

1991

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

SENATE

FISHERIES ADMINISTRATION BILL 1991

SUPPLEMENTARY EXPLANATORY MEMORANDUM

Amendments to be moved on behalf of the Government

(Circulated by authority of the Minister for Primary Industries  
and Energy, the Hon Simon Crean MP)



## **FISHERIES ADMINISTRATION BILL 1991**

### **GENERAL OUTLINE**

These amendments aim to strengthen conservation aspects of the Bill. The objectives of AFMA are modified to reflect the principles of ecologically sustainable development. Environmental input into the Board of AFMA and the Fishing Industry Policy Council is strengthened.

The role of the Remuneration Tribunal in determining remuneration and allowances paid is clarified as are certain matters relating to management advisory committees.

### **FINANCIAL STATEMENT**

The amendments will have no direct financial impact.

## NOTES ON CLAUSES

### Clause 4 - Interpretation

1. The definition of 'fishery' has been modified to include a 'type' of fish as well as a species of fish.
2. New sub-clause (2) makes it clear that a fishery or a managed fishery may be identified either by reference to an area or to some other characteristic.

### Clause 6 - Objectives

3. Paragraph (b) has been expanded to ensure that fisheries are managed in accordance with the principles of ecologically sustainable development and in particular that consideration is given to the impact of fishing on both non-target species and the marine environment.

### Clause 7 - Functions

4. Paragraph (e) has been amended to replace 'Australian fisheries' with 'fisheries managed by the Authority' to make it clear that it is AFMA's function to determine research priorities only for those fisheries for which it has management responsibility.

### Clause 9 - Consultation

5. The words 'persons, bodies or Government, including' have been added to the preamble to sub-clause (1) to make it clear that AFMA is not restricted to consulting with the bodies listed in the sub-clause.
6. Paragraph (b) of sub-clause (1) has been amended to include the Commonwealth Government and Commonwealth authorities among the bodies with which AFMA may consult.

### Clause 30 - Selection of nominees

7. In sub-clause (1) 'marine ecology' is added to the areas of expertise which should be represented on the Board of AFMA.

### Clause 34 - Remuneration and allowances

8. The amendments to sub-clauses (1) and (2) make it clear that it is only the Presiding Member of a Selection Committee who is entitled to be remunerated. The amendments also specify that other members of the Selection Committee are entitled to a travelling allowance only.

#### Clause 56 - Management advisory committees

9. Sub-clause (3) is amended to require AFMA to consult with the members of a management advisory committee before it varies the committee's functions and powers.

#### Clause 62 - Appointment of members

10. New sub-clause (2A) requires AFMA to include on each management advisory committee, where practicable, an appropriate number of fishermen with experience in the fishery being managed.

#### Clause 67 - Remuneration and allowances

11. Sub-clause (4) now specifies that a member of a management advisory committee is entitled to a travelling allowance only. The amendment to sub-clause (3) permits the Remuneration Tribunal to determine the appropriate level of this allowance.

#### Clause 98 - Functions of Council

12. Paragraph (c) of sub-clause (1) has been amended to require the Fishing Industry Policy Council to consider matters related to the ecologically sustainable development of fisheries in developing its advisings to the Minister.

#### Clause 102 - Constitution of Council

13. In paragraph (c) of sub-clause (1) reference to the Chairperson of the Fishing Industry Research and Development Council is replaced by reference to the Chairperson of the Fisheries Research and Development Corporation.
14. Separate representatives of environmental interests and consumer interests are now to be included on the Council.

#### Clause 111 - Remuneration and allowances

15. Amendments to this clause make it clear that members of the Fishing Industry Policy Council (other than the Chairperson) are entitled to a travelling allowance only. Amendments also allow the level of such travelling allowance to be determined by the Remuneration Tribunal.