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Committee Secretary
Joint Standing Committee on Treaties
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Hon. Peter Garrett,
minister for Environment Heritage and the Arts
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Hon. Tony Burke
Minister for Agriculture, Fisheries & Forestry
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Dear Sirs,

Proposed Ban on Mako Shark Fishing

I am writing to you as a concerned angler, with that concern relating to the proposed ban on recreational fishing for three shark species, namely the Shortfin Mako, Longfin Mako and Porbeagle Sharks

I have grown up with a fishing rod in my hands from a very small age. It has taught me many things – a love for nature, patience, respect for the environment and my common man, not to mention keeping me out of trouble when many others without such a passion were distracted by anti social behaviour. From an economic point of view, I have spent, and continue to spend (as my bank balance can testify), a significant amount of money on fishing-related items, contributing not only to the Victorian, but also the National economy. To that end, a recent Ernst & Young report concluded recreational fishing brings in around \$2.3 billion annually to Victoria, with the game fishing component (which includes Mako Shark fishing) being worth around \$100 million dollars.

My concern with the proposed ban is that it will impact not only on my passion in life, but also that of my friends, my future children, and some of the around 4 million Australians that fish annually. The ban appears to be based on a premise that is completely unrelated to the situation in Australia, and is a result of low stocks in Mediterranean waters, being waters around 15,000 kilometres and in a different hemisphere to ours. Further, due to flaws in the Australian Environment Protection and Biodiversity Conservation Act (EPBC), the EPBC seeks to impose a tighter level of protection than anticipated by Appendix II of the Convention on the Conservations of Migratory Species (CMS).

6274 Mako Sharks have been tagged and released under a NSW fishing program. Despite this significant number, none have ever been recorded as being caught in the Mediterranean Sea, suggesting in fact that the Mako Sharks frequenting Australian shores are not in fact migratory, which makes it even questionable the local Sharks should even be covered by the CMS.

Interestingly, from my understanding, this ban is to only apply to recreational angles, and not commercial fisherman. Given many recreational fisherman engage in catch and release of this species, or only keep what they can eat, and the significantly greater catch rates and range of commercial fisherman, this would appear to be at odds with a genuine intention to protect

the species, as the party that has a greater impact on the species would not be affected by the proposed ban.

From my research and understanding, these three species were added to those animals covered under Appendix II of the (CMS). Appendix II of the CMS requires the stocks of that species to be carefully managed to conserve the species. These three species were not added to Appendix I, which provides tighter controls. However, due to a flaw in the current EPBC, the tightest level of control is automatically applied in Australia, despite this being clearly inconsistent with the less stringent control in Appendix II of the CMS. I understand this flaw has been identified in the Hawke Report, and as a consequence, one would expect an amendment to be made to the EPBC. As such, it is submitted that the best course for the Ministers to take, and the Committee Secretary to recommend, would be the granting of an interim exemption as is allowed under the EPBC.

In granting an interim exemption, aside from allowing the faulty legislation to be remedied, time would become available for a full and transparent consultation to take place between the relevant government departments, and key stakeholders in the Australian fisheries. This would hopefully ensure that proper studies are conducted into whether our local species are in fact in the same position as those in the Mediterranean (which is appears is not the case), and thus allow for a fully informed decision to be made.

In conclusion, I ask the recipients of this letter to make a fully informed decision. Fully informed on the basis of looking at the facts here in Australia, the country of your electorate and those people you represent, and not those from half way around the globe. Fully informed on the basis of proper consultation with stakeholders in the Australian fishery. Fully informed such that a correct decision can be made, and law abiding anglers not unnecessarily affected by a ban that does not relate to out particular situation.

Kind Regards

William Moore