

# Sustainable Fisheries Strategy

2017–2027

## Results of consultation: Proposed changes to Spanish mackerel filleting at sea

### Summary

Targeted consultation took place from 3 March 2021 to 26 March 2021 on proposed amendments to the Fisheries Declaration 2019 (the Declaration) to restrict the filleting of east coast Spanish mackerel by commercial fishers, unless authorised under a filleting permit issued by the chief executive.

A letter advising of the proposed changes and the rationale behind the proposal was emailed to all holders of a Spanish mackerel (SM) fishery symbol, representing all commercial fishers with access to the east coast Spanish mackerel fishery. Recipients of the letter were given the opportunity to submit a written response via email or post with feedback on the proposed changes or suggested alternatives.

A total of 12 emails and 3 letters were received, along with 4 phone calls. Most responses were from commercial fishers with a small number of submissions from seafood processors and commercial fishing organisations.

Responses to the consultation demonstrated a lack of support for the proposed changes with most against the changes. However, more than a third of the responses did not indicate support for or against the changes.

Several common themes emerged in the written submissions, most commonly that Spanish mackerel filleting is:

- critical for the ongoing operation of their businesses;
- not an issue that requires management intervention; and
- largely self-regulated due to strong market preferences.

Respondents also indicated that the department should be focussing on non-compliance in the recreational fishing sector and that the proposed changes were impacting everyone rather than just non-compliant fishers.

A total of 9 responses were received on other options to address the issue of unrestricted filleting. The most common suggestion was to allow filleting to continue unrestricted and instead educate fisheries officers to properly identify and measure Spanish mackerel fillets. Other suggestions included:

- Allow filleting and let market preference regulate filleting.
- Allow filleting and only require non-compliant fisheries to hold a filleting permit.
- Restrict filleting but allow under conditions on the primary commercial fishing licence rather than requiring a permit to be issued and paid for.
- Restrict filleting but introduce a grandfather clause for current vessels and operators.

All feedback and suggestions will be considered when making on a decision on the proposed changes.

## Background

Changes to filleting requirements for the east coast Spanish mackerel fishery under the Fisheries (General) Regulation 2019 commenced on 30 September 2020 with the objective of *clarifying existing fishing rules to support ongoing fishing efficiency and compliance*. The changes provided for the chief executive to issue a filleting permit for Spanish mackerel (SM) licences and align with existing requirements for the reef line commercial fishery (RQ) licences, given RQ species are commonly caught on the same fishing trip for SM species.

Following implementation, an issue was identified with the lack of supporting form requirements for Spanish mackerel in Schedule 2 of the Fisheries Declaration 2019. This oversight means that there is currently no legal requirement for commercial fishers to obtain a permit to fillet Spanish mackerel.

It is proposed to amend the existing regulatory provision so that it can function as originally intended, allowing commercial fishers to process east coast Spanish mackerel at sea under the authority of a filleting permit. Ultimately, this will serve to clarify existing fishing rules to support ongoing fishing efficiency and compliance. It also enables a consistent regulatory approach for RQ and SM species that are commonly caught on the same fishing trip.

Commercial fishers in the east coast Spanish fishery were sent a letter with these proposed changes and given the opportunity to provide feedback and offer any alternatives to the proposal.

## Consultation process

The letter with the proposed changes to Spanish mackerel filleting was released for consultation on 3 March 2021. Holders of an SM fishery symbol were notified via email and were given the opportunity to provide comment by 26 March 2021 via email or post. Feedback was also received via phone call.

The letter advised of the proposed changes and included a link to the first round of consultation undertaken in June 2019 through a discussion paper on 'Proposed Amendments to the Fisheries Regulation 2008' (see [daf.qld.gov.au/business-priorities/fisheries/sustainable/fisheries-reforms](http://daf.qld.gov.au/business-priorities/fisheries/sustainable/fisheries-reforms)).

## Respondents

A total of 19 responses were received, including 12 emails, 3 letters and 4 phone calls (figure 1). Most responses were from commercial fishers with the remainder from a seafood processor and a commercial fishing organisation (figure 2).

