on stocking freshwater with fish comes from the Stocked Impoundment Permit Scheme (SIPS). About \$0.55m is collected annually from the SIPS program, of which 75% is returned to stocking groups participating in the program (about \$0.41m). Additional funds (about \$0.16m) are provided under a separate grant scheme bringing the total amount spent by the Government on freshwater fish stocking to \$0.57 million per year.

Proposal

It is proposed to extend the SIPS to Koombooloomba Dam and Storm King Dam. The weekly (\$7) and annual (\$35) permit fees will be retained at their current levels.

Rationale

The proposed extension of the SIPS to these two additional impoundments was requested by the relevant fish stocking groups, and is supported by the impoundment and water controlling bodies, local governments and the Freshwater Management Advisory Committee.

Alternatives

No alternatives were considered. The proposal has been requested by the local community and is in line with government policy on the stocking of freshwater impoundments.

Impacts

The proposal to include Koombaloo Dam and Storm King Dam in the SIPS program comes at the request of the stocking groups in these areas, and has the general support of local recreational fishers and the community. Their inclusion will assist in improving the recreational fishing experience in these areas as well as provide added economic benefit to the local area.

The fee of \$7 for a weekly permit and \$35 for an annual permit is the same as that charged in the other 29 freshwater impoundments already in the scheme. This is considered a reasonable cost to those fishers who benefit directly from the improved recreational fishing experience provided by the scheme.

Commercial Fishing Tour Permits

Background

The charter fishing industry provides services to recreational fishers and is a growing industry in Queensland. Charter vessels provide a means for recreational fishers to extend their fishing activities over areas and times beyond the range of the average angler's vessel.

In 1996, new management arrangements requiring all charter fishing operators to hold a commercial fishing tour permit were introduced. These permits entitle the holder to operate in offshore waters; inshore waters; or fresh water.

Fees for commercial charter permits include an assessment fee of \$62.70, a permit fee of \$146.70 for the first year and \$209.40 for each subsequent year. An initial fee of \$51.60 also applies to each entitlement on the permit (e.g. offshore, inshore or freshwater). Annual fees range from \$261 to \$364.20 depending on the entitlements on the permit.

Proposal

To remove the current permit arrangements and replace them with a Charter Fishing licence that will apply only to charter fishing businesses operating in tidal waters and involving at least one vessel greater than seven (7) metres. All other charter fishing operations that do not fit into this category will no longer require a permit under fisheries legislation.

The proposed licence will be issued for an indefinite period and be subject to an annual registration fee of \$250 that will be payable on a quarterly basis (\$62.50 per quarter). The licence will also be fully transferable.

The licence will be attached to the owner of the business and not the charter fishing boat. This recognises that one charter fishing business may consist of several boats, possibly at several locations.

Rationale

Permits for fishing tours are currently issued under the General Fisheries Permit provisions specified in fisheries legislation. The intent of the General Fisheries Permit has historically been to provide a mechanism for authorising activities of a short term or once-off nature that would be unlawful under normal circumstances.

Charter fishing based businesses are generally faced with long-term investment decisions that may be constrained by a twelve-month non-renewable permit. The proposal to issue licences for an indefinite period will provide greater security of access to the resource than under the current permit arrangements. This, coupled with the transferability provisions, will provide a more secure environment for long-term business decisions, employment and future industry development.

Retaining the requirement for charter fishing operations in tidal waters to hold a licence recognises that special management arrangements are required in offshore areas. These arrangements relate to interfaces with commercial fishing activities and the management needs of other jurisdictions (Commonwealth and adjacent states).

The proposed fee of \$250 per annum provides a reasonable return to the community for the rights granted under the proposed charter fishing licence, and partly offsets the costs to the community of managing fisheries resources.

Alternatives

The current requirement for freshwater and smaller inshore charter fishing operators to hold permits cannot be justified on resource management grounds. Charter fishing operations merely provide a platform for recreational fishing. Those who participate in charter fishing are subject to all of the rules and regulations that apply to all recreational fishers in Queensland.

The licensing of larger, offshore charter fishing operations is justified because some of the species taken are also subject to management requirements under Commonwealth jurisdiction and adjacent states. There are also potential compliance issues where charter fishing and commercial fishing operations overlap, particularly where high value, quota managed species are concerned. In addition, a number of commercial fishing operations are also authorised to operate in charter fishing and the different legal requirements for these sectors need to be managed.

Impacts

The proposal to limit the requirement for licensing to charter fishing in tidal waters will significantly reduce the number of small businesses that require authorisations under fisheries legislation. Under the proposed arrangements it is estimated that the number of charter fishing operations requiring a licence will decrease from the current level of 410 to around 320.

The proposed annual registration fee of \$250 represents a reduction of between \$10 and \$110 per annum for each remaining licence holder providing a marginal reduction in the costs of doing business for those

operators requiring a licence. Those operators who will no longer require authorisation under fisheries legislation will receive a reduction in business costs of between \$250 and \$360 per annum.

Buyer Licences and Storage Licences

Background

Fisheries legislation currently requires that a business buying, selling, processing and storing seafood caught in Queensland waters must hold either a Buyer licence class 'A', a Buyer licence class 'B' or a Storage licence.

A business buying, selling or processing fisheries resources for human consumption must hold a Buyer licence class 'A'. The Buyer licence class 'B' licence provides for all of the above activities, but only in circumstances where the fisheries resources are not for human consumption.

The holder of either class of Buyer licence can only buy fisheries resources from a person who holds an authority allowing the person to sell the fisheries resources, e.g. a commercial fisher, the holder of an indigenous commercial fishing permit or another holder of a Buyer licence. However, the legislation provides an exemption to the requirement to hold an authority to sell bait up to a value of \$7,500.

Fisheries legislation also requires a person to hold a Storage licence to store fish for trade or commerce at a place identified on the licence. A separate Storage licence is not required where the business already holds a Buyer licence. In these cases, the storage facilities can be nominated on the Buyer licence.

Under current arrangements the Buyer licence class 'A' fee is \$2,932.50 for the first year of issue and \$557.40 upon annual renewal. The Buyer licence class 'B' fee is \$931.80 on first issue and \$380.40 upon on annual renewal. The Storage licence fee is \$753.80 on first issue and \$192.30 upon annual renewal. All of the above licence types are fully transferable.

A buyer licence is not required if fish being purchased is not taken from Queensland waters.

Proposal

That the current three licence types be combined into a single Buyer licence, and the requirement for a licence be restricted to the point of first receipt. That is, restricted to businesses receiving product from the holder of a Commercial Fisher licence, Commercial Fishing Boat or Commercial Harvest Fishing licence, etc. As is currently the case no licence will be required if the fish being purchased is not taken from Queensland waters.

The proposed licence will be issued for an indefinite period subject to an annual registration fee of \$250 that will be payable on a quarterly basis (\$62.50 per quarter). The requirement for annual renewal will also be removed and the licence will remain current provided the registration fee is paid. The licence will be fully transferable.

As compliance is the reason for maintaining the licence, it is also intended that holders of the licence be required to nominate product storage locations and to keep appropriate records of fisheries product transactions. These records will be required for inspection by authorised persons for audit purposes.

Rationale

The NCP review of Queensland fisheries legislation found that for compliance reasons, regulatory intervention at the level of the first receiver in the purchase of fisheries resources was justified. The review found that in most other fisheries jurisdictions, buyers are required to be registered with the fisheries agency and to maintain product transaction records in order to achieve an audit trail of fisheries product for compliance purposes. The review recognised that an audit trail at the first receiver level provided efficiency in enforcement capabilities as well as a deterrent to non-compliance, particularly in high value quota managed fisheries.

However, the review questioned the buyer and storage licence regime currently in place in Queensland, in particular the complexity of licensing arrangements and the seemingly arbitrary nature of the fees structure. The review questioned why a higher fee was charged for the first year of a licence than for subsequent years. This was identified as a significant financial barrier to new entrants into the business of buying, processing and storing fisheries products.

