

House of Representatives

Supplementary Order Paper

Wednesday, 28 September 2022

Fisheries Amendment Bill

Proposed amendments

Todd Muller, in Committee, to move the following amendments:

Clause 13

In *clause 13(2)*, *new subsection (ba)(iii)* of section 72(5), replace “.” (page 9, line 34) with “; or”.

In *clause 13(2)*, after *new subsection (ba)* of section 72(5) (page 9, after line 34), insert:

- (bb) the fish or other animal that was aquatic life that was returned or abandoned was damaged as a result of unavoidable circumstances (for example, diseased, predated, or contaminated fish); or

Explanatory note

This Supplementary Order Paper amends the Fisheries Amendment Bill. It would provide a generic defence for the offence of returning fish if they are damaged as a result of unavoidable circumstances (for example, diseased, predated, or contaminated fish). The Bill currently contains a provision in *new section 72A(2)(b)(ii)* to allow for an instrument to be approved to return a stock or species which is damaged as a result of unavoidable circumstances. To ensure that any fish of any species can be returned in this circumstance, the Minister would need to make an instrument that lists all species in the quota management scheme. Including this provision in the Act as a defence would be administratively simpler.