

EXPLANATORY STATEMENT

Fisheries Management Act 1991

Southern Squid Jig Fishery Management Plan Amendment 2010 (No. 1)

Subsection 17(1) of the *Fisheries Management Act 1991* (the Management Act) provides that the Australian Fisheries Management Authority (AFMA) is to determine plans of management for all fisheries. Subsection 20(1) provides that AFMA may amend a plan of management.

AFMA has determined the *Southern Squid Jig Fishery Management Plan Amendment 2010 (No. 1)* (the Plan Amendment) to amend the *Southern Squid Jig Fishery Management Plan 2005* (the Plan).

The Southern Squid Jig Fishery

The Southern Squid Jig Fishery encompasses Commonwealth waters from Sandy Cape on Fraser Island (24°30'S) to the South Australian/Western Australian border (129°E) and includes all Commonwealth waters around Tasmania.

Most squid caught by the jigging method are taken from fishing grounds off Portland, Queenscliff and Lakes Entrance in Victoria, with a small number of operators fishing in South Australian waters. The main species targeted is arrow squid (*Nototodarus gouldi*).

The Southern Squid Jig Fishery Management Plan 2005

The Plan was determined by AFMA on 8 March 2005 and accepted by the Minister for Fisheries, Forestry and Conservation on 20 April 2005. The grant of statutory fishing rights under the Plan was completed in the latter part of 2005, and the Plan became fully operational on 1 January 2006.

Background to the Plan Amendment

AFMA has a number of Management Advisory Committees (MACs) established under section 56 of the *Fisheries Administration Act 1991*, to assist in the performance of its fisheries management functions. For the last two years, AFMA has been rationalising its MACs, with a view to reducing their number from 12 to 6 by 2012. The objective of this process is to reduce costs and to improve the efficiency of the MAC advisory system.

As part of the decision to rationalise MACs, a number of MACs based on fisheries in waters off south eastern Australia, including the Southern Squid Jig Fishery Management Advisory Committee (SquidMAC), are to be merged on an ongoing basis to form the South East Management Advisory Committee (SEMAC). As well as saving costs, the decision to form SEMAC is also intended to facilitate a more holistic approach to fisheries management in waters off south eastern Australia.

The Plan Amendment replaces references to 'SquidMAC' with 'SEMAC' for the purposes of the Plan.

Consultation

The decision to reduce AFMA's MACs from 12 to 6 has its origins in a Cost Reduction Working Group (CRWG) process that was conducted throughout 2007/08. Key industry stakeholders were represented in the CRWG and it invited input to their report from all AFMA stakeholders in March 2008.

In addition, two stakeholder workshops held in October and December 2008 considered the proposal to reduce AFMA's MACs from 12 to 6. Both workshops were attended by approximately 40 people, with representatives from MAC Chairs, MAC Executive Officers, Industry, Environment/Conservation Groups, researchers, recreational fishers and State and Commonwealth Government agencies. The workshops expressed good support for the 6 MAC structure.

Further, on 18 February 2009, the AFMA Chief Executive Officer wrote to all stakeholders seeking their views on the proposed restructure of AFMA's MACs and the dual advisory model. The submissions from stakeholders indicate good support from stakeholders for the rationalisation of AFMA's MACs. AFMA has provided ongoing updates to relevant MACs and Resource Assessment Groups on the revised structure of SEMAC.

The AFMA Commission determined the Plan Amendment on 5 November 2010.

After determining the Plan Amendment, AFMA informed the Minister for Agriculture, Fisheries and Forestry (the Minister), in accordance with subsection 18(1) of the Management Act, of the consultations it conducted and the nature of the representations it received before determining the Plan Amendment. The Minister subsequently accepted the Plan Amendment.

Notification of the determination and acceptance of the Plan Amendment was published in the *Commonwealth of Australia Gazette* in accordance with subsection 19(1) of the Management Act.

The Plan Amendment is a legislative instrument for the purposes of the *Legislative Instruments Act 2003*.

Regulation Impact Statement

The Office of Best Practice Regulation (OBPR) has advised that it considers the amendments will have 'minor and machinery impacts' and therefore no further analysis is required in the form of a Regulation Impact Statement (OBPR Reference No. ID11505).

The Amendments

Details of the Plan Amendment, which commenced on the day after registration on the Federal Register of Legislative Instruments, are set out below.

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| Section 1 | Provides for the Plan Amendment to be cited as the <i>Southern Squid Jig Fishery Management Plan Amendment 2010 (No. 1)</i> . |
| Section 2 | Provides that the Plan Amendment commences on the day after it is registered on the Federal Register of Legislative Instruments. |
| Section 3 | Provides that the Plan is amended as per Schedule 1. |
| Schedule 1 Item 1 | Amends section 3 of the Plan, replacing the definition of 'SquidMAC' with a definition of 'SEMAC'. |
| Schedule 1 Items 2 to 5 | Replaces the term 'SquidMAC' with 'SEMAC' wherever it appears in the Plan. |