The requirement for annual licence renewal was also questioned, with the review recommending that licences be issued for longer periods to provide a higher degree of business security and continuity. In addition, the need for licensing to apply beyond the first point of sale for audit and compliance purposes could not be justified.

Alternatives

The government believes the retention of licensing requirements for buyer and storage businesses is a critical component of its fisheries compliance strategy in that it provides a point for auditing commercial fishery production levels, particularly where quota managed fisheries are concerned.

The proposed fee of \$250 per annum provides a reasonable return to the community for the rights granted under the buyer licence, and partly offsets the costs to the community of managing fisheries resources.

Impact

The proposal to issue licences for an indefinite period will provide a greater security of access to the resource than under the current annual renewal arrangements. This, coupled with the transferability provisions, will provide a more secure environment for long term business decisions, employment and future industry development.

The proposed \$250 annual registration fee will result in an annual saving of \$300 for each of the current Buyer class 'A' licence holders and \$130 for each of the Buyer class 'B' licence holders. Removing the requirement for a storage licence will result in an annual saving of around \$200 for each of the current 25 licence holders.

In addition, removing the high fee for the first year of issue will remove a significant financial barrier to market entry for new participants and should foster competition within this part of the industry.

Carrier Boat Licence

Background

Queensland fisheries legislation generally prohibits the transfer of fisheries product between commercial fishing boats while they are at sea other than to a licensed carrier boat. Boats operating north of Clump Point are exempt from this requirement because of the long standing practice of off-loading product to barges and mother-ships that operate in the more remote waters of Far North Queensland.

The licensing provision recognises that there are circumstances where it is appropriate for product to be transferred between fishing vessels for economic efficiency reasons, provided certain reporting requirements can be met. In addition, the requirement to licence carrier boats provides a central register to aid in maintaining a high level of fisheries compliance.

The annual licence fee for carrier boats is currently \$155.80, and a fee of \$1,429.90 applies in the first year of issue. The licence is annually renewable and transferable.

Provisions of the Coral Reef Fin Fish Management Plan prevent the chief executive from issuing any new carrier boat licenses for coral reef fin fish. Existing carrier boat licenses are restricted to carrying live fish only if the carrier boat is a licensed primary or tender commercial fishing boat and the fish were taken by the boat or a tender/primary operating in conjunction with it.

Proposal

That the requirement for annual renewal of the licence and the higher fee for the first year of issue be removed and replaced with a single annual registration fee of \$250. The requirement for carrier boats operating south of Clump Point to be licensed will be retained, as will the transferability of such licences.

Rationale

The requirement for licensing carrier boats south of Clump Point will be retained on the basis that it provides an important mechanism for maintaining high levels of compliance in the commercial fishing

industry. However, the high fee of \$1,429.90 for the first year of issue will be removed following the NCP review finding that it is a clear financial barrier to market entry for new participants.

The proposal to issue licences for an indefinite period will provide greater security of access to the resource than under the current annual renewal arrangements. This, coupled with the transferability provisions, will provide a more secure environment for long term business decisions, employment and future industry development.

Alternatives

The government believes the retention of licensing requirements for carrier boats is a critical component of its fisheries compliance strategy. The alternative, removing the requirement for this licence, is not considered in the public interest, particularly in relation to maintaining resource sustainability.

The proposed fee of \$250 per annum provides a reasonable return to the community for the rights granted under the carrier boat licence, and partly offsets the costs to the community of managing fisheries resources.

Impacts

Removing the high fee for the first year of issue will remove the financial barrier to new participants and foster competition within this part of the industry. This, along with the greater security provided by removing the annual renewal requirement, will provide a positive economic impact from a broader industry development perspective.

The proposed fee of \$250 represents an increase of \$145 per annum for the twelve (12) carrier boat licence holders.

Commercial Fisher, Assistant Fisher and Crew Licences

Background

Queensland fisheries legislation currently requires that all persons on board a commercial fishing boat must hold either a Commercial

Fisher licence, an Assistant Fisher licence. To engage crew, a commercial fisher must also hold a crew licence. Persons engaged as crew under a crew licence are taken to hold an assistant fisher licence.

In addition, all fishing activity undertaken in conjunction with a licensed commercial fishing boat must be carried out under the direction of a person holding a Commercial Fisher licence. To obtain a commercial fisher licence a person is required to achieve an appropriate level of skill under an accredited competency based training program, or to demonstrate an appropriate level of practical commercial fishing experience within another jurisdiction.

Under current arrangements all personal licences are issued for a period of twelve months upon advance payment of a prescribed annual fee. Licences must be renewed each subsequent year and, as the person is licensed, are not transferable.

Proposal

That the current requirement for Assistant Fisher and Crew licences be removed. However, the Commercial Fisher licence will be retained to ensure that all commercial fishing operations occur under the direction of an appropriately qualified person.

The proposed licence will be issued for an indefinite period and be subject to an annual registration fee of \$250 that will be payable on a quarterly basis (\$62.50 per quarter). The licence will continue in force as long as registration fees are paid and it is not suspended, cancelled or surrendered. This will also result in the removal of the current \$456.30 fee for the first year of issue.

Under the proposed arrangements, at least one person on board must hold the relevant competencies required under fisheries and marine transport legislation (the same person may satisfy all requirements). Also, current requirements relating to the total number of persons on board the boat cannot exceed marine transport survey requirements.

As individuals will be licensed based on their level of competency to undertake commercial fishing operations, licences will not be transferable.

Rationale

Given that no other jurisdiction within Australia requires this level of intervention in achieving its legislative objectives, the NCP review questioned the need for all persons on board a commercial fishing boat to be licensed. As the objectives of the Queensland fisheries legislation are similar in intent to those of all other Australian jurisdictions, retention of all of the current personal licence requirements cannot be justified.

The current requirement for a fishing operation to occur under the direction of a person holding a Commercial Fisher licence will be retained on the following grounds—

- The commercial fishing industry is under increasing community pressure to demonstrate that fishing practices are responsive to environmental needs, particularly the protection of rare and threatened marine species. Current accredited training courses and examinations for obtaining a Commercial Fisher licence require the achievement of an appropriate level of knowledge and competency in using commercial fishing apparatus in a way that minimises the potential adverse environmental impacts. The government believes that it would not be appropriate for commercial fishing operations to be undertaken unless under the direction of a person with appropriate competencies in this area.
- The requirement for a person in charge of a commercial fishing operation to hold a licence is an important aspect of the fisheries compliance program in Queensland. Queensland fisheries legislation makes provision for the courts to suspend or cancel a licence where a person has committed a serious fisheries offence or is a repeat offender. This will continue to apply. The threat of suspension or cancellation provides an important deterrent to non-compliance with fisheries laws, and removing this provision would undermine the ability of the fisheries agency to ensure that the objectives of the legislation are met.

The NCP review also recommended that serious consideration be given to issuing commercial fishing licences and authorities for periods greater than twelve months. Accordingly, licences will be issued for an indefinite period.

Alternatives

Retaining the current requirement for all persons on board a commercial fishing boat to hold a licence cannot be justified in meeting the objectives of fisheries legislation. Provided the fishing operation is under the direction of an appropriately qualified person (the holder of a Commercial Fisher licence), the Assistant Fisher and Crew licences are unnecessary.

Impacts

The proposed changes will significantly simplify the current licensing requirements for commercial fishing boat operators in that the number of personal licences required under fisheries legislation will be reduced.

The proposal to remove the requirement for Assistant Fisher and Crew licences will remove around 2,600 licences that are not required in meeting the objectives of fisheries legislation. This, coupled with the removal of the high first year fee for Commercial Fisher licences, represents a saving to industry of around \$340,000 per annum.

The proposed Commercial Fisher licence fee of \$250 represents an increase of around \$110 per annum for each of the approximately 2,500 licence holders. This represents an increase in industry costs of around \$275,000.

The combined financial effect of the proposed changes is an decrease in costs to industry of around \$65,000 per annum, or around \$40 per fishing boat.

