



**The Hon Niall Blair MLC**  
Minister for Primary Industries  
Minister for Regional Water  
Minister for Trade and Industry

OUT17/48277

The Hon Robert Brown MLC  
Chair  
Legislative Council Portfolio Committee No. 5 – Industry and Transport  
Parliament House  
SYDNEY NSW 2000

Dear Mr Brown

I am writing to advise you of my intention to commence sections of the *Fisheries Management Amendment Act 2015* (the Act) and make regulation amendments to support these sections of the Act. This is the fourth in a series of regulations to implement the commercial fisheries reforms.

The *Fisheries Management Legislation Further Amendment Regulation 2017* will now:

- (a) make provision for the conduct of a poll of shareholders affected by a redefinition proposal, which is a proposal by the Minister for Primary Industries to change the description of a share management fishery or to amalgamate or replace classes of shares in a share management fishery, and
- (b) remove the requirement for a person to be registered as an eligible fisher before the person can be nominated by a fishing business owner in a share management fishery or a restricted fishery to take fish on behalf of the fishing business owner.

It was always envisaged that at times it would be necessary to redefine a fishery, for example amalgamating the Northern and Southern Spanner Crab fisheries, so that arrangements could be improved. Proposal (a) above will provide for these circumstances.

The Regulation will set out the process for determining majority support for a proposal to redefine a share management fishery through a poll of affected shareholders. The Regulation will recognise the investment of each shareholder by giving shareholders with greater investment a greater say in redefinition polls. A redefinition proposal that has majority support may be implemented without triggering statutory compensation provisions under the *Fisheries Management Act 1994*. This process has been developed in consultation with commercial fishers.

If you require additional information or wish to discuss this matter further, please contact Ms Miranda Pade, Policy Advisor in my office on (02) 8574 7167.

Yours sincerely

06 DEC 2017



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