MANAGING COMMERCIAL FISHERIES

The Torres Strait Treaty defines the maritime boundaries between Australia and Papua New Guinea. The Treaty sets out a framework to guide Australia and Papua New Guinea in providing for the management, conservation and sharing of fisheries resources in and around the **Torres Strait Protected Zone** The primary purpose of the *Torres Strait Treaty* is to protect the way of life of traditional inhabitants within the Torres Strait Protected Zone.







The **Torres Strait Fisheries Act 1984** provides the legal framework for the management of marine resources in the Australian area of the Torres Strait Protected Zone as defined by the Torres Strait Treaty. *1984 TheTorres Strait Fisheries Act* establishes the **Protected Zone Joint Authority.**

THE PROTECTED ZONE JOINT AUTHORITY is responsible for the management of all fisheries in the Australian area of the Torres Strait Protected Zone and is made up of:

The Chair of the Torres Strait Regional Authority The Commonwealth Fisheries Minister

The Queensland Fisheries Minister

The Protected Zone
Joint Authority is
supported by a number
of government agencies

The Torres Strait Regional Authority aims to improve the lifestyle and well-being of Torres Strait Islander and Aboriginal people living in the region.

The Australian Fisheries Management Authority

is responsible for the efficient management of Commonwealth fishery resources on behalf of the Australian community.

The Department of Agriculture develops and implements policies and programs that ensure Australia's fisheries remain competitive, profitable and sustainable.

The Queensland Department of Agriculture Fisheries and Forestry acts as an agent for the Protected Zone Joint Authority in day-to-day management of fisheries licensing of commercial fishers operating in the Torres Strait.

The Protected Zone
Joint Authority manages
the following Torres
Strait fisheries:

Traditional Fishing

Finfish*

Crabs

Trochus

Bêche-de-mer

Fisheries subject to catch sharing (Australia-Papua New Guinea)

Tropical Rock Lobster*

Pearl shell

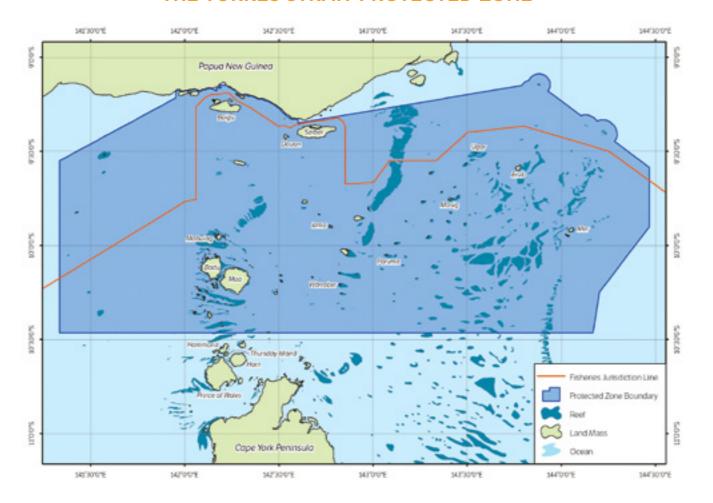
Prawn

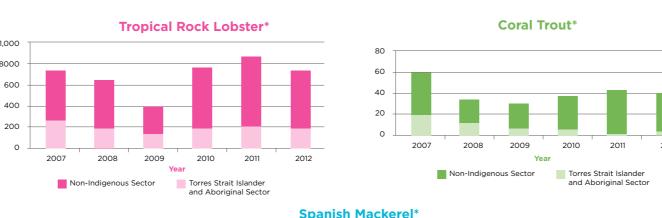
Dugong & Turtle

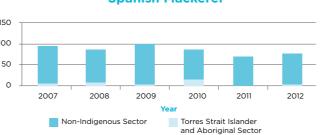
Spanish Mackerel*

Barramundi

THE TORRES STRAIT PROTECTED ZONE







TORRES STRAIT REGIONAL AUTHORITY
PO BOX 261, THURSDAY ISLAND, QUEENSLAND 4875
TELEPHONE: 07 40 690 700 FAX: 07 40 691 879 EMAIL: INFO@TSRAGOVAU





TORRES STRAIT COMMERCIAL FISHERIES

Torres Strait Islanders are sea-faring people.

Torres Strait buai giz, pe gur le uridli (Meriam Mer)
Torres Straitaw Lagalgal maluw
mabaygal (Kala Lagau Ya)





We have strong cultural, social and economic links to the sea; it is a part of our community.