Commercial Fishing Boat Licence

Background

All commercial fishing boats operating under Queensland jurisdiction are required to be identified and used under a license held by a person under fisheries legislation. There are currently around 1,700 Commercial Fishing Boat licences renewed annually in Queensland. A general freeze on issuing new fishing licences came into effect in Queensland in the late 1970's for trawl fisheries and mid 1980's for all other fisheries. This was introduced in response to management

concerns over increasing fishing effort and its potential negative impact on future resource sustainability. Since the introduction of the licence freeze only a small number of new licences have been issued for new and developing fisheries.

The fisheries in which a commercial fishing boat can operate are identified on the licence by the relevant fishery symbols specified on the licence. Most commercial fishing boats have a number of fishery symbols that entitle them to operate in a range of fisheries. With few exceptions, Commercial Fishing Boat licences in Queensland are annually renewable and transferable.

Proposal

That the requirement for a Commercial Fishing Boat licence be retained. The current requirement for annual renewal will be removed and licences will be issued for an indefinite period.

It is also proposed that the current fee arrangements (including renewal assessment fees, vessel length fees, tender boat fees and fishery symbol fees) be replaced with a new fee structure. This will be comprised of a \$250 annual registration fee for the licence and a single fee for each fishery entitlement attached to the licence.

The fishery entitlement fees will be set at levels that relate to the value of fishing rights held by the individual in each fishery. Where all entitlement holders in a given fishery own the same rights, they will all pay the same fee for that fishery. Where entitlement holders own different rights in a fishery (the quota managed fisheries), the proposed fee will reflect this different level of rights. This is discussed in more detail on the section on fishery access fees. A schedule of proposed fishery symbol fees is provided at **Appendix A—Proposed Schedule of Fees**.

The licence will remain in force as long as the registration fee and respective fishery symbol fees are paid, unless the licence is suspended, cancelled or surrendered. Licences will also remain fully transferable.

Rationale

The proposal to retain the Commercial Fishing Boat licence is in line with the recommendations of the NCP review of fisheries legislation.

The review found justification in governments having a regulated licensing system to control access to fisheries resources for commercial purposes. This finding was reached on the basis that unregulated access to fisheries resources gives rise to a range of adverse economic, social and environmental consequences.

However, the review was critical of the complexity of licensing arrangements applying to Queensland fisheries when compared with licensing arrangements in other States and the Commonwealth. The review recommended that an individual's access to fisheries resources could be just as effectively managed through the application of a single licence as opposed to the multiple licence system that currently applies in Queensland.

In addition to concerns over the licensing structure, the review also expressed concern over the complexity of fee arrangements associated with particular fisheries. Of particular concern were: the multiple fees applying to a single fishing entitlement including; boat length fees; tender boat fees; assessment fees; etc. Crosssubsidisation between fisheries and across fishing sectors was also identified as not complying with NCP principles.

The proposal to issue licences for an indefinite period will provide greater security of access to the resource than under the current annual renewal arrangements. This, coupled with the transferability provisions, will provide a more secure environment for long term business decisions, employment and future industry development.

Alternatives

The less restrictive option of removing the requirement for licensing fishing operations is not acceptable to government on the basis that unregulated access to fisheries resources may give rise to a range of adverse economic, social and environmental consequences. These include unsustainable rates of fishing, excessive fishing effort devoted to competing for available catch, and insufficient care and protection of the fisheries resource and habitat for current and future generations.

The proposed new fee structure provides a much simpler and more equitable basis for charging Commercial Fishing Boat licence holders for the commercial access rights they hold at the exclusion of the rest of the community.

Impacts

Under the proposed new licensing arrangements the existing access rights of individual fishers are preserved. The proposal to issue licences for an indefinite period will provide a greater security of access to the resource than under the current annual renewal arrangements. This, coupled with the transferability provisions, will provide a more secure environment for long term business decisions, employment and future industry development.

However, there are significant changes proposed in relation to fee arrangements for fishery access and these are discussed under the section on fishery access fees.

Tender Commercial Fishing Boat Licences

Background

The majority of commercial fishing boats have one or more tender boats operating in conjunction with them. Current legislation requires that these tender boats be identified and used under a separate licence (Tender Boat licence) and that they must not have an overall length of greater than seven metres.

Changes to the configuration of tender boats (including boat replacements) currently require consideration by the management agency and amendment of the licence. Tender boats also require specific endorsements to operate in the line fisheries and the crayfish fishery, where there are limits on tender boat numbers. There are also a number of other policy considerations associated with the use of tender boats in most fisheries.

In addition, the requirement for separate Tender Boat licences that are annually renewable has resulted in many fishers having to hold numerous licences associated with their fishing operation. This is further complicated by the fact that for many of the licences held by a single fishing operation, renewal dates are at different times of the year.

Tender boat licences issued under the fisheries legislation are also exempt from registration as a commercial fishing ship under the *Transport Operations (Marine Safety) Regulation 2004* (Section 60(2)(h)).

Proposal

It is proposed that the current requirement for a separate Tender Boat licence be removed from the legislation. Where the number of tender boats that can be used in a fishery is restricted, this will be identified on the Commercial Fishing Boat licence. The current seven-metre restriction on the length of tender boats will be retained.

Under this proposal, a fisher may have as many tender boats as they desire, up to seven metres in length. However at any one time they may only use the number of tender boats identified on the Commercial Fishing Boat licence for the fishery they are operating in.

For example, where a Commercial Fishing Boat licence currently has the endorsement “L2” and has four tender boats endorsed under a Tender Boat licence, the primary boat marking will be changed to “L2(4)”. The number in brackets signifies the number of tender boats that can be used in conjunction with that fishing operation.

The effect of this proposal is that those fishers who currently have tender boat licences will still be able to have the same number of tender boats, they simply will not have to have (and pay for) a separate licence. In addition, tender boats will merely be required to carry the appropriate boat mark while in use. Where restrictions on the number of tenders in use apply, this number cannot be exceeded.

It is also proposed that section 60(2)(h) of the *Transport Operations (Marine Safety) Regulation 2004* will be amended to recognise that a tender boat operating in conjunction with a licensed commercial fishing boat will be deemed to be registered.

Rationale

The NCP review of fisheries legislation identified that if the purpose served by licensing is solely to limit access or effort, the current licensing requirements in Queensland would appear overly complex. The review found that a single licence associated with a fishing operation is all that is required to meet legislative objectives in limiting and allocating access to a fishery resource for commercial purposes. The provision for Commercial Fishing Boat licences is all that is required to limit access to fisheries resources for commercial purposes.

Impacts

The proposal to remove the requirement for separate tender boat licences will not impact negatively on management's ability to control access to fisheries for commercial purposes.

The proposal will result in the removal of around 2,400 Tender Boat licenses that are unnecessary to meet the objectives of fisheries legislation. This represents an annual saving to industry of around \$250,000 through the removal of assessment, entitlement and licence fees.

Authority to Take Fish for Trade or Commerce

Background

There are currently around 400 Authorities to Take Fish for Trade or Commerce that apply to the following harvest fisheries—

- Coral, Shell and Star Sand;
- Trochus (East Coast);
- Eel fishery;
- Juvenile eel fishery;
- Oyster fishery;
- Aquarium Fish;
- Bêche de mer (East Coast);
- Worm fishery (Beachworm and Bloodworm); and
- Yabby fishery.

Under existing arrangements each authority to take is separate, fully transferable and renewable annually. Where an authority to take has multiple symbols, the symbols cannot be separated and transferred individually. Instead, the authority must remain as a package.

As an example, an existing authority to take may have only a Y (Yabby) symbol. That authority is transferable. Another authority to take may have Y, W (Worm) and A1 (Aquarium Fish) symbols. This authority is fully transferable, however all of the symbols are

transferred with the authority. The holder cannot, for instance, keep one symbol and transfer the other two to another person.

A number of legislative and policy restrictions apply to Authorities to Take Fish for Trade or Commerce, including the number of boats to be used, areas of operation and maximum boat lengths.

Proposal

The current Authorities to Take Fish for Trade or Commerce be replaced with a Commercial Harvest Fishing licence to better reflect the nature of the relevant fishing activity. The proposed licence will be issued for an indefinite period and be subject to an annual registration fee of \$250 that will be payable quarterly (\$62.50 per quarter).

