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Joint Standing Committee on Treaties  
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Hon. Peter Garrett,  
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Hon. Tony Burke  
Minister for Agriculture, Fisheries & Forestry  
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20 January 2010

Dear Sirs,

**Proposed Ban on Mako Shark Fishing**

I refer to the above proposed ban on recreational fishing for the following three shark species:

1. Shortfin Mako;
2. Longfin Mako; and
3. Porbeagle Sharks

As a passionate and long standing fisherman I am concerned about the above proposed bans. Not only do I enjoy catching and releasing Mako sharks but I am also aware of the impact that this may have on our local fishing economy.

Owning and operating a recreational fishing boat is not something one does to save money. It is an expensive passion that attracts tourists to the Warrnambool region throughout the year. It is a valuable past time for families and young children in a small community.

Through my research I have reviewed a recent Ernst & Young report concluding 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. Mako shark fishing, combined with the local recreational tuna in South West Victoria is an large tourist attraction.

The proposed ban will have a large effect on local recreational fishing and would be likely to deter those who intend to come to our local area to catch Mako sharks. My understanding is that the ban is based on a premise that there are low stocks of the above sharks in Mediterranean waters. I don't need to state the distance between Australia and the Mediterranean.

My recent research shows that 6274 Mako Sharks have been tagged and released under a NSW fishing program. None have ever been recorded as being caught in the Mediterranean Sea. I have been unable to find any information supporting the assumption that Mako sharks migrate over such massive distances. My research shows that the Mako Sharks frequenting Australian shores are not in fact migratory.

The most important issue to highlight is that the proposed ban will apply to recreational anglers solely. Not commercial fisherman. It has been my experience that recreational fisherman engage in catch and release of Mako sharks or only keep what they can eat. The larger catches are made by a range of commercial fisherman. If the amendments are to protect the Mako shark as a species then the proposals would seem to be pointless.

The following has taken place:

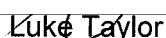
1. The above three shark species were added to those animals covered under Appendix II of the Convention on the Conservation of Migratory Species ("CMS");
2. Appendix II of the CMS requires the stocks of the species to be carefully managed to conserve the species;
3. The three species were not added to Appendix I, which provides tighter controls;
4. Due to what I consider a flaw in the current Australian Environment Protection and Biodiversity Conservation Act ("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;
5. This flaw has been identified in the Hawke Report, and as a consequence, one would expect an amendment to be made to the EPBC;
6. Perhaps the best course for the Ministers to decide, and the Committee Secretary to recommend, would be the granting of an interim exemption as is allowed under the EPBC; and
7. The AEPBC act be amended so that higher levels of protection are not automatically implemented if the species to be covered is not threatened on the basis of our current data. This would need to be considered on a case by case basis.

It would seem important a full and transparent consultation to take place between the relevant government departments and key stakeholders in the Australian fisheries. Studies should be conducted regarding our local species to consider whether they are in fact in the same position as those in the Mediterranean and if they are migratory.

The government clearly needs to either be provided with further information regarding our current stock levels of the three sharks or review in more detail the information that has already been provided by the relevant department. There also needs to be consultation with stakeholders in Australian fisheries.

The ban will unfortunately effect recreational fisherman who, by and large, respect and love Australian waters and certainly do not effect fish stocks to the extent that commercial fisherman do.

Kind Regards

  
Luke Taylor

Copy to: Warrnambool Angling Club