

THE LEGISLATIVE COUNCIL SELECT COMMITTEE ON RECREATIONAL MARINE FISHING IN TASMANIA MET IN COMMITTEE ROOM 2, PARLIAMENT HOUSE, HOBART, ON MONDAY 26 SEPTEMBER 2011.

Mr MARK NIKOLAI, CHIEF EXECUTIVE OFFICER, TARfish, WAS CALLED, MADE THE STATUTORY DECLARATION AND WAS EXAMINED.

CHAIR (Mr Harriss) - Mark, you have been before this committee previously so you understand you are protected by parliamentary privilege. Outside here you are not protected by parliamentary privilege.

Thanks very much in responding so quickly to our invitation to be here again and also for the quite substantial volume of information you provided.

Mr NIKOLAI - In preparing a 10-page document, a wealth of information sits behind it and that is why, when you requested the additional information, I thought that to understand the context of a single response you need to understand the broader picture of what was happening. Some 600 pages of information was contained within that level of information that you requested.

CHAIR - That request from us arose following the range of hearings we have had previously. Also, some of the things we want to talk with you about today have arisen specifically from the documentation you have provided. Could you explain to the committee the current status within TARfish of associate members. It seems to us that, after having looked at the information you provided, the notion of associate members is undefined.

Mr NIKOLAI - Historically our constitution was structure in such a way that we were constitutionally a member-based organisation. So the five major fishing organisations that existed in Tasmania made up the committee structure of TARfish, but an individual person could not join TARfish because the logic, I believe, was that they would join the entities, the fishing clubs and the organisations that sat outside TARfish. TARfish would sit above those, with those member organisations feeding through to the structure of TARfish.

When I came on board, I had some discussions with the committee about the reasoning behind that. They explained that basic logic to me and I did not have a problem with that, but what I was finding after I took over the job was that more and more people wanted to become involved. I would attend the things and they would say, 'How can we get involved in TARfish?'. I went back to the committee, I think it was 12 to 18 months after taking on the job, and said, 'I think a significant number of people want to participate in the activities of TARfish'. So we changed our rules and I think in February 2009 we opened up the constitution to allow individual membership. So a mum and a dad could join TARfish as an associate member and contribute and actively participate in our activities if they so chose.

As of late yesterday afternoon, when I attended Cressy Trout Expo, we have 2 002 associate members. One of the last people I spoke to yesterday came along and said, 'Who is TARfish? What do you do?'. I spoke to him for five minutes and he in a

nutshell said, 'I just want to know there is somebody looking after my interests; how can I help you?'. I said, 'All you need to do is join TARfish. There are no ongoing costs associated with being a member of TARfish.' He said, 'What do I need to do?'. I said, 'You do not need to do anything. It can be a one-way communication process from us. I send out information free of charge to members; I make it publicly available. So, if you want, we can be just an information source. But even if you are not a member, we will still take areas of concern. You can contact us there any time. We have multiple ways of contacting us and we can take issues of concern to the general recreational fishing community up to government processes and other processes that we sit on.' So it is really up to the individual. I do get phone calls from members and non-members in relation to things that they want discussed or they just want to talk about. Because of the breadth of the committees that we sit on and the depth of our workings within the recreational fishing community, both at a State and Federal level, we are across most things. When I talk to people they do not necessarily have all the information that they need. You start saying to them, 'Do you realise the effect of the rock lobster rule announcement in the middle of last week?'. Part of TARfish's role is to communicate in layman's language what the impact of rule changes and regulation changes are to the recreational fishing community, because a lot of the time they are only getting half of the information or bits and pieces of the information and they might not understand the reasons behind the decisions. I can say that we sit on the scientific committees. We see the science and our committee has assessed that there is scientific justification for these decisions. We do not necessarily have to like the decision, but if you are coming at it from a sustainable fishery perspective, which is exactly what we do, then we take that scientific information on board and all the other information provided to us to make an informed decision. A lot of individuals do not have the time to do what we do and to get involved at the depth that we do.

In a nutshell, that is what associate membership is. Any person can join TARfish. There are no restrictions on it. There is no requirement for them to do anything but if they want then they can get involved. We now have two associate members sitting on the TARfish committee - another logical, progressionary step for us in our overall development as an organisation. So we now have the five member organisations. They each have their delegate member. We have three independent people with specific skill sets that we have sitting on the TARfish committee and we also have two associate members. They were nominated through an expression-of-interest process. So they have the ability to actively be involved in the TARfish committee if that is what they want to do. We have a couple of people who put their hand up and said, 'Yes, that is what we want to do', but at the other extreme it can be people just receiving information to keep them informed on what is happening in something that they are acutely interested in.

Mr WILKINSON - You have members and associate members and it seems to me the associate members are the individuals; is that right?

Mr NIKOLAI - That is correct, but they don't have to be an individual. The Wynyard Angling Club is an associate member and the Wynyard Scuba Club is an associate member, so you don't have to be an individual to be an associate member.

Mr WILKINSON - What is the difference?

Mr NIKOLAI - We have full members and associate members. Full members have to pay an annual fee to the association. They have the ability to have a delegate sit on the TARfish Committee and they are actively involved in the decision-making processes of the organisation.

Mr WILKINSON - How many full members are there?

Mr NIKOLAI - Five.

Mr WILKINSON - So you have five full members and 2 002 associate members?

Mr NIKOLAI - Yes.

CHAIR - Can we revisit who the five full members are, please? We are aware from the past and it seems from what you have just mentioned that the changes you made in 2009 addressed some level of criticism that TARfish was not representative of the individuals who wanted to be represented in the recreational fishing industry.

Mr NIKOLAI - That really was not the impetus for the change. From my perspective, and I took it to the committee, I said it wasn't so much that people were saying that we were not representing their interests. It was more that people wanted to become involved and participate in the activities of TARfish, and to me they are two different things. I speak to probably 2 000 to 3 000 individual recreational fishers right around the State every year and they were not saying to me, 'You're not representing our interests' or 'You're not our representative body'. We are not a representative body; we are a peak body and there is a fundamental difference between the two. That is where the impetus came from, from the recreational fishers saying to me, 'We want to get actively involved in the activities of TARfish'.

