

FACT SHEET

Living Marine Miscellaneous Amendments (Digital Processes) Bill 2021

The *Living Marine Miscellaneous Amendments (Digital Processes) Bill* amends the *Living Marine Resources Management Act 1995* and the *Fisheries (Licence Ownership and Interest) Registration Act 2001* to enable digital transition.

The Bill:

- Restructures general provisions for fisheries licensing to enable automated licensing by a two-stage process: Stage 1 where eligibility to hold a fishing licence is determined by human-based decision making; and Stage 2 where decisions on licence related applications are able to be made by an approved computer program.
- Ensures that existing licence holders and recreational fishers are deemed to be eligible to hold a fishing licence unless their eligibility has been reviewed and revoked by the Secretary.
- Enables the approval of a computer program to be used to make electronic decisions on the grant, renewal, or variation of a licence, and the transfer of a licence quota, or other entitlement under the licence to another eligible person.
- Empowers the Secretary of the Department to override an electronic decision if the approved computer program was not functioning correctly when an electronic decision was made.
- Provides for clear roles for licensing agents appointed by holders of authorisations and holders of abalone quota under deed.
- Devolves responsibility for approving or granting a broad range of applications from the Minister to the Secretary, and enables the Secretary to cancel or suspend a licence in specific circumstances.
- Enables fisheries catch and effort reporting via an approved electronic recording system or via current paper-based logbooks.
- Specifies fisheries officer's powers in relation to electronic documents and devices used for the purposes of the Act and fisheries management plans.
- Combines the register of demerit points and the register of authorisations into one electronic register and ensures that eligible persons may access their own data in the register.
- Repeals the Geocentric Datum of Australia provisions that reference the outdated GDA94.
- Provides for electronic service and provision of documents, electronic signatures, and electronic records of original entry for abalone quota units.