**Terms of reference for the review of the Commonwealth Fisheries Harvest Strategy Policy**

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**Background**

In December 2005, the then Minister for Fisheries, Forestry and Conservation directed the Australian Fisheries Management Authority (AFMA) to undertake a number of actions to improve the economic and biological conditions of Commonwealth fisheries. These included:

AFMA must take a more strategic, science–based approach … consistent with a world's best practice Commonwealth Harvest Strategy Policy that has the objectives of managing fish stocks sustainably and profitably, putting an end to overfishing, and ensuring that currently overfished stocks are rebuilt within reasonable timeframes …

In response, the Australian Government released the ‘Commonwealth Fisheries Harvest Strategy Policy and Guidelines’ (the policy and guidelines, respectively) in September 2007. The then minister subsequently instructed AFMA to implement the policy in all Commonwealth fisheries by January 2008.

The policy has a single objective:

… the sustainable and profitable utilisation of Australia’s Commonwealth fisheries in perpetuity through the implementation of harvest strategies that maintain key commercial stocks1 at ecologically sustainable levels and within this context, maximise the economic returns to the Australian community.

The policy provides a framework for setting targets, limits and decision rules in Commonwealth fisheries. The guidelines explain the biological and economic principles underpinning the policy and provide guidance to interpret and apply the policy. Both the policy and guidelines incorporate key elements of the Fisheries Management Act 1991 and the Environment Protection and Biodiversity Conservation Act 1999.

Harvest strategies consistent with the policy are intended to provide the Australian community with a high degree of confidence that commercial fish species are being managed for long–term biological sustainability and economic profitability and to provide the fishing industry with a more certain operating environment.

While the policy is generally accepted as successful in achieving its objectives, it includes a commitment to review:

The Policy is to be reviewed with a report to be provided to the Minister for Fisheries, Forestry and Conservation and the Minister for Environment and Water Resources within five years of commencement. DAFF (the Department of Agriculture, Fisheries and Forestry) will initiate the review and ensure that stakeholders are involved in the review process.

**Terms of Reference**

The review is to evaluate the following matters:

**1.The Policy Context**

The role and functioning of the policy in relation to the broader legislative and policy environment, including:

* Commonwealth fisheries legislation and policy, including those aspects relevant to other elements of ecologically sustainable development, such as how to manage byproduct
* Commonwealth environmental legislation and policy
* other relevant policies and commitments, including those relating to internationally–managed fisheries
* harvest strategy frameworks and policies applied in other domestic and overseas jurisdictions.

**2.The Guidelines to the Policy**

The appropriateness and adequacy of the guidelines, including:

* lessons learned from implementation, including any gaps or omissions identified
* other areas for improvement, including whether additional guidance is warranted on proxy indicators, reference points and data poor species
* additional technical aspects of, or developments in, fisheries management that might improve the guidelines
* whether the guidelines are sufficiently transparent to inform interested groups and individuals, other than those directly involved in its application.

**3.Implementation**

The implementation of the policy, including:

* whether decisions and actions made by AFMA and the Australian Government have been consistent with the policy
* any issues identified with applying the policy to stocks shared with other Australian jurisdictions
* trends in biological and economic performance of fisheries managed under the policy
* whether the policy has affected the efficiency, certainty and transparency of fisheries management and stakeholder confidence in fisheries management arrangements
* how the policy has been used by Australia in international fisheries management bodies/arrangements
* how implementation of the policy has been reported.

**Outcomes of the review**

A review report will be produced for the Australian Government ministers with responsibility for fisheries and environment. The report will consider issues raised during the review process, which may include consideration of technical aspects of the policy and guidelines, information on implementation and other information requested by the review committees. This report will inform a possible revision of the Commonwealth Fisheries Harvest Strategy Policy and Guidelines.

**Matters outside scope of review**

The setting of individual harvest strategies (e.g. decision rules and trigger points) and other matters particular to individual stocks and fisheries are generally outside the scope of this review. However, lessons learnt from the implementation of individual harvest strategies can inform the review of the guidelines. The associated issue of the Commonwealth’s policy in relation to bycatch will be the subject of a separate review.

**Notes**

1 A key commercial species is defined in the policy as a species that is, or has been, specifically targeted and is, or has been, a significant component of a fishery.