CHAIR - Okay, and that could have arisen from all sorts of reasons. They wanted to get actively involved because they may have thought there was not the representation for their particular views. That really has answered the question that I was going to raise as to the genesis for that change in your constitution to facilitate that. Flowing from that, before we come to the current structure: what process did you use in terms of a membership drive, if I could put it that way? Were there newsletters to whomever and how did you identify who were recreational fishermen?

Mr NIKOLAI - There are a number of different ways. I think I indicated to the committee previously that I prepare and distribute a quarterly bulletin and they go out through the 40-odd tackle stores around Tasmania. Members get it either e-mailed or posted direct to them. I also have a bulletin subscription list where non-members can say, 'Look, I don't want to become a member but I do want communication coming out from the organisation'. Basically, what I am trying to do is get the information out there as readily as possible for people to get if they are interested in getting it. That is how I try to communicate to the recreational fishing set because there are 125 000 of them and they are very dispersed group of people and very difficult to communicate with. The best strategy is to just get out and talk to people, get out to where they are.

CHAIR - The acronym 'IMAS'?

Mr NIKOLAI - That used to be called TAFI - now the Institute for Marine and Antarctic Studies.

Mr WILKINSON - Can I ask how your membership has improved, decreased or remained the same since you have taken over?

Mr NIKOLAI - The five member organisations have a broad membership base of around 3 000 individuals contained within that structure, so we had no individual membership of TARfish when I first took over the role. I am not aware of any significant reduction in membership of the five member organisations but we have taken on more than 2 000 of our own individual members.

Mr WILKINSON - So approximately 3 000 individuals, but as far as TARfish is concerned from the start to now you have taken 2 002 members and they are new members, so to speak.

Mr NIKOLAI - Yes.

Mr WILKINSON - Has that been increasing since you have taken over or has it had a couple of ups and downs?

Mr NIKOLAI - It certainly has. Yesterday when I got home and counted up the new members just out of the Trout Expo at Cressy there were 61 new members. Once I get in front of people and talk to them that's when they want to join. I am not a pressure salesperson, I like to fish and I like to talk about fishing. When you're sitting at Cressy and there are 1 000 people there who have registered to fish and all they want to do is talk about fishing and how to improve it, that's what they do.

Mr WILKINSON - I do a bit of recreational fishing, mainly on the east coast. What do you say to me if I want to become a member? What's the point of joining TARfish for me?

Mr NIKOLAI - That's a common question; I get it every day of the week. Our membership base and the structure within TARfish gives us, first, recognition with the Government and that gives us the ability to get in front of government and be involved in all the processes that constitute what is happening within the changing environment of recreational fishing and anything that can impact on it. Secondly, it gives us funding. It gives the organisation the opportunity to employ a full-time person, who is me - this is my job and I do it sometimes seven days a week; I am on call all the time - so they always have somebody in their corner looking after their interests seven days a week. The vast majority of people don't actively participate in TARfish but they want to be assured that there's somebody in their corner looking after their interests and making sure that, through the government process, when things change they're changing for the right reasons and their viewpoints are being put into that process.

Mr WILKINSON - But if they don't want to be part of it, how do we know what their interests are?

Mr NIKOLAI - Just because they aren't members of TARfish, I don't draw a line and say, 'Sorry, I'm not going to talk to you. I'm not going to take your views'. I take anybody's views. When people ring up or want to talk to me, I don't say, 'Are you a member of

TARfish?' If somebody brings forward a genuine area of concern, I will take it to the TARfish committee and it will be dealt with appropriately. Anybody who wants to inform us one way or the other can do so, whether it be via e-mail, talking to us, ringing us up, it doesn't matter. If there is an area of concern, it is going to affect more than one person generally. If I get a get phone call from, say, Little Swanport on the east coast, I will ring up my contacts in that area and say, 'I've had somebody ring up and say this is a particular problem. What's your view on it?' We canvass to try to get as much input as we possibly can in determining whether or not we do something about it. If we don't, we ring the person back and say, 'There's additional information' et cetera. Just because there is a very large pool of recreational fishers here in Tasmania, they don't have to be a member of TARfish for their views to be put forward and considered.

Mr WILKINSON - Say, for example, that there was a concern that the Mercury Passage is being dredged by more than one boat - they believed it was one boat and they think it's more than one. Do I contact you and say, 'This is a concern. What's happening?'

Mr NIKOLAI - Yes. I get phone calls from Bicheno, Bridport, Mercury Passage and Maria Island regularly about that particular issue. I say to people that I'm not there so I can't see what they see so my advice to them in that particular situation is that there is a process with the marine police. There is a 24-hour mobile phone service that you can ring at any time and that information should be conveyed to the appropriate authorities at the point you see it. Don't ring them two weeks after it has happened because they can't follow it up. So I say, 'Are you aware that there is this mobile phone number, FishWatch, that you can ring and report it?' 'No, I'm not'. 'Here's the number, make sure you put it into your mobile phone'. Next time when TARfish sits on the Tasmanian Marine Police Compliance Committee - a committee where marine police update interested stakeholders on what is happening out on the water as far as their activities are concerned - we will take that information and feed it through to them and then they can take appropriate action, if needed. That is a common complaint about trawling and dredging, particularly on the east coast.

CHAIR - Would you contend then, Mark, that prior to your involvement and expanding the view of TARfish somewhat by the associate membership process, that access to have a voice heard for an individual wouldn't have been to that level?

Mr NIKOLAI - I don't have an opinion on that. I wasn't involved in TARfish and didn't know they existed until I was being interview for the position. You would need to put that question to somebody who sat on the committee from that period. I can't contend that that situation existed then.

CHAIR - Thanks. Can you remind the committee of the five full-time or the full members which you have - the structure of your membership currently, please?

Mr NIKOLAI - Those five member organisations haven't changed since the previous information I presented to the committee, and they are the Australian Fishing Trade Association, known as AFTA; the Australian National Sports Fishing Association, or ANSFA; the Australian Underwater Federation, or AUF; the Sea Charter Boat Operators of Tasmania, or SCBOT; and the Tasmanian Game Fishing Association, or TGFA.

CHAIR - There has been some tension in the past about SCBOT's legitimacy, if you like, and particularly with regard to its membership and the constitutional processes which were in some doubt, and then there may have been an attempt at doubts removal, if you like, with constitutional changes in 2006, as I recall, to legitimise SCBOT's membership, if I can use that terminology. What is the current situation with charter boat operators? You have indicated there that they are still a member, but what significant changes have been made to address the criticisms of the past, from this committee and others, as to the legitimate status of SCBOT to be a full member of TARfish?