It is also proposed that the complex fee arrangements including renewal assessment fees, powered/ un-powered fees and authority fees be replaced with a single fee relating to each fishery symbol attached to the licence. It is also proposed that this single fishery symbol fee be set at a level that is related to the value of fishing rights held. Where all entitlement holders in a given fishery hold the same rights, they will all pay the same fee for that fishery. Where entitlement holders own different rights in a fishery, such as quota managed fisheries, the proposed fees will reflect this different level of rights. This is discussed in more detail in the section on fishery access fees. A schedule of proposed fishery symbol fees is provided at **Appendix A—Proposed Schedule of Fees**.

The licence will continue to be in force as long as registration fees and fishery related fees are paid, unless it is suspended, cancelled or surrendered. The licence will remain fully transferable.

Existing legislative and policy restrictions currently applying to Authorities to Take Fish for Trade or Commerce will be retained for Commercial Harvest Fishing licences.

Rationale

The proposal to retain a licensing regime to regulate access to these fisheries resources for commercial purposes is in line with the recommendations of the NCP review of fisheries legislation. The review found justification in governments having a regulated licensing system to control access to fisheries resources for commercial

purposes. This finding was on the basis that unregulated access to fisheries resources gives rise to a range of adverse economic, social and environmental consequences.

Retention of a licensing category separate to the commercial fishing boat sector recognises that harvest fishery operations may be undertaken without the direction of a person holding a Commercial Fisher licence. Also, Commercial Harvest Fishery licences are attached to the licence holder, in contrast to commercial fishing boat operations where the licence is attached to the fishing boat.

In addition, the NCP review expressed concern over the complexity of fee arrangements associated with particular fisheries, including fee categories associated with boats used in the harvesting operation. Cross-subsidisation between fisheries and across fishing sectors was also identified as not complying with NCP principles. The proposed fee structure involving a licence registration fee and fishery access fees based on the level of rights attached to the licence will resolve these concerns.

The proposal to issue licences for an indefinite period will provide greater security of access to the resource than under the current annual renewal arrangements. This, coupled with the transferability provisions, will provide a more secure environment for long term business decisions, employment and future industry development.

Alternatives

The less restrictive option of removing the requirement for licensing fishing operations is not acceptable to government on the basis that unregulated access to fisheries resources may give rise to a range of adverse economic, social and environmental consequences. These include unsustainable rates of fishing, excessive fishing effort devoted to competing for available catch, and insufficient care and protection of the fisheries resource and habitat for current and future generations.

The proposed new fee structure provides a much simpler and more equitable basis for charging Commercial Harvest Fishery licence holder for the commercial access rights they hold to the exclusion of the rest of the community.

Impacts

Under the proposed new licensing arrangements the existing access rights of individual fishers are preserved. The proposal to issue licences for an indefinite period will provide a greater security of access to the resource than under the current annual renewal arrangements. This, coupled with the transferability provisions, will provide a more secure environment for long term business decisions, employment and future industry development.

However, there are significant changes proposed in relation to fee arrangements for fishery access and these are discussed below.

Fishery Access Fees

Background

Under the current structure, fees are prescribed for a range of fishery access authorities including fishery symbols. The current fee levels are ad hoc in that they bear little relationship to the value of the fishery access provided for. These fees are complicated further by the inclusion of a range of other fees associated with annual assessments for renewal, tender boat fees and fees based on primary fishing boat lengths and location of fishing etc.

Under current arrangements determining the annual fee associated with a particular fishing operation is in most cases an extremely complex calculation. The fact that the total fee payable by an individual fishing operation bears little relationship to the fishing rights held was of concern to the NCP review.

Proposal

As discussed in previous sections, it is proposed to remove a range of fees from legislation that either cannot be justified or do not relate to the value of fishery access provided for. It is proposed that these be replaced with a single access fee for each fishery that better reflects the value of the fishery access held by the individual.

On this basis, it is proposed that flat fees be provided in those fisheries where entitlement holders have the same level of access (these fisheries are termed 'limited access' fisheries). It is proposed that in

the limited access fisheries all participants will pay the same fee on the basis that each individual participating in that fishery holds the same rights of access.

The fee that will apply to 'limited access' fisheries has been set by reference to social (number of participants), economic (gross value of production) and environmental (sensitivity of the area to which fishers have access) considerations.

For most of these fisheries the proposed fees will be set at either \$290 or \$850 annually. However, in the few cases where only a very small number of fishers have access, the fees will be set at either \$2,100; \$7,850; or \$15,700 depending on the value of the access rights held.

In addition, the government recognises that there are categories of fisheries that allow fishers to undertake much the same activity with only minor differences in gear or area. In such cases the relevant fishery symbols have been grouped together so that a single fee will apply to a person holding any number of symbols within that group.

For example, a fisher with N1, N2, K5, and C1 symbols on their licence would pay a single \$850 fee for all of the N1, N2 and K symbols, plus a \$290 fee for the C1. A Commercial Fishing Boat licence registration fee of \$250 would also apply, making the total annual fee \$1,390. Full details of the fees and groupings are set out at **Appendix A—Proposed Schedule of Fees**.

A second category of fishery access fee is also proposed in cases where the fishers' rights are more clearly defined than outlined above. In the quota managed fisheries (fishing effort and species catch quotas) the rights of individual fishers vary according to the size of their quota holding. In these cases it is proposed that each fisher would pay an annual fee per quota unit held, so that their total fee is directly proportional to their share of the total access rights.

The proposed annual fees are 55 cents per East Coast Trawl Fishery effort unit, 55 cents for Coral Trout units, 15 cents per unit for Red Throat Emperor units, other Species units and Spanish Mackerel units, \$3.50 per unit for Spanner Crab units and \$300 per tonne of Trochus.

For example, if a fisher had a licence package with T1, N1, N2, L1 symbols and 6,250 Trawl Fishery effort units, they would pay \$3,437.50 for the Trawl Fishery effort units (but nothing for the T1), a single amount of \$850 for the N1 and N2 symbols, \$290 for the L1

symbol, plus a registration fee of \$250. The total annual fee in this example would be \$4,827.50.

As with all other licence fees, fishery symbol fees would be payable quarterly as a debt. That is individuals will be billed each quarter for the rights they owned in the previous three months.

Rationale

Under the proposed fee structure fishers will pay in direct proportion to the value of the fishery access rights they hold. This removes existing anomalies where some fishers pay different amounts for the same level of access, and others pay the same amount for different levels of access.

The proposed structure is fairer to all commercial fishers because it results in those receiving the greatest benefits paying the highest fees. It is also fairer to the general community, in that commercial fishers will reimburse the community for the exclusive rights of access granted to them for the commercial use of Queensland's limited fisheries resources.

The proposed structure will also remove market distortions caused by unrealistic pricing of fishing access rights and thereby ensure greater competition and more appropriate levels of investment in the industry. It also provides the basis for formally recognising the on-going nature of access rights held under fishery authorities. The lack of such recognition has been seen by industry as a major impediment to investment and security in the fishing industry.

Alternatives

The rights-based model proposed enables government to charge fees for the quota and effort managed fisheries on a fair and equitable basis. It would not be fair to charge a flat fee for individuals receiving different rights and it is fair that owners of these rights adequately reimburse the public for the commercial access to the resource they own.

Retaining the existing fee regime is not appropriate because it does not bear any relationship to the value of the right of access provided under the fishery entitlements held and, therefore, does not provide

any mechanism for greater recognition of the rights based nature of commercial fishing.

In addition, as previously discussed, the current fee arrangements do not adequately reimburse the public for the exclusive resource access provided to fishers for commercial purposes. This recognises that limited entry licensing of commercial fisheries provides this sector with special rights at the exclusion of the broader community.

Impacts

The proposed changes to fishery access fee arrangements will impact on all licence holders in the commercial fishing and harvest fishing sectors. For some licence holders the fishery access fees will decrease but for the majority of licence holders the fees payable will increase. Of significance here is that the proposed fees have been determined using a rights based model and those licence holders with the higher value rights will pay the higher fee.