Keriba au kelar kelar kobegud atami, gur ge pako keriba ged (uteb) (Meriam Mer)

Ngoelmun pawa, danalgaw zapul a koemathal aymay dagamul koey kunakannga peolemka malukakidh; na ngoelmun buway dagamuwnga (Kala Lagau Ya)

Fishing for trade and food has been an important part of our history and it will continue to be a critical part of our future and the future of our children and grandchildren.

Mekik a lu wairaple obaiswele (lewerkem) Keriba tonar kikem kerkerlam mena bakedida peirdi Yano obataier, kes kerbi omasker em apako iaba omasker

Wapi may koezikaz thayayka a ayka ngoelmun kulay thonaraw mamal dagam a na kay bangal matha mekakuruyg ngoelmun kazika a ngepaka (Kala Lagau Ya)



EMPOWERING OUR PEOPLE, IN OUR DECISIONS, IN OUR CULTURE, FOR OUR FUTURE.





A HISTORY OF TORRES STRAIT **COMMERCIAL FISHERIES**



State Library of Queensland

The Torres Strait became a centre for commercial pearling and Bêche-de-mer fishing in Australia

Throughout the Torres Strait,

Communities developed

specialisation in the

Apart from being food for communities,

marine resources played an important

order to fish for these marine resources,

large outrigger canoes that could remain

at sea for long periods and hold large sea

Torres Strait Communities developed

animals such as dugongs and turtles

development of certain

products that supported a

system of trade in the region

Courtesy of John Oxley Library, State Library of Queensland

Non-Indigenous commercia fishing for Tropical Rock Lobster began in the Torres Strait



CATCH SHARING

Under the Treaty, Australia and Papua New Guinea Torres Strait Protected Zone. This includes catch wo countries as to how much of the total catch between the countries in the Australian area of the Torres Strait Protected Zone is currently as follows

Tropical Rock Lobster, Prawn and Pearl Shell

6341 Dr Wilhelm Rechnitz Papers, John Oxley

- Australia 60%
- Papua New Guinea 40%

Torres Strait Prawn Fishery began

 Torres Strait Prawn Fishery comprises 74 licences

1978

1980

• 20 vessels licenced to fish in the Torres Strait for Mackerel

Landmark Mabo High Court Decision

Torres Strait Prawn Fishery comprises 110 licences

Effort controls introduced to the Torres Strait Prawn Fishery

 Tropical Rock Lobster Fishery comprises 25 primary vessel licences and 75 tenders in the non-Indigenous sector

February 1

- Darnley Exclusion Zone introduced to the Torres Strait Prawn Fishery to protect pearl shell beds
- West of Warrior Reef Exclusion Zone introduced

The Torres Strait Regional Authority established under the Aboriginal and Torres Strait Islander Commission Act 1989

 Sandfish becomes prohibited species in the Beche-de-mer Fishery due to overfishing

February 😘

• Torres Strait Prawn Fishery comprises 82 licences

- All commercial fisheries in the Australian area of the Torres Strait Protected Zone come under the management of the Protected Zone Joint Authority
- Bêche-de-mer Fishery becomes limited entry one non-Indigenous licence issued This licence is non transferable
- Management of the Mackerel Fishery expanded to include four other species of Mackerel (school, grey, spotted and shark)

Tropical Rock Lobster Fishery comprises

• Torres Strait Fisheries Act 1984 commences

• The Protected Zone Joint Authority established

Torres Strait Treaty ratified and comes into force

Strait Treaty the Torres Strait Prawn Fishery

Queensland East Coast Fishery (Torres Strait

Prawn Fishery had expanded to 500 vessels)

becomes managed as a separate fishery

to the Northern Prawn Fishery and the

Following the ratification of the Torres

14 primary boats and 150 tenders

 Trawling for Tropical Rock Lobster banned in the Torres Strait

Torres Strait Fisheries Regulations

1985 commences operation

February 1985 🚺

• the inaugural Torres Strait Treaty meeting held between Australia and Papua New Guinea

1987

 Limited entry introduced to the Torres Strait Prawn Fishery number of licences reduced to 150

 Stock assessment commences for Tropical Rock Lobster Fishery

Three Torres Strait Prawn Fishery entitlements issued to Torres Strait Islanders to participate in the Fishery

THE TORRES STRAIT SEA CLAIM DECISION

Akiba on behalf of the Torres Strait Regional Sea Claim Group v Commonwealth of Australia [2013] HCA 33 7 August 2013 B58/2012 (Torres Strait Sea Claim Part A).