Mr NIKOLAI - I am not aware of any problems with the SCBOT membership.

CHAIR - Are you aware as to what led to the constitutional changes in 2006?

Mr NIKOLAI - No, I am not.

CHAIR - How long have you been with TARfish?

Mr NIKOLAI - Since January 2008.

CHAIR - We did go down this path to some extent when we last met because there was some criticism as to SCBOT's legitimacy to have previously been a full member and the fact that its own constitutional structure was in some doubt. I think we did go down this path with you previously as to the constitutional changes in 2006, accepting that they came about before you came to TARfish, but it seemed to the committee at the time that SCBOT's legitimacy to vote at that constitutional change time in 2006 was in some doubt and if that was the case then the constitutional change would not have attracted the 75 per cent vote requirement under whatever the appropriate law is to in fact legitimise the change to the constitution.

Mr NIKOLAI - I can't recall the conversations we have had through this process and particularly in relation SCBOT; I mean, it is nearly three years ago. All I can do is rely on whatever my responses were at the point that the question was previously asked. I would rely on those responses and, as I say, I can't recall that line of discussion but I am happy for the committee to take on board what I previously said in relation to that.

CHAIR - We might need to specifically correspond with you in regard to that and it may be that we want you to do some further research into that. If that is the case we would write and be absolutely specific about it because they are the contentions which have led to some tension within the recreational fishing sector.

Mr NIKOLAI - I am not aware of the tension you are alluding to. As I say, I speak to 2 000, if not more, recreational fishers a year and I can honestly say there has not been a single person I have spoken to who has indicated that they have a problem with SCBOT sitting on the TARfish membership. It needs to be understood by the committee, and I am sure you are aware, that the sea charter boat operators are managed under the recreational licensing regime in this State and I believe that there is a legal opinion that the platform utilised by the charter boat operators - that is, their fishing boat - has been legally defined as a platform for recreational fishing, no more, no less. Again, it was well before my time, but that is my recollection of information that has been conveyed to me and that is why we were particularly concerned about the implementation of boat permits this week,

with the rock lobster rule changes that the Government has implemented. That is getting away from managing charter boat operators as a platform for recreational fishers because the sixth individual recreational fisher on a charter boat potentially loses his individual bag and possession limits. As I say, I am not aware of any specific criticism in relation to SCBOT's membership of TARfish.

Mr WILKINSON - In the report they hadn't had their AGM by 8 February 2011. Do you know whether they've had their annual general meeting this year?

Mr NIKOLAI - I'm not sure.

Mr WILKINSON - Do you keep an eye on that?

Mr NIKOLAI - Yes, I do. Normally I get an invitation and I address their annual general meeting on the progress and activities of TARfish in the previous 12 months, as I do the other organisations.

Mr WILKINSON - Are you able to get information for this committee as to whether they have had their annual general meeting and, if they haven't had it, why not?

Mr NIKOLAI - Wouldn't it be more appropriate for the committee to contact SCBOT direct?

Mr WILKINSON - You might be able to get that for us straightaway.

CHAIR - As a full member of TARfish, it is not an unreasonable request.

Mr NIKOLAI - It's not an unreasonable request.

Mr WILKINSON - Does TARfish get the annual reports of each of the member organisations?

Mr NIKOLAI - No, we don't, not as a matter of course.

Mr WILKINSON - So who oversees those members to ensure they are acting constitutionally?

Mr NIKOLAI - I don't see that to be the role of TARfish. Basically I am a team of one and I am already more than gainfully employed. I can't go round looking at the underlying structure of the organisations. If there's something that I am made aware of, I would talk to the organisation and say, 'There's potentially an issue here that needs to be addressed because that may have some corresponding impact on your membership of TARfish', but I am not aware of anything specifically and it's never been indicated to me that there may be a potential problem there. It's just a matter of resources.

Mr WILKINSON - I understand you can't do everything. The only thing that raises a query in my mind is that your being in charge of TARfish -

Mr NIKOLAI - I'm actually not in charge of it, I am the chief executive officer. I would contend that the TARfish committee is responsible for the strategic direction of the organisation and I undertake the strategic directive of the committee.

Mr WILKINSON - I understand that. That being the case, I would have thought that there has to be some process in place to ensure that each of the members are doing what they should be doing in accordance with their constitution, otherwise some of the members involved with TARfish could be acting totally unconstitutionally.

Mr NIKOLAI - That may be a scenario but our current constitution doesn't impose that level of complexity or detail within it. The reality is that we've never had that situation occur. I do what I can with the resources I have available to me. As I say, if I'm made aware that there is something that is out of step and would impinge on their ability to be a member of TARfish, I would take direct action and try to get it addressed. I am not aware that they reportedly haven't had their AGM.

Mr WILKINSON - That was noted on 8 February 2011, so they may have had it since then. That could be a cause for rumblings in the ranks of TARfish with other members, let's say, if they were acting constitutionally and another - and I'm not saying they're not - but if one, two or maybe more were acting unconstitutionally, because that might then reflect on TARfish.

Mr NIKOLAI - Would that not be a function of the Department of Justice? My understanding is - and I have to do it - that each year an incorporated association has to file its annual return for the organisation and contained within that are the office bearers and, if required, the audit of financial records of the association. I would assume through that process that if an incorporated association wasn't adhering to its legal requirements the Department of Justice would do something about it.

Mr WILKINSON - They have to if people don't comply as they should, but because they are members of TARfish we don't want that to be tarnished by allowing members to be members when they're acting unconstitutionally, if they are.

Mr NIKOLAI - As I say, I'm not aware that they're not acting constitutionally. I am not of the opinion that it is the role of TARfish to be looking at the constitutional arrangements of the member organisations unless something is indicated to me that would give me a reason for concern, and then I would address it. But from my recollection, nobody has ever indicated to me that there is potentially something wrong with the constitutional arrangements of any member organisation of TARfish.

Mr WILKINSON - And because you do not have the resources, you haven't looked into those things to see whether in fact they are acting constitutionally or otherwise?

Mr NIKOLAI - I don't believe that to be a function of the role of TARfish. It is not in our constitution and I believe it would be a function of the Department of Justice or similar government entity if any organisation was not adhering to its legal requirements.