The greatest impact of the proposed new fees will be in fisheries with individually transferable entitlements such as trawl effort units or species quota in the spanner crab, coral reef line and Spanish mackerel fisheries. Those operators with the greatest quota holdings, for example large trawlers and coral reef line fishers, are the ones that will be most affected.

Under the current arrangements fishery access fees paid by the commercial fishing and harvest fishing sectors generated revenues to government of around \$3.51 million per annum. Under the proposed arrangements the revenues generated will increase to \$5.94 million (an increase of \$2.43 million) per annum. This increase represents less than one percent of the gross value of production of the industry and around 12 percent of the costs of fisheries management.

Developmental Fishery Permits

Background

The General Fisheries Permit provisions require that developmental fishery activities occur under a permit. The permit requirement provides a cost effective mechanism for industry and government to

explore for potential new fisheries resources that are not currently utilised for commercial purposes.

Permits are usually issued for a period of up to five years with annual fees of between \$1,050.40 and \$1,679.80. There are currently about eleven developmental fishery permits issued to the industry. Permits are issued subject to an intensive assessment process that involves research, risk assessment, stakeholder consultation and a public consultation phase. Stringent management conditions apply to permits that are issued due to the relatively unknown nature of the resource and the risk of potential overexploitation or environmental harm.

Proposal

That the requirement for permits to undertake developmental fishing be retained and that this provision be assigned the specific status of Developmental Fishery Permit in its own right.

Further, it is proposed that the annual permit fee be replaced by a single assessment fee of \$4,700 covering the life of the permit (usually five years) to better reflect the costs to government of assessing applications.

It is also proposed that the cost of meeting requirements of conditions attached to the permit be the responsibility of the applicant. Under these arrangements conditions relating to research and monitoring requirements, fishery observers and progress reporting to government would be solely a direct cost to the applicant. Should the applicant desire, government resources could be contracted to undertake these tasks. Full cost pricing would apply to any services provided by government.

Rationale

The proposal to recognise Developmental Fishery Permits as a specific category is appropriate given the special nature of management arrangements and conditions that apply to developmental fishing activity.

It is also appropriate that where industry participants wish to invest in developmental fishing activity for the private benefits that could result, they should pay the full cost of assessing permit applications. The proposed fees are intended to recover reasonable costs, but not

greater than the actual costs of the assessment process incurred by government.

In quantifying the impacts of this proposed change, it should be noted that the legislation currently provides for these fees to be waived (in part or in full) under certain circumstances. This includes permit applications for activities that are in the public interest or are part of a government-funded program.

Alternatives

Retaining the developmental fishery requirements in the General Fisheries Permit provisions is not appropriate given the special nature of management arrangements that apply to developmental fishing.

The proposed fees are intended to recover reasonable costs, but not greater than the actual costs to government of undertaking permit application assessments. As it is Government policy to recover costs of requested services such as assessments, it is not considered appropriate that public funds be applied to government activities that result in purely private benefits.

The option of not having permit requirements for these activities is not appropriate, given the government's requirement to demonstrate that fisheries resources are being managed in line with principles of ecologically sustainable development in accordance with the objectives of fisheries legislation.

Impacts

The arrangements proposed are not expected to impose any significant additional cost to industry as a whole given the small number of developmental fishery applications assessed in any year (one or two).

General Fisheries Permits

Background

Fisheries legislation makes provision for General Fisheries Permits to be issued for a range of activities not specifically provided for by other authority types in the fisheries legislation. These activities include—

- Developmental fisheries;
- Fishing tours (charter recreational fishing);
- Taking, possessing, processing, selling or releasing fish;
- Indigenous commercial fishing;
- Using or possessing fishing apparatus; and
- Research.

Note—

Proposals relating to developmental fishing and fishing tours (charter fishing) are discussed separately.

The prescribed fees for these permits range from \$62.70 to \$114.30 including assessment fees.

The legislation specifically provides that these permits are not transferable or renewable on the basis that they are generally used for ‘once-off’ activities.

Proposal

That the General Fisheries Permit provision be retained, with the exception that developmental fishing permits and charter fishing licences will be identified as separate authorities outside of the General Fisheries permit provisions.

It is also proposed that a fee of \$250, including assessment fees will be applied to all General Fisheries Permits. The fee will be an up-front payment to cover the costs of assessment and will cover the life of the permit. No annual fees will apply.

The non-transferable and non-renewable provisions for permits will be retained; permits are generally only issued once and may be for any period of time.

Rationale

Removing developmental fishing and fishing tours (charter fishing) from the General Fisheries permit provisions recognises they have special characteristics that no longer warrant them being treated under this category. In particular, these activities warrant the application of specific management arrangements and would not be appropriately

covered by the types of conditions that normally apply to General Fisheries Permits.

The proposed fee of \$250 for the life of the permit is intended to recover reasonable costs to government of assessing the permit application. Importantly, the legislation currently provides for these fees to be waived (in part or in full) under certain circumstances. This includes permit applications for activities that are in the public interest or are part of a government-funded program.

Alternatives

The option of not having permit requirements for the above activities is not appropriate, given the government requirement to manage the impacts on fisheries resources and demonstrate that fisheries resources are being managed in accordance with principles of ecologically sustainable development.

The proposed fee of \$250 is intended to recover reasonable cost to government of undertaking permit application assessments.

Impacts

The proposal to set the General Fisheries Permit fee at \$250 will replace the current fee of \$62.70 for research related permits and \$114.30 for non-research related permits. This represents an increase of \$187.30 and \$135.70 respectively over the current arrangements.

Approximately 50 permits for research and 200 permits for other activities are issued each year. In addition, fees are waived for around half of these permits on public interest grounds. Based on the above figures, the proposed fee increases will result in an increase of around \$4,700 to research institution costs throughout Queensland and an increase of around \$20,000 for other permits issued to industry and the community.

General Fees

Background

Fisheries legislation requires that a register be kept of all authorities issued in relation to the access rights associated with fisheries resources. The legislation provides that the details on the register of authorities represent the true status of an authority and cannot be disputed in law. Therefore, the register has an important role in relation to authority transfers, amendments and disputes over ownership.

A range of fees is currently provided for in relation to the register of authorities including, amendment fees, boat replacement fees, certificates about authorities and searches of the register. A fee is also payable for the lodgement of an appeal to the Fisheries Tribunal.

Proposal

That the fees associated with the register of authorities and appeal lodgement be amended to better reflect the costs to government associated with these services. The following fees are proposed—

- Change of personal details on the register (eg. address)—no fee;
- Export certificate about a product or fishery—\$250;
- Amendment to an authority including transfers, temporary transfers, boat replacements—\$125;
- Certificates about the register of authorities—\$150;
- Replacement of authorities—\$25; and
- Appeal to Fisheries Tribunal—\$610.

Rationale

The requirement for a fee for administrative transactions relating to the register of authorities and appeals is justified on the basis that the proposed fees are reasonable and are not greater than the actual cost of the transactions undertaken or the services provided. These cost include—

- The salaries and salary on-cost of staff at appropriate levels involved in providing the services and administering the Fisheries Tribunal;
- Indirect costs including administrative overheads; and
- Capital costs such depreciation on capital equipment (eg databases, computers, etc.) and office space (as rent equivalents) where appropriate.

Alternatives

No alternatives were considered. The proposed fee levels represent the cost to government of providing the requested services.

Impacts

The proposed fees relating to the register of authorities represent a significant increase to those currently in place for these transactions and will result in the total costs to those using these services increasing from around \$37,000 to \$75,000 per annum.

The proposal to increase the fee for lodging an appeal to the Fisheries Tribunal from \$57 to \$610 will bring this in line with appeals processes in the other States and the Commonwealth. The proposed fee is to cover the reasonable cost of administering the appeals process.

Consistency with authorising law

Implementation of the proposed amendments will be consistent with the achievement of the objectives of the *Fisheries Act 1994* and *Transport Operations (Marine Safety) Act 1994*.

Consistency with other legislation

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

Options and alternatives

The options underlying this paper are either to make no changes to the current licensing and fee regime or to introduce a new one. The costs and benefits of introducing the proposed new regime are discussed in detail in the discussion on legislative intent and in the Draft Public Benefit Test.

