

## Appendix 1a.

### EXAMPLE LETTER ONLY

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30 May 2003

Dear Licence holder

#### **Criteria for assessing renewal applications for primary commercial boat licences endorsed with L4 or L5 fishery symbols**

I refer to my letter dated 6 May 2003 enclosing a copy of the policy of the Queensland Fishery Joint Authority (QFJA) titled *Policy Guidelines for Writing QFJA Fishery Symbols on Commercial Fishing Boat Licences* (the policy). That letter drew attention to the relevance of the policy to applications for renewal of licences that have an L4 or L5 fishery symbol.

The policy will be a matter taken into account when any application to renew a licence with an L4 or L5 fishery symbol is considered. The policy aims to ensure the objectives of the *Fisheries Act 1994* are met, particularly by ensuring that latent fishing effort does not pose an unacceptable threat to the sustainability of line caught fish stocks, particularly Spanish mackerel, in the Gulf of Carpentaria.

The QFJA is mindful that you be provided with as much notice of the policy as possible and for you to be able to consider the effect that application of the policy may have on your particular circumstances. I wish to point out that this letter is not a decision regarding the renewal of your licence endorsed with L4 or L5 fishery symbols, and that such decision will be made at the time of assessing an application for renewal. When you apply to renew your licence you are entitled to raise any matter you wish the decision maker to consider, including any matters relevant to the way the policy should be had regard to.

The policy provides that no new L4 and L5 fishery symbols be granted (Section 7.1) and that renewal of those symbols on existing licences is to be subject to certain conditions. In particular Section 7.2 of the policy restricts renewal of L4 and L5 fishery symbols to those licences with a demonstrated history of participation in the fishery prior to 18 September 2002 at a commercial level. The purpose of this letter is to explain the criteria that will be used for assessing whether a licence holder can demonstrate such a history.

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In considering applications involving the renewal of L4 and L5 fishery symbols, the QFJA will assess the level of fishing catch and effort under the symbol as detailed in logbook returns for fishing activities up to and including 18 September 2002 and lodged with the Queensland Fisheries Service (or the former Queensland Fisheries Management Authority by 6 December 2002).

Licences will be assigned to one of the following three categories as follows:

1. Those licences where greater than 200 kilograms whole weight of fish was caught under the L4 or L5 fishery symbol on the licence in either of the periods:
  - (a) 1 January 2001 to 31 December 2001; or
  - (b) 1 January 2002 to 18 September 2002.
  
2. Those licences where:
  - (a) Greater than 200 kilograms whole weight of fish was caught under the L4 or L5 fishery symbol on the licence in at least two of the years in the period from 1995 to 2000; or
  - (b) Greater than 500 kilograms whole weight of fish was caught under the L4 or L5 fishery symbol on the licence in at least one of the years in the period from 1995 to 2000.
  
3. Those licences that do not meet the criteria for category 1 or 2 above.

The recorded history of line fishing activity under the L4/L5 fishery symbol attached to licence XXXXXXXX, with boatmark **XXXX** is as follows:

	1995	1996	1997	1998	1999	2000	2001	2002
<b>Catch (kg)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

For the purposes of the application of the policy, licences in category 1 would be considered to have demonstrated a history of participation in the fishery prior to 18 September 2002 at a commercial level. Holders of licences in category 2 will be invited to demonstrate whether there were particular circumstances whereby they were unable to operate under their L4 or L5 symbol at a level sufficient to meet criteria 1. Those licence holders that are able to demonstrate such circumstances will be considered to have demonstrated a history of participation in the fishery prior to 18 September 2002 at a commercial level.

Those licence holders in category 3 would normally not be considered to have demonstrated a history of participation in the fishery prior to 18 September 2002 at a commercial level. However I would again like to stress that you will be provided an opportunity to put forward any material that you feel is relevant to the decision of whether or not your licence with an L4 or L5 fishery symbol should be renewed. I would also like to reiterate that a decision on the renewal of your licence has not been made at this time.

I invite you to provide written comment on the proposed criteria to be used in determining whether licences with an L4 or L5 fishery symbol have demonstrated a history of participation in the fishery prior to 18 September 2002 at a commercial level. Such comment should reach the QFJA before renewal of your licence.

If you have any questions, or require another copy of the policy, please do not hesitate to contact Ms Jodi Hufer on telephone (07) 3225 2550.

Yours sincerely

Mark Elmer

**Manager, Reef, Line, Harvest, Development Fisheries  
Queensland Fisheries Service**