CHAIR - A significant addition to that line Jim was going down is that this committee, from its research and evidence heard, is concerned as to whether the vote in 2006 to replace the constitution to legitimise, if I can put it that way, SCBOT's membership of the

committee may have been, in the view of this committee, invalid because SCBOT themselves voted at that time and we are concerned, as we hope you would be concerned, that if there was an unconstitutional process at that time that their continuing full membership may not be legal because of that invalid replacement of the constitution.

Mr NIKOLAI - I cannot make any comment on things I know nothing about. I am not aware and I cannot recall anybody ever asking me if there was a question mark over the legitimacy of SCBOT to sit on the TARfish committee. In my time with the organisation and to my belief and understanding, they have never undertaken anything that would lead me to think they were unconstitutional as far as our constitution is concerned.

CHAIR - That is providing that the 2006 vote was valid?

Mr NIKOLAI - I do not have the information that the committee has, with due respect.

CHAIR - No, but you would have it within the records of TARfish; it is all before your time, but those records would still be there. I suspect, Mark, that we will write to you about that.

Mr NIKOLAI - I think you already have and I have provided you with all of the information. I can say to the committee regarding requesting information on things that have historically happened in relation to TARfish, I contend that you have every single piece of information I am aware of that exists. I cannot tell you what your job is but you need to base whatever your outcomes are on the information that is available and you have been presented with. I can say that it is my belief that you have received all of the information and more in relation to the historical activities of TARfish.

Mr WILKINSON - I am raising a point in relation to that because I am looking at safeguarding TARfish as well. I am not saying there is anything wrong, please do not think that is the case.

Mr NIKOLAI - No.

Mr WILKINSON - I am endeavouring to ensure that there is this review process and that everything is acting in accordance with the way it should. Is there any impediment at all on TARfish, at its annual general meeting, in getting documentation signed by each of the members that each of their organisations has acted and is acting constitutionally or in accordance with their constitution?

Mr NIKOLAI - I cannot think of any logical impediment. It is not a current requirement, from our perspective, from our constitution, but I cannot see any particular impediment. What I do at the AGM is indicate whether the membership fees of the organisation have been paid so that they can continue their membership of the organisation, because that is one thing within our constitution that is a requirement within our membership structure that membership fees must be paid.

Mr WILKINSON - Have you had any legal advice in relation to your constitution to see whether it needs fixing or otherwise?

Mr NIKOLAI - Again, I believe the committee has been presented with the breadth of legal opinion that was sought - and, again, it was before my time.

Mr WILKINSON - That is right.

Mr NIKOLAI - My understanding is that you have everything.

Mr WILKINSON - What I am wondering is since you have taken over and since our last meeting have you ever thought, 'I'd better have a look at TARfish to see where it is with its constitution and whether there are problems that need fixing so that if the dust does hit the fan we've got some legal opinion to support or otherwise.'?

Mr NIKOLAI - My understanding was, as an outcome of the previous committee inquiries that I have sat on in relation to this particular process, I was not aware of the breadth of legal opinion that had been undertaken by the organisation in relation to the validity of their constitution and you would be aware that there has been a significant amount of money spent in getting legal opinion and consequential changes to the organisation's constitution as a result of that review.

I have had cause to amend the constitution of the organisation and in 5 February 2009 those changes came through and there were a couple of minor administrative changes that were made to the constitution but the key driver in relation to the constitutional changes was specifically in relation to the associate membership. It was not driven by any other agenda; there was no other imperative. I am not a lawyer and I can't give a legal opinion on the constitution but I did have a look at it and I thought it seemed logical and rational the way it is written and, as I say, I could find a couple of small administrative changes which I made to the constitution and made sure that what we were planning to do as far as the associate membership was concerned, and bringing associate member representatives onto the committee was actually constitutionally legal from our perspective. Changes were made in 2009 but they were not being driven by anything other than the fact that I wanted to make sure that what we wanted to do was covered in our constitution.

CHAIR - On the tail end of that then, Mark, can you explain to us how and in what circumstances authority is delivered to members to vote? Your constitution talks about full members and associate members, delegates, expertise-based committee members and regional representative committee members. Can you give us an understanding of what the voting entitlement is within your constitutional constraints?

Mr NIKOLAI - They are contained in the constitution. Each member delegate has voting rights. Associate members do not have voting rights and, again, I am going from memory. I contend you need to look for the legal definition of what their voting rights are because that is in the constitution but the reality is that we don't vote on things. We are an organisation that has a consensus process in place and that is how we make decisions. We sit around a table, 10 people, and have robust discussions and we don't all agree all of the time on everything but we do agree to disagree about certain things and we believe that is quite healthy for our organisation.

In my time with the organisation since January 2008, I cannot recall a single instance where we have been required to vote and within the minutes I have provided to the

committee on every meeting since I commenced with the organisation you will not find a single instance - again, from my recollection - where we voted on something. Constitutionally, yes, there are requirements around that and I am very cognisant and aware that we are adhering to our constitution, but the reality is that the way that we actually operate when we have a meeting is not unconstitutional, it is just that there is not a necessity to vote as such and record those votes; it is more about getting the breadth of knowledge and information and robust discussion happening around the table which makes and forms the strength of TARfish as an organisation.

CHAIR - Regarding that robust debate and discussion - I mean, we use the terminology 'robust' around this place because there is tension in the issues and we do the same in committees and come to some resolution - how then would a member reflect sometime down the track on what you've agreed to if there is no vote, if there not a motion and a seconder and a decision which might subsequently have to be rescinded in the event of some discontent or whatever?

Mr NIKOLAI - The outcomes are reflected in the minutes of each meeting. You will find that the minutes of the meetings always try to record what the outcome is - 'The TARfish position is' whatever it may have been at that point in time. That doesn't preclude somebody from bringing the issue up again. As an example, when we have a change of committee, when two new associate members come on board, they will potentially have a different point of view and issues will come to the table and they will be discussed. I always try to have an issues paper presented before the meeting and distributed as part of the pre-reading pack. Sometimes member delegates have to prepare the information and present it to the committee at least a week before the meeting so that they have all the background information and when they come to the meeting they can have an informed discussion about the particular issue. Once we've dealt with an issue, it doesn't necessarily mean that is our final decision and is never to be rescinded again. It is a fluid, flexible process. For example, with the rock lobster rules that have come out, I suggest to you that there will be more robust discussion around that at our next committee meeting. It is part of the way we operate the organisation.