National Competition Policy (NCP) requires that other non-legislative options for implementing the policy objectives be considered.

The majority of the amendments will remove redundant and anti-competitive provisions from the legislation; clearly the only way of doing this is to amend the legislation. Fisheries fees are a compulsory exaction of money and as such must be included in legislation to enable the government to compel the payment. Given that the prime policy objective of this proposal is to implement a fisheries licensing and fee regime under which fees reflect the rights conferred on licence holders, there is no viable alternative either to the imposition of fees or to the use of a legislative mechanism for exacting them.

For many years the commercial fishing industry has been concerned that existing fisheries management arrangements do not reflect or recognise their often life-long investment in the industry. Maintaining the existing licensing arrangements and fee structure would provide no means of formally recognising the 'property rights' nature of access to commercial fisheries.

NCP requires Government to fund (where appropriate) delivery of government services through fees paid by the sector concerned. The proposed package of reforms brings Queensland's fisheries licensing and fee arrangements into line with NCP principles. It will also

achieve better alignment of government services and priorities by increasing the current fees applying to fisheries access rights.

Further, Queensland has agreed to meet its obligations under the Competition Principles Agreement between the Commonwealth and the States. As several existing licences and fees are NCP offensive, there is no alternative to amending the licensing and fee regime.

The proposed rights based model enables government to levy fees for the quota and effort managed fisheries on a fair and equitable basis. It would not be fair to charge a flat fee for individuals receiving different rights and it is fair that owners of these rights adequately reimburse the public for the commercial access to the resource they own.

Recreational Fishing Sector

The proposal to retain the Private Pleasure Vessel (PPV) levy provides a cost effective mechanism for revenue collection for recreational fishing programs. Any alternative arrangements would require the establishment by government of additional administrative arrangements to those currently in place for the registration of private vessels. This would result in additional costs to government without any measurable benefits to the community and would not be in the public interest.

The extension of the Stocked Impoundment Permit Scheme to the Koombooloomba and Storm King Dams is at the request of the stocking groups in these areas, and has the general support of local recreational fishers and the community. This will assist in improving the quality of the recreational fishing experience in these areas as well as provide added economic benefit to the local area. When requested by the local community at a time that is convenient and appropriate, the extension of the scheme is consistent with existing government policy.

Charter Fishing Sector

The current requirement for freshwater and smaller inshore charter fishing operations to hold permits could not be justified on resource management grounds. Charter fishing operations merely provides a platform from which recreational fishing can take place. Those who

participate in charter fishing are subject to all of the rules and regulations that apply to all other recreational fishers in Queensland.

The licensing of larger, offshore charter fishing operations is justified because some of the species taken are also subject to management requirements under Commonwealth jurisdiction and adjacent States. There are also potential compliance problems where charter fishing and commercial fishing operations overlap, particularly where high valued, quota managed species are concerned. In addition, a number of commercial fishing operations are also authorised to operate in charter fishing and the different legal requirements for these sectors needs to be managed.

Buyer and Processing Sector

The government believes the retention of licensing requirements for fisheries product buyers, processors and carrier boats is a critical component of its fisheries compliance strategy in that it provides a point for auditing commercial fishery production levels, particularly where quota managed fisheries are concerned.

The proposed fee of \$250 per annum provides a reasonable return to the community for the rights granted to these activities, and will partly offset the costs to the community of managing fisheries resources for compliance purposes.

The current requirement for multiple licences to buy and store fish and the higher first year fees cannot be justified on competition grounds and are not required to meet the objectives of fisheries legislation.

Commercial Fishing Sector

Retaining the current requirement for all persons on board a commercial fishing boat to hold a licence cannot be justified in meeting the objectives of fisheries legislation. Provided the fishing operation is under the direction of an appropriately qualified person (the holder of a Commercial Fisher licence) the Assistant Fisher and Crew licences are unnecessary.

The requirement for fishing operations to be supervised by an appropriately qualified person are consistent with the sustainability requirements in the legislation and contribute to Queensland being able to meet its commitments under the Commonwealth's

Environment Protection and Biodiversity Conservation Act and Australia's International Treaty obligations.

In relation to Commercial Fishing Boat licences and Commercial Harvest Fishing licences, the less restrictive option of removing the requirement for licensing is not acceptable to government on the basis that unregulated access to fisheries resources may give rise to a range of adverse economic, social and environmental consequences. These include unsustainable rates of fishing, excessive fishing effort devoted to competing for available catch, and insufficient care and protection of the fisheries resource and habitat for current and future generations.

The retention of a licensing regime to regulate access to these fisheries resources for commercial purposes is in line with the findings and recommendations of the NCP review of fisheries legislation. The review found that governments were justified in having a regulated licensing system to control access to fisheries resources for commercial purposes.

The proposed new fee structure provides a much simpler and more equitable basis for charging the licence holder for the commercial access rights they hold at the exclusion of the rest of the community. Applying a rights based model enables government to charge fees for the quota and effort managed fisheries on a fair and equitable basis. It would not be fair to charge a flat fee for individuals receiving different rights, it is fair that owners of these rights adequately reimburse the public for the commercial access to the resource they own.

The only other alternative is not to amend the fees, but this is not possible because of the need to remove a range of fees that do not comply with NCP and a range of existing authorities.

Draft public benefit test

The Queensland Government is a signatory to the Competition Principles Agreement that requires a public benefit test be undertaken on proposed new legislation or amendments to existing legislation. A guiding principle of the Competition Principles Agreement is that legislation should not restrict competition unless it can be demonstrated that—

- the benefits of the restriction to the community as a whole outweigh the costs; and
- the objectives of the legislation can only be achieved by restricting competition.

Importantly, both of the criteria identified above must be satisfied, and it must also be demonstrated that there are not less restrictive ways to obtain the desired outcomes.

The NCP review of fisheries legislation identified, among other matters, a number of concerns relating to the current fisheries licensing regime and fees structure. The review found that Queensland fisheries licensing arrangements were overly complex, and onerous to licence holders. The review also found clear evidence of industry cross subsidisation and financial barriers to market entry in some areas as a result of the existing fee regime. In addition, the high level of subsidisation by government of fishery management costs was identified as a concern. In response to these concerns the review recommended—

- the implementation of a simplified licensing regime for the commercial sector, in particular, provision for a fishing operation to be undertaken under a single licence as opposed to the current multiple licence requirements;
- the removal of the requirement to hold a number of personal and other licences to undertake commercial fishing; and
- the introduction of a fee regime to remove barriers to market entry, in particular, the removal of fee differentials between first year of issue and subsequent years.

The following proposed legislative amendments have been tested for compliance with NCP requirements—

- a new and greatly simplified commercial fisheries licensing framework that removes redundant, anticompetitive and unnecessary authorities and barriers to entry; and
- a new basis for establishing fisheries fees based on the cost of providing a requested service, maintaining registers of participants in commercial fishing and the value of the right or privilege being purchased.

In general the proposed amendments result in efficiencies for business by streamlining administration through the removal of a range of

existing licence requirements (crew, assistant fisher, tender, storage licences etc.) and a simplified fee structure. Around 5000 individuals will no longer be required to hold any licences. However, for those individuals or businesses that hold fishing access rights, the increase in fees to better reflect the value of the rights they own means that the amount paid by each individual increases. This increase is intended to reflect the value of the right and to fairly subsidise the community for that right.

Simplification of the licensing framework does not directly result in these fee increases. Fee increases are the result of a separate policy decision by government. However, as the proposed changes are considered as an integrated package not as a series of isolated initiatives because they are closely interlinked, they will be implemented at the same time.

The costs and benefits of the proposal to each of the affected stakeholder groups are considered below. The government will strive to identify and assess the impacts of the proposal on all sectors throughout the consultation process with a view to ensuring that the final proposal is in the public benefit.

Benefits to Recreational Fishers

The additional revenues gained from the proposed increase in the Private Pleasure Vessel (PPV) levy will assist the government in maintaining and improving the management services currently provided to the recreational fishing sector.