The 2013 High Court decision provides legal recognition of the historic and cultural significance of marine resources to Torres Strait Islander and Aboriginal People and recognises a native title right to take fish and other marine resources for any purposes including commercial purposes

The decision supports the transition of fisheries to 100 per cent orres Strait Islander ownership, an aspiration that will work owards Closing the Gap targets in the Torres Strait while also acknowledging the cultural and Native Title significance of commercial isheries and the economic opportunities they provide.

2013/

Torres Strait Sea Claim Part A (Torres Strait Islander) and Part B (Kaurareg) lodged

Torres Strait Prawn Fishery comprises 78 licences

• The Torres Strait Fisheries Act 1984 is amended to make the Torres Strait Regional Authority Chairperson a member of the Protected Zone Joint Authority

 Surf Redfish and Black Teatfish become prohibited species in the Beche-demer Fishery due to overfishing

 Islander docket book system introduced to collect catch data from the Traditional Inhabitant Boat Sector

July

 The Protected Zone Joint Authority agrees to transition the Tropical Rock Lobster Fishery to quota management

 Buy-back in the Torres Strait Prawn Fishery commences aimed at removing 25% from the Australian share of quota to be held in trust for Papua New Guinea as an article 22 Fishery. 16 licences and approximately 2,333 fishing days removed

February 2006 🚺 Torres Strait Islander and Aboriginal entitlements in the Torres Strait Prawn Fishery surrendered to support • the buy-back in the Torres Strait Finfish Fishery

September + Tropical Rock Lobster Fishery comprises 24 primary vessels and 63 tenders in the non-Indigenous sector

 Buy-back of Tropical Rock Lobster Fishery Non-Indigenous licences complete (13 primary vessels, 34 tenders remain)

• Torres Strait Fisheries Regulations 1985 commences operation

February >

• Finfish Quota Management Committee established to manage the community owned entitlements in the Torres Strait Finfish Fishery

· All Non-Indigenous finfish licences surrendered to the Protected Zone. Joint Authority Torres Strait Finfish Fishery becomes 100% owned by Torres Strait Communities

· Finfish leasing commences

 Torres Strait Finfish Fishery buy-back complete 23 non-Indigenous licences removed from the fishery. Becomes first commercial fishery 100% owned by Torres Strait Communities.

2009

The Torres Strait Prawn Fishery Management Plan introduced

Deliverance Island and Kerr Islet Exclusion Zones introduced to the Torres Strait

2014

Indigenous Fisheries Advisory

The Protected Zone Joint Authority agree

to a voluntary buy-back of Non-Indigenous

Prohibition on live coral trout removed

The Torres Strait Prawn Fishery

Tropical Rock Lobster Fishery

vessels, 33 tenders remain)

buy-back complete (12 primary

· The Full Federal Court hands down its decision

an appeal of the Federal Court's Decision

claim area do not "extend to taking of fish

and other aquatic life for sale or trade'

Torres Strait Finfish Fishery

Management Plan introduced

from July 2010 The Full Federal Court found that the native title rights over the sea

regarding Torres Strait Sea Claim Part A,

comprises 61 vessels

from the Torres Strait Finfish Fishery

licences in the Tropical Rock Lobster Fishery

Committee established

September >

February 🕻

 The Torres Strait Regional Authority Board agrees to pursue 100% Torres Strait Community ownership of all Commercial fisheries in the Australian area of the Torres Strait Protected Zone

The High Court hands down decision regarding

Torres Strait Sea Claim Part A The decision overturned the Full Federal Court decision from March 2012 and found that the native title rights in the sea claim area include the right to take fish for commercial or trading purposes

 The Protected Zone Joint Authority acknowledges and supports the aspiration of Torres Strait Communities to own 100% of commercial Ffsheries in the Australian area of the Torres Strait Protected Zone

· Malu Lamar is appointed as the Registered Native Title Body Corporate for the Sea Claim Area Part A

Tropical Rock Lobster Fishery

Torres Strait Finfish Fishery

Native Title Decisions

Torres Strait Prawn Fishery

3000 years ago

Williamson Collection, University of

Newcastle (Australia)

The Torres Strait

From the time of our ancestors to the present day, let us continue to breathe on the embers to keep the fire burning " Ephraim Bani