Mr WILKINSON - Just to confirm one way or the other, the representative handbook published by the association in 2007 impresses that individuals have the same rights as any other member organisations. It says, 'Interested individuals may apply to TARfish to participate as a representative.'

Mr NIKOLAI - Yes.

Mr WILKINSON - The handbook further states:

'Representatives are covered by the TARfish rules and have full voting rights within TARfish.'

Mr NIKOLAI - Yes.

Mr WILKINSON - You say all individuals have the same rights, and it appears everybody has the same right and everybody is able to vote, but of course they're not because only full members can vote.

Mr NIKOLAI - The representative manual that you are quoting from is in relation to the representative members who sit on the TARfish committee, the expert and the associate member representatives. It is not the associate member as an individual, it's their representatives and/or the expert people who sit on the TARfish committee - those five people, and potentially it can be more than five. That level of structure within the organisation is what the representative member handle applies to and those people have exactly the same voting rights as full members. The representative members on the TARfish committee do not have to pay an annual membership fee but member organisations do. That is why we need to have a distinction between the two. I would contend it would be illogical to expect an individual person - and you need to understand they are all volunteers - to give us their time, knowledge and experience and then say to them, 'It's going to cost you \$200 a year to contribute to TARfish'. There is a structure around the representative members who sit on the TARfish committee and there are no membership fees associated with those people, but they still have all the rights, obligations and requirements as do full members. In a nutshell, the difference is that one pays and one doesn't.

Ms RATTRAY - Can you remind me about three appointed expert members and who they are?

Mr NIKOLAI - They are Lynden Chipman, who has 30 years knowledge and experience with the sea rescue service in Tasmania; Jon Bryan, who works for the Tasmanian Conservation Trust and is our conservation expert in that sphere; and John Cleary, the ex-Inland Fisheries minister and ex-politician. Not only is he a mad keen trout fisher so he brings that side of it but he also gives us the knowledge of political processes that we don't have as individuals.

Ms RATTRAY - Those three positions - is it a three-year appointment?

Mr NIKOLAI - I think they are two-year appointments. We assess whether we have a continuing need for that skill set or whether we need additional skill sets. They are on a constant review process but I think initially it was for a two-year period and then it is ongoing as to whether we still need this expert knowledge in these particular areas. Up to today, yes, we still have a need for those three people. If it would be advantageous to have financial, legal or any other professional skill requirement on the TARfish committee, then we would go out and find somebody with the requisite skills and invite them to come onto the TARfish committee. So it is not that we will only have three expert representatives sitting on TARfish; it is on a needs basis. When we get to the point where we do not need that skill set, then we can say, 'Thanks very much for your contribution to TARfish but we no longer require that', or consequently we can bring on people who have other particular skill sets. That may be only for a short period of time. We may only need a particular skill set for six months. We may only need a constitutional skill set at a particular point in time. We would potentially invite somebody on to give us that skill set and then they may exit out of the organisation within a defined period.

Ms RATTRAY - Before you appointed the last two community representatives -

CHAIR - The associate members that are now part of your committee.

Ms RATTRAY - Yes, how does that process work?

Mr NIKOLAI - I put out an expression of interest to our membership base. At that point in time we had about 1 200 associate members. I sent out a letter to them with an information pack. It contained the representative manual so that they understood what the requirements were in relation to potentially becoming an associate member representative. So an expression of interest went out in our bulletin for non-members of TARfish who may be interested. If you want to get actively involved and become a member, then you can sit on the committee. We had expressions of interest and we then set up a subcommittee from the TARfish full committee, three people who then interviewed those people to determine that they could bring value to TARfish and improve what we were doing. It was a normal employment process. It was not about having extra people sitting around the table. They had to contribute value to the organisation. So we went through what I consider to be a normal employment process to determine the value that they could bring to TARfish.

Ms RATTRAY - And those two people at this point in time are?

Mr NIKOLAI - Peter Quealy and Andrew Duke.

Ms RATTRAY - Based where?

Mr NIKOLAI - Andrew Duke was based in Launceston but he has subsequently moved down to Hobart with his employment, and Peter Quealy is based in Hobart.

Ms RATTRAY - So next time around you will probably try to balance the ledger, if you like?

Mr NIKOLAI - That is one of the criteria but we did not want to -

Ms RATTRAY - Boot somebody off just because they had moved house?

Mr NIKOLAI - We did not want to compromise the value they could bring to the organisation because of where they lived, but I am very cognisant of trying to get a broader regional representation, and I mean that in relation to other areas of Tasmania because we predominantly are Hobart-centric.

Ms RATTRAY - I noticed that by the list.

Mr NIKOLAI - Yes. The reality is that that is where people live and that is where the largest population is. I have been to the Northwest Fisheries Association trying to encourage them to come onto the TARfish committee so that we have that regional representation, but with the exception of the Northwest Fisheries Association I am not aware of any other regional organisation that exists. There are not any. There used to be one in the north but that folded a number of years ago. So there really is only the Northwest Fisheries Association. I have been encouraging people on the west coast to get themselves organised into some entity to get them to come in but, again, that has not eventuated. I have had discussions with people on the east coast along similar lines. I said, 'They do this in the north-west and I am really trying to make this broader'. As you would be aware, it is increasingly difficult to get people to volunteer to do things, and

then you are expecting them to travel for potentially at least four hours to get to Hobart and have a meeting. We are not wedded to having meetings in Hobart.

Ms RATTRAY - That was my next question, Mark. Does every meeting have to be in the south?

Mr NIKOLAI - No.

Ms RATTRAY - Because that might encourage that expansion of people.

Mr NIKOLAI - It would and I think you will find in the minutes that the chair has raised a number of times about having meetings outside Hobart. I haven't been able to organise a meeting outside Hobart, predominantly because I couldn't get a quorum because the members who live in Hobart have other commitments that preclude them from travelling. There is no requirement for us to have meetings in Hobart and we do have a strategic intent to hold meetings outside Hobart, very much so.

Ms RATTRAY - Perhaps that is something on the agenda when you set your meeting schedule in the next 12 months. If people know that is a requirement and they are not prepared to play that role then maybe they are not exactly the right person for the job.