The proposal to include Koombaloo Dam and the Storm King Dam into the Stocked Impoundment Permit Scheme (SIPS) is at the request of the stocking groups in these areas, and has the general support of local recreational fishers and the community. This will assist in improving the quality of the recreational fishing experience in these areas as well as provide added economic benefit to the local area.

Costs to Recreational Fishers

The proposed increase in the PPV levy from \$12.30 to \$15 per annum (an increase of \$2.70) is unlikely to have a measurable impact at the individual, community or regional scale.

In relation to the SIPS, the current fee of \$7 for a weekly permit and \$35 for an annual permit is the same as applies to the other 29 freshwater impoundments in the scheme. This is considered a reasonable cost to those fishers who benefit directly from improved recreational fishing experience provided by the scheme.

Benefits to Charter Fishing Operators

The proposal to limit the requirement for licensing to charter fishing in tidal waters will significantly reduce the number of small businesses that require authorisations under fisheries legislation. It is estimated that the number of charter fishing operations requiring a licence under the proposed arrangements will reduce from the current level of 410 to around 320.

The proposed annual registration fee of \$250 represents a reduction of between \$10 and \$110 per annum for each remaining licence holder thereby providing a marginal reduction in the costs of doing business for those operators who will be required to hold a licence. Those operators who will no longer require authorisation under fisheries legislation will receive a reduction in business costs of between \$250 and \$360 per annum.

Costs to Charter Fishing Operators

There are no additional costs to charter fishing operators from the proposed changes.

Benefits to Seafood Processors

The proposal to issue licences for an indefinite period will provide a greater security of access to the resource than under the current annual renewal arrangements. This, coupled with the transferability provisions, will provide a more secure environment for long term business decisions, employment and future industry development.

The proposed \$250 annual registration fee will result in an annual saving of \$300 for each of the current Buyer class 'A' licence holders and \$130 for each of the Buyer class 'B' licence holders. The removal of the requirement for a storage licence will result in an annual saving of around \$200 for each of the 25 current licence holders.

In addition, the removal of the high fee for the first year of issue will remove a significant financial barrier to market entry for new participants and should foster competition within this part of the industry.

Costs to Seafood Processors

There are no additional costs to seafood processors from the proposed changes.

Benefits to Commercial Fishers

The most significant benefit to commercial fishers from the proposed amendments is the provision of more secure fishery access rights to licence holders than under the current arrangements, improved fishery management arrangements, and continued ability to export fisheries products through compliance with the Environment Protection and Biodiversity Conservation Act. This will enable a more secure environment for industry development and future business decisions for licence holders and more secure employment prospects for their employees.

Under the current system individuals pay ‘up-front’ for access annually. Under the proposed system they will pay in arrears for the rights they have used and on a quarterly basis. This will enable fishers to better manage their ‘cash-flow’ by spreading their fishery access payments across the full year. In addition DPI&F will provide for a range of payment options such as on-line payments, B-Pay, credit card payments, etc.

In general the proposed amendments result in efficiencies for business by streamlining administration through the removal of a range of existing licence requirements (crew, assistant fisher, tender, storage licences etc.) and a simplified fee structure. Around 5000 individuals will no longer be required to hold any licences at all. However, for those individuals or businesses that hold fishing access rights, the increase in fees to better reflect the value of the rights they own mean that the amount paid by each individual increases. This increase is intended to reflect the value of the right and to fairly subsidise the community for that right.

The new licensing arrangements are considered to be the minimum necessary to enable Queensland to demonstrate that it is meeting the objectives of the Fisheries Act, including commitments under the Commonwealth's Environment Protection and Biodiversity Conservation Act and Australia's International Treaty obligations.

Costs to Commercial Fishers

The proposed changes to fishery access fee arrangements will have an impact on all licence holders in the commercial fishing and harvest fishing sectors. For some licence holders the fishery access fees will decrease but for the majority of licence holders the fees payable will increase. Of significance here is that the proposed fees have been determined using a rights based model and those licence holders with the higher valued rights will pay the higher fee.

Those with the most valuable fishing entitlements will pay the most. Some fishers will face significant increases on the basis of the diverse range of rights they hold, although they do not in all instances exercise them. The greatest impact of the proposed new fees will be in fisheries with individually transferable entitlements such as trawl effort units or species quota in the spanner crab, reef line and Spanish mackerel fisheries. Those operators with the greatest quota holdings, e.g. large trawlers and coral reef line fishers, are the ones that will be most affected.

This is to be expected under the model where there is a direct relationship between the value of the right and the size of the fee.

Under the current arrangements fishery access fees paid by the commercial fishing and harvest fishing sectors generate revenues to government of around \$3.51 million per annum. Under the proposed arrangements the revenues generated will increase to \$5.94 million (an increase of \$2.43 million) per annum. This increase represents less than one percent of the gross value of production of the industry and around 12 percent of the costs of fisheries management.

Queensland commercial fishing fees currently represent only one percent of the Gross Value of Production (GVP). This is significantly lower than the Australian national average fees (excluding Queensland) of 11 percent of GVP, and the Organisation for Economic Cooperation and Development (OECD) fees which average 6 percent of GVP. Implementation of the package will increase the

Queensland figure to around 1.7 percent of GVP, which is still significantly lower than the national and OECD averages.

Benefits to Community

It is difficult to isolate impacts on employment as a result of this proposal in the short to medium term. However, it is unlikely that any licences will disappear as a result of this proposal.

The fact is that where existing entitlements are under-used they will either be activated by the owner or sold on the licence to someone else who will use them. The impact on employment in the long term is, therefore, likely to be positive due to the removal of fluctuations in productivity and greater security of access to the resource.

The fishing sectors will contribute an additional \$2.629 million to the cost of fisheries management; the commercial fishing sector will contribute \$2.426 million more and the recreational sector will contribute \$0.203 million more.

Reduced costs and barriers to entry in seafood wholesaling should enhance competitiveness of the industry.

The proposals will also result in a more competitive environment engendering greater business and employment opportunities and more efficient management of the commercial fishing sector through red tape reduction and more efficient public administration.

The extension of the Stocked Impoundment Permit Scheme to Koombooloomba and Storm King Dams will result in those fishers that fish in these impoundments paying for the cost of stocking them, rather than the community as a whole.

Costs to Community

As a result of the increased fees an additional \$2.62 million will be removed from local economies. \$2.43 million will be removed from around 20 fishing ports as a result of the increased fishing fees. The increase in private pleasure vessel levy will remove \$0.20 million across the State. The revenues collected from the SIPS licensing requirements on Koombooloomba and Storm King dams will be put back directly into those communities and is not seen as a cost to those communities.

If the new arrangements result in participants taking steps to reduce their costs or leaving the industry by selling their entitlement to an operator located elsewhere, then there would be some flow on impacts to other sectors of affected communities.

The regional dispersion of this impact is unclear although around two-thirds of the fishing industry is located outside of south-east Queensland, so most of this impact will be in regional areas. The Far North of Queensland has the greatest concentration of the state's fishing industry, with around one quarter of fishing industry employment. However, commercial fishing represents only 0.6 percent of total employment in the region.

Whilst the overall impact on local economies is expected to be small, the impacts will be dependent on the relative importance of the fishing industry to local economies and on the capacity of affected businesses to adjust. The capacity of each community to absorb the impacts in their region and respond will vary.

One purpose of the consultation process is to enable the Department to more fully understand the impacts of the proposal on communities. The Department will strive to gain a better understanding of broader community impacts through comments received on the proposal and through port and community meetings.

Benefits to the Environment

Sustainable fisheries are critical to long-term employment in the industry and to ensure vibrant and viable rural economies and communities. The move to basing fisheries fees on the value of the right being purchased also has indirect environmental benefits by highlighting the nature of this access and the justification for the community to receive a return from its resources.

Costs to the Environment

It is possible that some licence holders may respond to the proposed fee increases by activating unused fishery entitlements to cover the increased costs. This is not expected to be significant, but if it occurs it may require adjustments to management arrangements for affected fisheries in order to maintain fishing at sustainable levels.

