



**ARRANGEMENT BETWEEN THE COMMONWEALTH OF AUSTRALIA AND
THE STATE OF QUEENSLAND IN RELATION TO THE GULF OF
CARPENTARIA GREY MACKEREL FISHERY**

AN ARRANGEMENT entered into between the Commonwealth of Australia (the Commonwealth) and the State of Queensland (the State).

WHEREAS:

- (a) On 2 July 2003, an arrangement was made by the Commonwealth with the State under subsection 71(1) of the *Fisheries Management Act 1991* of the Commonwealth (the Management Act) in relation to the Gulf of Carpentaria Grey Mackerel Fishery, published in the Commonwealth of Australia Gazette No.GN 26 at page 1921 to 1923, providing for the management of that fishery by the Queensland Fisheries Joint Authority in accordance with the law of the State.
- (b) This arrangement was subsequently terminated pursuant to subsection 75(1) of the Management Act in an instrument titled “*Termination of an Arrangement Between the Commonwealth of Australia and the State of Queensland in Relation to the Gulf of Carpentaria Grey Mackerel Fishery*” approved by the Commonwealth Minister on behalf of the Commonwealth and the Minister of the State.
- (c) Subsection 72(1) of the Management Act provides that the Commonwealth may make an arrangement with a State with respect to a particular fishery in waters relevant to the State (not being a fishery to which an arrangement under subsection 71(1) applies) and that is wholly or partly in waters on the seaward side of the coastal waters of the State, to be managed by the State in accordance with the law of the State.
- (d) The waters relevant to the State are, by operation of subsection 58(2) of the Management Act, defined to include the coastal waters of the State and the Australian Fishing Zone. In addition, section 73 of the Management Act provides that an arrangement under Division 3 of Part 5 of the Act does not have any effect in relation to any area within the Protected Zone or, if there is in force a Proclamation under subsection 15(1) or (2) of the *Torres Strait Fisheries Act 1984* in relation to an area adjacent to the Protected Zone, any activities within that area to which that Act applies by virtue of the Proclamation.
- (e) Subsection 132(1) of the *Fisheries Act 1994* of the State (State Act) empowers the State to make an arrangement with the Commonwealth under *inter alia* subsection 72(1) of the Management Act.

- (f) Both the Commonwealth and the State are desirous of exercising their respective powers under the Management Act and State Act to make a further arrangement for the management of the fishery by the State.

THEREFORE in accordance with the Management Act and the State Act and all other enabling powers it is mutually arranged as follows:

1. Pursuant to subsection 72(1)(b) of the Management Act, the Commonwealth and the State hereby arrange that the fishery referred to in paragraph 2 is to be managed in accordance with the law of the State.
2. The fishery to which this arrangement applies is the fishery in waters relevant to the State, being coastal waters and waters of the Australian Fishing Zone that lie within the "Scheduled area for Queensland" as described in Schedule 1, item 3 of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* of the Commonwealth, that is west of 142 degrees 31 minutes 49 seconds East longitude for:
 - (a) commercial fishing for Grey Mackerel (*Scomberomorus semifasciatus*); and
 - (b) the taking of incidental catch of finfish by a person fishing for Grey Mackerel under an authority granted under the law of the State.
3. This arrangement takes effect on the day after it is published in the Commonwealth of Australia Gazette.

DATED the 20 day of AUGUST 2021

<p>SIGNED for and on behalf of the Commonwealth of Australia by Senator the Hon. Jonathon Duniam Assistant Minister for Forestry and Fisheries Jonathon Duniam 20/08/2021</p>	<p>SIGNED for and on behalf of the State of Queensland by the Hon Mark Furner MP Minister for Agricultural Industry Development and Fisheries and Minister for Rural Communities Mark Furner 04/08/2021</p>
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