Mr NIKOLAI - Yes. It is one of the objectives placed on me in relation to my key performance indicators as the CEO of the organisation and that has been sitting there for the last two years.

CHAIR - Mark, last time you indicated to the committee that, as best you could recall, in July 2007 SCBOOT had written to withdraw their membership of TARfish. Is there any update on that? You had had some communication with Stuart Nichols, who was the then president of SCBOOT, that that was their intention. What was the upshot of all of that?

Mr NIKOLAI - Since I have been employed by the organisation from January 2008, SCBOOT have been a member and continue to be a member. I have had numerous discussions with Stuart and he has never indicated to me that his organisation has a desire to exit from TARfish.

CHAIR - What was the nature of that letter of July 2007?

Mr NIKOLAI - It is before my time and I am not aware of the reasons.

CHAIR - But you raised it with us last time.

Mr NIKOLAI - Whatever I have said historically is the basis, but I am not aware of anything that would change my previous response to that question.

CHAIR - You made it clear to the committee that they had written in July 2007 giving their intention to step down from the association, so did you not follow that up in any way?

Mr NIKOLAI - They must have rescinded that decision because when I came on board in January 2008 they were a member of TARfish and they continue to be a member of

TARfish. Sorry, no that is not correct. You will find recorded in the minutes of the meeting that I did have discussions with Stuart. Again I am going from memory and I need to point you back to whatever I said at that point in time. I do recall that I did have discussions with Stuart and they did become a financial member of the organisation. You need to understand a little bit of the context about what SCBOOT is. It is not 400 vessels that make up the fleet. I think there are 12 to 15 operators in the sea charter boat organisation and they are fishermen. They love to go fishing and they love to take people fishing. I would suggest that because of the nature of what they do they don't have a lot of time to have meetings and the like. They do have their AGM. I have been to their AGM for at least the last three years and gave an update on TARfish activities. I think it was non-financial membership of TARfish as distinct from them stepping down. I think they just hadn't paid their membership fees, so that is why they became a non-financial member - from my recollection of what happened. I have spoken to Stuart a number of times and that would be recorded in the information that has previously been given to the committee. I can't recall off the top of my head at what point that was but it would have been at least two years ago because I think it would be recorded in my annual report to the annual general meeting as being what I would consider to be a highlight, that SCBOOT had become a financial member of TARfish again. Rather than read all the minutes of the individual meetings, I am sure you will find it contained within my report of that annual general meeting for that particular year. I think, from memory, it was two years ago.

CHAIR - You indicated earlier that at your committee meetings you have 10 people sitting around the table.

Mr NIKOLAI - Yes.

CHAIR - That would be the five that you have indicated -

Mr NIKOLAI - When you say 'indicated', do you mean the five member delegates?

CHAIR - Yes, the full members. Then there are the expertise-based committee members and the regional representative committee members.

Mr NIKOLAI - And the two associate members' representatives.

CHAIR - Where do the regional representative committee members kick in, according to clause 7(1) of your constitution?

Mr NIKOLAI - It is regional/expertise-based. They could be regional; they could sit on the TARfish committee representing, for example, the north-west coast, or they could be a person with conservation expertise knowledge who happens to live in Wynyard. It picks up both elements of people without having to have another. I am very cognisant of trying to make the constitution as simple as possible, without having a degree of complexity contained within it that a small organisation such as TARfish does not need. I have tried to ensure that the constitution is kept as simple as possible, notwithstanding that there is a certain degree of complexity that is required, but where we don't need it I don't try to write it in; I try to make sure it is as flexible as possible to pick up what we need sitting around the table and for TARfish to do what it does.

CHAIR - Your constitution also delivers flexibility to you to have an independent chairman but you don't have to have that from within the committee structure, do you?

Mr NIKOLAI - That's correct.

CHAIR - Is it the current situation that you have an independent chairman?

Mr NIKOLAI - No, it's not. Our delegate from the Tasmanian Game Fishing Association is the current chair of TARfish, Brett Cleary. Prior to Brett, we had an independent chairperson for a period of approximately two to three years, I think.

CHAIR - When the constitution talks about 'committee members' or 'proxies' who are entitled to vote, does that come down to the five full-time members?

Mr NIKOLAI - No, that's all the committee - the five member organisation delegates and the three regional/expertise plus the two associate members. Constitutionally it would be that the people who are entitled to sit at the TARfish committee level constitute the TARfish committee. It could be more than 10 or less than 10, 10 just happens to be the number we have had since the associate members came on board. We currently have two associate members but it doesn't have to be two; it could be more or less.

Ms RATTRAY - Is it usual that the chair and the treasurer are the same person?

Mr NIKOLAI - 'Usual' in what context?

Ms RATTRAY - I don't normally see the chair of an organisation also being the treasurer. Is that just that there was lack of interest?

Mr NIKOLAI - Yes.

Ms RATTRAY - Is that of any concern?

Mr NIKOLAI - From my perspective as the person who has to deal with the treasurer, no, I don't have a problem with that. Whether that conflicts with his ability as the chair of TARfish, I don't see it. You need a particular level of understanding if you are to take on the role of treasurer of an organisation. I am not aware of any particular skill set that the other committee members may or may not have and that may be the reason they haven't either been nominated or nominated themselves. To become chair or any other of the office-bearer roles within the organisation predominantly occurs around the AGM, but it doesn't have to, and those people are either nominated or nominate themselves for the role.

Ms RATTRAY - Can I suggest that the members who make up TARfish are not as committed to the organisation as they need to be if there is nobody who would be prepared to put their hand up to take on these key roles.

Mr NIKOLAI - No, I don't contend that that is the case. I think it's more to do with the fact that you need a particular financial skill set. I come from a financial background myself and I understand the apprehension that people have in relation to taking on particular

legal responsibilities. The way the law is heading now there are legal responsibilities in taking on certain office-bearer roles.

Ms RATTRAY - Absolutely.

Mr NIKOLAI - That scares some people who don't have a strong skill set in that particular area.

Ms RATTRAY - You often see 'treasurer/secretary' because they are often involved in that role but then you still have the chair and if you're signing off on particular documents, for instance, or cheques and moneys, then you still have those two signatures. I assume that would be the case in this organisation, that there'd be two separate signatures on any monies expended.