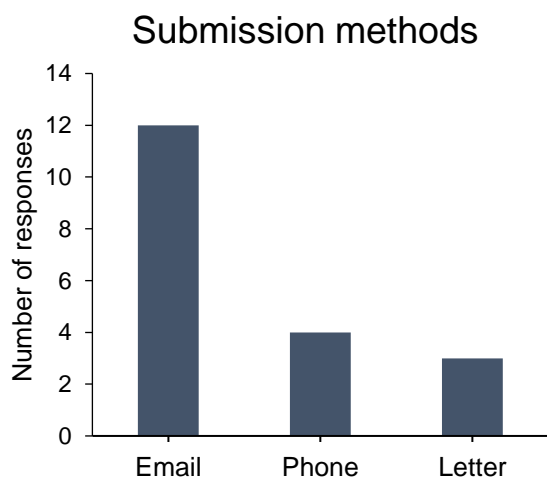


Figure 2: Overview of submission methods

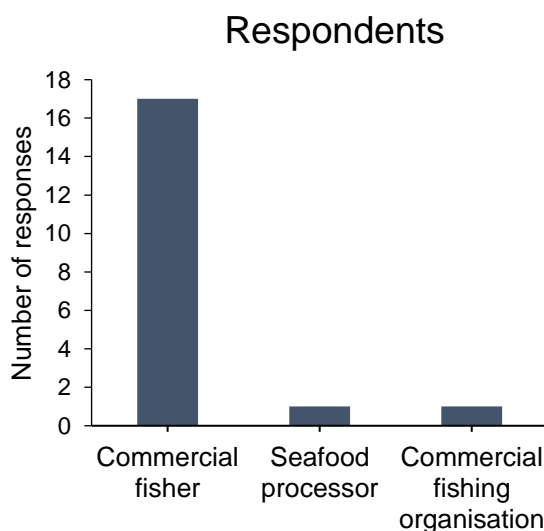
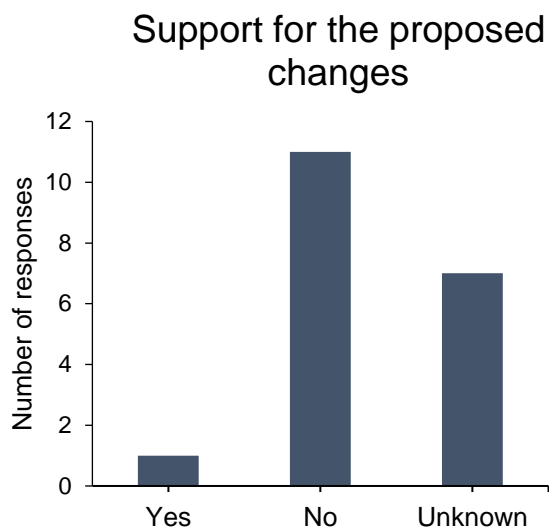


Figure 1: Overview of respondents

## General feedback

Respondents were given the option to give feedback on the proposed changes or offer an alternative to the proposed changes. Most respondents indicated a lack of support for the proposed changes with a single respondent in favour of the changes and the remainder with no clear preference (figure 3).



**Figure 3:** Overview of support for the proposed changes

## Written submissions

Several common themes emerged in the written submissions (figure 4), with many respondents declaring that Spanish mackerel filleting is:

- Essential for the ongoing operation of their businesses;
- Not an issue and therefore does not require management intervention; and
- Largely self-regulated due to strong market preferences for larger fillets with the skin on.

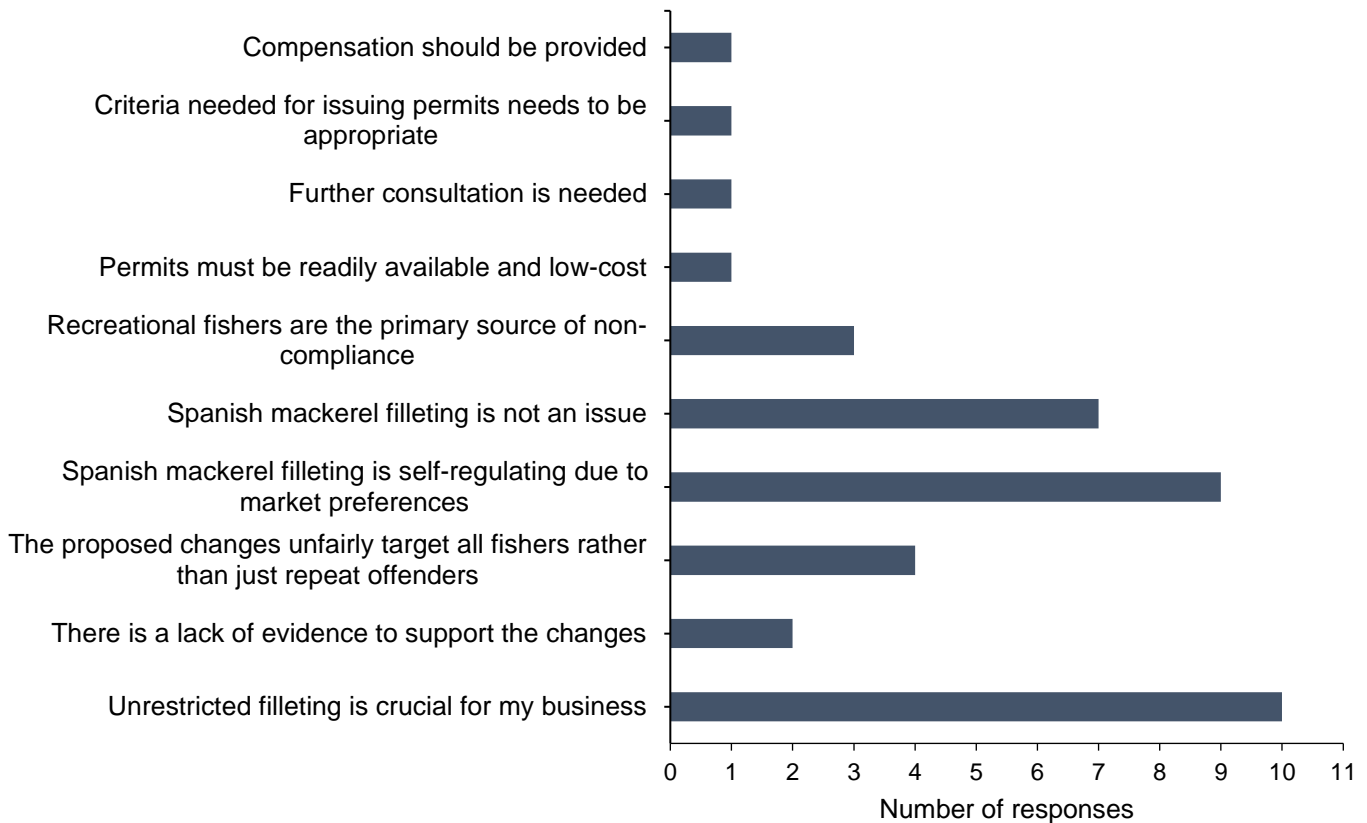
There were also multiple responses suggesting that:

- There is a lack of or questionable evidence to support the changes, particularly in terms of compliance statistics;
- Recreational fishers are the primary source of non-compliance and should be the focus of further regulation and compliance efforts rather than commercial fishers; and
- The proposed changes unfairly impose a cost on all fishers rather than just repeat offenders.

Other responses indicated that compensation should be provided to those that have modified their vessels for filleting, the criteria for issuing filleting permits needs to be appropriate, further consultation is needed and permits must be readily available and affordable.

Respondents that did not indicate a clear preference for or against the proposed changes were usually those that explained Spanish mackerel filleting is essential to their business' operation. As the proposed changes would allow the vast majority of businesses to continue filleting, these responses may be an indication that some respondents did not fully understand the proposed changes.

## Written submissions



**Figure 4:** Overview of written submissions

## Suggested alternatives

A total of 9 alternatives to the proposed changes were suggested by respondents (figure 4). The most common suggestion was to allow filleting to continue without the need for permits and instead focus on better educating fisheries officers to allow the accurate identification and measurement of Spanish mackerel fillets. The next most common suggestion was to restrict filleting as proposed, but issue filleting permits free-of-charge.

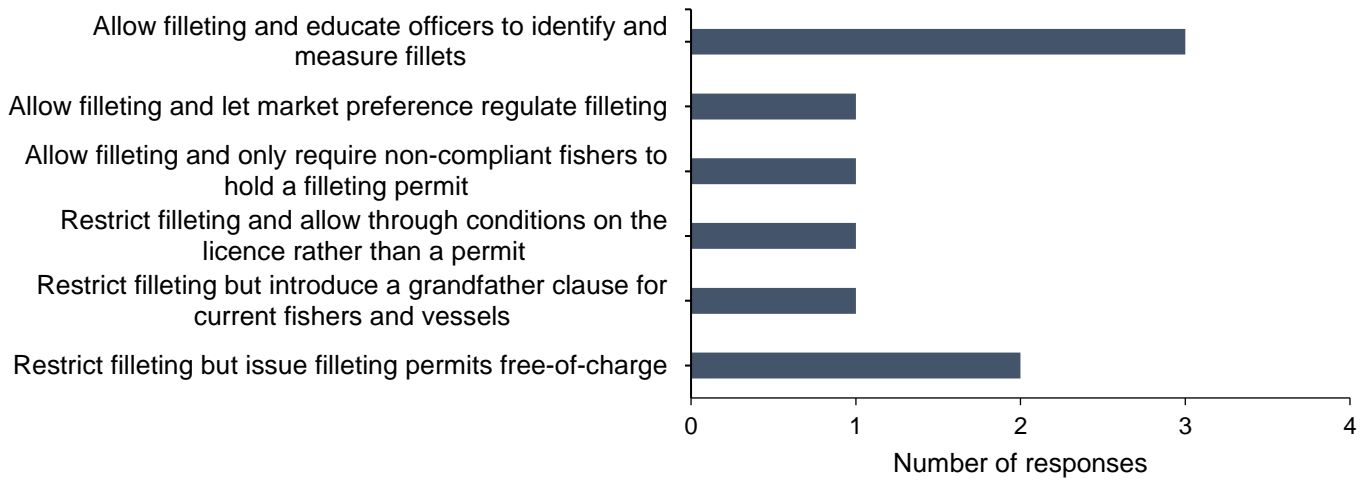
The following alternatives were also suggested:

- Allow filleting and let market preference regulate filleting
- Allow filleting and only require non-compliant fishers to hold a filleting permit
- Restrict filleting but allow under conditions on the primary commercial fishing licence rather than requiring a permit to be issued and paid for
- Restrict filleting but introduce a grandfather clause for current vessels and operators.

## Next steps

Respondents were largely unsupportive of the changes and proposed several alternative options. All feedback and suggestions will be considered when making on a decision on the proposed changes.

## Suggested alternatives



**Figure 5:** Overview of suggested alternatives