Benefits to Government

The proposals will demonstrate to the community that the Queensland Government is meeting its commitments to the Competition Principles Agreement in relation to fisheries legislation. The licensing and fee arrangements proposed in this consultation paper represent the most significant reform to the administrative arrangements for Queensland fisheries since the National Competition Policy review of fisheries legislation was considered by the Queensland Government in 2001.

In addition, the proposed legislative amendments will provide a sound foundation for recreational and commercial fishing industry development into the future. The removal of administrative inefficiencies associated with the current licensing and fee arrangements will result in a more competitive environment engendering greater business and employment opportunities and more efficient management of Queensland's fishing industry sectors and associated businesses.

The proposals are also consistent with the Queensland Government's priorities in relation to regional economic development in that recreational and commercial fishing are an important component of many coastal and inland regional communities.

Costs to Government

The costs to government relate directly to the implementation of the new arrangements and include the costs of public consultation, the development of a new computerised fisheries licensing registration system, and developing and publishing the necessary legislation.

Fundamental legislative principles

The regulatory amendments proposed in this document have sufficient regard to the rights and liberties of individuals and the institution of Parliament, and are consistent with the fundamental legislative principles provided for under the *Legislative Standards Act 1992*.

The proposed amendments do not extinguish the right for Aboriginal and Torres Strait Islanders to take, use or keep fisheries resources in accordance with Aboriginal tradition or under Torres Strait Islander custom.

APPENDIX A – PROPOSED SCHEDULE OF FEES

Limited entry fisheries	Fishery / group	Year	Quarter
	Gulf Net Offshore (N9)	15,700.00	3,925.00
East Coast Finfish Trawl (Stout Whiting) (T4)	7,850.00	1,962.50	
Gulf Net Inshore (N3)	2,100.00	525.00	
Rock Lobster (R) four and above tenders	2,100.00	525.00	
Rock Lobster (R) under four tenders	850.00	212.50	
Crab (C1)	850.00	212.50	
East Coast Net (N1 and/or N2, N5, N6, N7, N8, K1, K2, K3, K4, K5, K6, K7, K8)	850.00	212.50	
Line Multiple Hook East Coast (L8)	850.00	212.50	
Line Multiple Hook QFJA (L9)	850.00	212.50	
Aquarium Unlimited (A1)	850.00	212.50	
QFJA Line No.1 (L4)	850.00	212.50	
QFJA Line No.2 (L5)	850.00	212.50	
Moreton Bay Trawl (M2)	850.00	212.50	
Pearl (P)	850.00	212.50	
Coral (D) and/or Shell Grit (G), Star Sand (H)	850.00	212.50	
Eel (E) and/or Juvenile Eel (JE)	290.00	72.50	
Beam Trawl (T5 and/or T6, T7, T8, T9)	290.00	72.50	
Bêche de mer (B1)	290.00	72.50	
Aquarium Limited (A2) and/or Shell (F)	290.00	72.50	
Beachworm (W1) and/or Bloodworm (W2), Yabby (Y)	290.00	72.50	
Spanner Crab Area B (C3)	290.00	72.50	
Line (L1 and/or L2, L3, L6, L7)	290.00	72.50	
Oyster Harvesting (O)	290.00	72.50	
Quota / effort unit fisheries	Fishery / group	Year	Quarter
	Line Quota: Coral Trout (CT) per Unit	0.55	0.1375
Line Quota: Red Throat Emperor (RTE), Other Species (OS), Spanish Mackerel (SM) per Unit	0.15	0.0375	
Spanner Crab (C2) Quota per Unit	3.50	0.875	
East Coast Trochus (J1) Quota per tonne	300.00	75.00	
East Coast Trawl Effort Units (M1 and/or T1, T2) per Unit	0.55	0.1375	
Registrations		Year	Quarter
	Commercial fisher	250.00	62.50
Commercial fishing boat operation	250.00	62.50	
Commercial harvest fishing licence)	250.00	62.50	
Seafood buyers licence	250.00	62.50	
Carrier boat licence	250.00	62.50	
Charter boat licence	250.00	62.50	
Other		Fee	
	Certificates about the register	150.00	
Replace an authority	25.00		
Amend register to change personal details	No charge		
Amendment to authority – general; boat replacement; transfers etc	125.00		
Export certificate about product or fishery	250.00		
Lodgement of appeal to Fisheries Tribunal	610.00		
Developmental fishery permit including assessment (five year)	4,700.00		
General fisheries permit (research, broodstock collection, fish stocking etc) including assessment (varying duration)	250.00		

FEE READY RECKONER – NORMAL FISHING OPERATION WITH BOAT

Boat Registration and Limited Entry Fishery Fees	Fee per year (\$)	Tick if you have any symbols in a group	Write amount listed against each tick in this column
Commercial fishing boat registration fee	250	✓	\$ 250
Gulf Net Offshore (N9)	15,700		\$
East Coast Finfish Trawl (Stout Whiting) (T4)	7,850		\$
Gulf Net Inshore (N3)	2,100		\$
Rock Lobster (R) four and above tenders	2,100		\$
Rock Lobster (R) under four tenders	850		\$
Crab (C1)	850		\$
East Coast Net (N1 and/or N2, N5, N6, N7, N8, K1, K2, K3, K4, K5, K6, K7, K8)	850		\$
Line Multiple Hook East Coast (L8)	850		\$
Line Multiple Hook QFJA (L9)	850		\$
QFJA Line No.1 (L4)	850		\$
QFJA Line No.2 (L5)	850		\$
Moreton Bay Trawl (M2)	850		\$
Beam Trawl (T5 and/or T6, T7, T8, T9)	290		\$
Spanner Crab Area B (C3)	290		\$
Line (L1 and/or L2, L3, L6, L7)	290		\$
Add amounts in right column to get Subtotal A			\$

Quota and Effort Unit Fees	Fee per unit (\$)	Write in number of units held	Multiply fee per unit by number of units
Line Quota: Coral Trout (CT)	0.55		\$
Line Quota: Red Throat Emperor (RTE)	0.15		\$
Line Quota: Other Species (OS)	0.15		\$
Line Quota: Spanish Mackerel (SM)	0.15		\$
Spanner Crab (C2) Quota	3.50		\$
East Coast Trawl Effort Units (M1 and/or T1, T2)	0.55		\$
Add amounts in right column to get Subtotal B			\$

Other Fees	Fee per registration (\$)	Tick each authority you have	Write amount listed against each tick here
Commercial fisher registration fee	250		\$
Seafood buyers registration fee	250		\$
Carrier boat registration fee	250		\$
Add amounts in right column to get Subtotal C			\$

Write in Subtotal A	\$
Write in Subtotal B	\$
Write in Subtotal C	\$
Add Subtotals A + B + C to get Total Annual Fee	\$
Divide Total Annual Fee by four to get Quarterly Fee	\$

FEE READY RECKONER – HARVEST FISHERIES

Limited Entry and Registration Fees	Fee per year (\$)	Tick if you have any symbols in that group	Write the amount listed against each tick in this column
Commercial Harvest Fishing registration fee	250	✓	\$ 250
Aquarium Unlimited (A1)	850		\$
Pearl (P)	850		\$
Coral (D) and/or Shell Grit (G), Star Sand (H)	850		\$
Bêche de mer (B1)	290		\$
Aquarium Limited (A2) and/or Shell	290		\$
Eel (E) and/or Juvenile Eel (JE)	290		\$
Beachworm (W1) and/or Bloodworm (W2), Yabby (Y)	290		\$
Oyster harvesting (O)	290		\$
Add amounts in right column to get Subtotal A			\$

Quota Fees	Fee per tonne (\$)	Write in number of tonnes held	Multiply fee per tonne by number of tonnes
East Coast Trochus (J1) Quota	300.00		\$
Add amounts in right column to get Subtotal B			\$

Write in Subtotal A	\$
Write in Subtotal B	\$
Add Subtotals A + B to get Total Annual Fee	\$
Divide Total Annual Fee by four to get Quarterly Fee	\$

ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Primary Industries and Fisheries.