Mr NIKOLAI - Yes. We need two but our constitution allows three cheque signatories so, yes, that is the case. In the case of TARfish, the secretary is me - that is my designation - and I am a cheque signatory for the organisation, as are the deputy chair and the chair, but we do need at least two of the three for any cheque to be drawn by the organisation.

Ms RATTRAY - Yet not the treasurer as a signatory? Is it the treasurer's or the chair's role?

Mr NIKOLAI - I can't recall, but it is in the constitution. You are probably right, it probably is the treasurer, the chair and the secretary.

CHAIR - I want to consider the matter of the auditor of TARfish's processes. Who's your current auditor please, Mark? You've probably provided that to us.

Mr NIKOLAI - Louis Molnar.

CHAIR - He's still there?

Mr NIKOLAI - Yes, he is.

CHAIR - Given that what I could refer to as independent audit reports indicate that the auditor assisted the association's officers - I presume, you, primarily - to complete financial reports, is there not some level of conflict of interest, given that the auditor has helped prepare the reports and then he has to audit them?

Mr NIKOLAI - He doesn't prepare the reports, he audits them.

CHAIR - But your independent audit reports indicate that the auditor assisted the association's officers to complete financial reports.

Mr NIKOLAI - In relation to the audit requirements, as according to the respective accounting standard. I see Louis once a year after the end-of-the-year financial statements have been prepared. They are presented to the auditor, he then gets copies of all the cheque books that have been written and all the individual transactions that are recorded in a software application called Quicken. So he gets to see all of the records of the organisation, he gets to see all of the cheque books, he gets to see all of the individual transactions that occur, he gets the original documentation in relation to every single

cheque that is written with all of the corresponding receipts that are attached behind every single cheque. He then audits that information and comes up with an opinion according the relevant Australian Accounting Standard. He does not assist in the preparation of the monthly or the annual reporting requirements of the organisation.

CHAIR - So what is it that the independent auditor reports indicate that the auditor assisted the association's officers to complete? Which financial reports did he assist in the completion of?

Mr NIKOLAI - I have just explained to you the process that we go through each year. That is the response to that question. He gets all of the information in relation to the organisation presented to him -

CHAIR - Yes, I understand how auditors work in terms of their role.

Mr NIKOLAI - I can't give an explanation as to what he means when he puts in the word 'assist'. My understanding, having a financial background, is that is just a standard report, but he goes through a process and changes the date on it each year, because if you look at the wording on every audit report that I presented to the committee, including the one that I have e-mailed to you this morning, Paul, in relation to this -

CHAIR - I have not seen any e-mail this morning.

Mr NIKOLAI - The current audit report, I only picked that up last week, so I e-mailed that through to you this morning. But if you look back at the last couple of years or however long I have been doing it for, I would suggest to you that it is word for word, verbatim, with the exception of the date. I cannot give you an opinion or an answer in relation to the actual words that he uses. My understanding is that that is a standard report that he prepares or that any accountant would prepare and that I have seen in other organisations that I have worked that give an opinion about the validity of the financial records of the organisation.

Mr WILKINSON - That is probably bad wording, really, to say assisted with the report or with this task. You cannot answer that but the wording does appear, if you read it on its face value, that he assisted in the preparation of the report and, as you know, that is not the auditor's role.

Mr NIKOLAI - No, that is right.

CHAIR - Louis has been the auditor since about 2005-6?

Mr NIKOLAI - Again, it would be contained within the information within the committee, well before my time, but I suspect that it would be in order of five or six years.

CHAIR - Okay. We have not been able, on the documentation you have provided us, to see where his appointment was minuted as would have been required.

Mr NIKOLAI - The annual report was given to the Department of Justice, which you have copies of. You would have to identify who the auditor is.

CHAIR - Indeed, you have to identify, but identifying and appointing in accordance with either your constitution or associations law are two different things. We have not been able to find any record as to the minuted and agreed appointment of Louis as the auditor. Given that he is not, as I understand it, the registered company auditor, he needs specific approval, if you like, of the Commissioner for Corporate Affairs. That has been obtained, I understand that, but that was some months after his appointment was identified.

Mr NIKOLAI - We probably need to put it into context. TARFish does not meet the minimum threshold in relation to having its records audited. We do not have to have them audited. We are under the minimum threshold. But, for probity reasons and for reasons of good governance and good business practice, we continue to spend the money to have our financial records of our organisation audited appropriately by what we consider to be an appropriately qualified person to an appropriate Australia accounting standard. So we are doing something that we are not legally required to do but we believe it is good business practice and that is why we continue to do it. The chair and I have spoken about this on a number of occasions and we have both agreed that we will continue to do this because this is what is expected of any organisation that has to expend what we consider to be reasonable amounts of money. But we are under the minimum reporting threshold and it is not a requirement for us to undertake this process.

CHAIR - Thanks. Who is your current public officer?

Mr NIKOLAI - Ian Cooksey, and he has been the public officer, my understanding is, since the inception of TARFish.

CHAIR - I am relying on the information you provided to us back in April this year with the current office bearers and the like and that did not indicate who your public officer was.

Mr NIKOLAI - He is not an office bearer, he is a public officer and that is probably why I did not include him. But Ian has been there since day one and he continues to be the public officer.

CHAIR - Right.

Mr NIKOLAI - Again, on the Department of Justice form, annual return, that we have to fill out, we have to identify when a public officer changes and if that occurs then, from memory, I think that the public officer who steps down has to sign the annual declaration as proof that he has stepped down as the public officer.

Mr WILKINSON - If something occurs - and I do not want to go into details - you do not suspend the public officer and put somebody else in until things have concluded or things like that, or you just do not think that is necessary?

CHAIR - You understand the sensitivity around that, as Jim has indicated?

Mr NIKOLAI - I do. What I would say is that if there was a situation that we were made aware of or became aware of that required us to take some appropriate action, we would. I have had discussions with the chair in relation to potentially sensitive matters and the TARFish committee have agreed on a course of action that I think is appropriate, given

the circumstances surrounding any particular situation. Where we are made aware of things that we need to be aware of and where that could have a consequential effect on our organisation, we would and have taken appropriate action as we see fit and within the legal requirements that we would have at a given point in time. If we needed to undertake a legal opinion in relation to that, we would do that. We have not had cause to do that at this point in time in relation to any matter that may or may not occur or have occurred.

CHAIR - Mark, can we go to the Fishwise Fund, and you would well aware of the publicity back in March this year about the Fishwise Fund being used to pay public servants and the fact that - if these words are correctly reflective of what you said to the journalists at the time; I am quoting from an *Examiner* article now and this quotes you - '... funds have still not been reinstated and the Government refuses to provide an answer', and it goes on to talk about the nature of the money in the Fishwise Fund, how much it is and so forth. That is a concern to the committee that funds are generated as a result of recreational fishing licences. They are therefore identified as specific purposes of funding research and community projects and so on and yet, around \$160 000 has been skimmed off to pay public servants. Since March this year, has TARFish been advised by the Government of their intention to repay so that that Fishwise Fund can properly be used for its stated purpose?

Mr NIKOLAI - We have not been advised that those funds will be reinstated. We have been advised that they will not be reinstated and I think it is a public record in *Hansard* that Minister Green stood up in relation to a question, I believe, from Kim Booth in the budget Estimates process where he was asked that specific question and the minister put on the record at that point in time that he would not be doing it and he would not only not be reinstating, but he would also be taking it out again in the 2011-12 year and it is indexed. So what started out at \$160 000 a year is going up to, again, from my memory, somewhere around \$172 000, probably in excess of \$180 000 in a couple of years. So you can understand why our organisation and recreational fishers in general are deeply concerned about this issue, and I am really pleased that the Legislative Council have taken an interest in this particular issue because we feel, as an organisation, that we have hit a brickwall with this particular issue and we have spoken to a number of, what we consider to be, people who could have an influence on that decision and to date we have been unsuccessful in our attempts to have that decision reversed. We continue to hold serious misgivings about the impact that that will have on, as you say, future research, future community projects and any other beneficiaries of recreational fishing licence funds that may occur in the future.

Yes, we are strategically worried about it. The first year that it happened which was, again, from memory, probably three years ago now, I had numerous discussions with Minister Llewellyn and the reason for it originally occurring was given to us as being the global financial crisis. When that passed, we re-approached Minister Llewellyn and the premier at the time, Premier Bartlett, and they gave us a written undertaking that that decision would be reversed and rescinded and the money would be put back in. Unfortunately, through processes of financial constraint, what we are told is that because of the budgetary situation that the State Government finds itself in, that decision has subsequently been overturned. We do hold major misgivings about the future impact of that particular issue. I sit on the committees that allocate that money to community groups. Based on the information that we were provided with by the respective

government department last year, it was indicated to us that there would as little as \$12 000 left in that fund in this current financial year. Now when you are expending in the vicinity of \$150 000-\$160 000 a year on necessary research and community projects that benefit recreational fishers, \$12 000 really means that there's no money left in the kitty to do the strategically important stuff that we have to do.

Mr WILKINSON - Did they give you any indication as to what the money was spent on?

Mr NIKOLAI - Yes, I believe the minister indicated to us in writing that it has been used for departmental salaries within the Department of Primary Industries. In some ways we're getting an indirect benefit because my understanding is that it's being expended on salaries for the Wild Fisheries branch within the Department of Primary Industries. Wild Fisheries is the department that we directly interact with in relation to recreational fishing in Tasmania so the Government argument would be that you are paying for resources that, ultimately, you are getting the benefit from. We contend that we are already paying a significant portion of the wages of people sitting in the Wild Fisheries branch - this is not a new thing. I am sure that you have access to the moneys that are expended out of the fund and you would see that probably in the vicinity of 50 per cent of the money that's coming in for recreational licence fees is expended in salaries to support government employees, notwithstanding the \$250 000 that Treasury takes off to go into consolidated revenue.

Ms RATTRAY - So between the first GFC - and things weren't as bad - you didn't get any money back that year, even though you had a written commitment?

Mr NIKOLAI - That's correct.

Ms RATTRAY - Nothing came back.

Mr NIKOLAI - That's correct.

Ms RATTRAY - So there's only enough money now to support your position and your expenses around it.

Mr NIKOLAI - Sorry, my position?

Ms RATTRAY - Yes.

Mr NIKOLAI - It really has nothing to do with me - you said 'my position'.

Ms RATTRAY - Okay, the CEO's position; would that be right? The executive officer's salary - the money that comes to TARfish.

Mr NIKOLAI - Yes, this is not -

Ms RATTRAY - Yes, I know this is Fishwise, but I am saying that the money that's allocated really only just covers the TARfish organisation.

Mr NIKOLAI - Sorry, the money that's allocated to TARfish from the licence fees?

Ms RATTRAY - Yes; there's not that extra that was in the Fishwise fund before.

Mr NIKOLAI - That's correct but that has no bearing on TARfish. There are two trust funds - and this is where it gets a bit confusing for 99.9 per cent of people. On this side you have the Fishwise Trust Fund, and on this side you have the Fishwise Community Trust Fund. All the licence fees, about \$1.2 million, go into the first trust fund and then they take out salaries, research, peak-body funding and other bits and pieces. Whatever is left out of that process goes into the Fishwise Community Trust Fund. So there are two trust funds but one is an outcome of what's left at the end of the day. Now if you're taking more money out of the Fishwise Trust Fund to pay for salaries then there is no money left to drop into the community trust fund.

CHAIR - We will probably do what the lower House has done in Estimates and address our mind to that issue, given that the stated purposes of the Fishwise funds and, indeed, the recreational fishing licences revenue.

Mr NIKOLAI - Yes. Just be aware that we are concerned about the potential impact that could have on the current licensing regime that exists within Tasmania. We are very cognisant and aware of the potential implications on a future licensing regime within Tasmania of non-reversal of that decision in relation to having appropriate funds to cover appropriate activities in the future.

CHAIR - What future licensing arrangements would you be concerned about?

Mr NIKOLAI - Tasmania has what I would consider to be a hybrid system. Not every recreational fisher is licensed in Tasmania. It is different in almost every State of Australia. The Northern Territory has no licence fees whatsoever for anybody for anything.

CHAIR - It has a booming recreational fishing industry.

Mr NIKOLAI - They do. The Government up there have a fundamental understanding of the value that recreational fishing brings to the community and they have a booming tourism market up there. So they understand the negative side, potentially, of impacting on that huge business up there. Western Australia has a different model. New South Wales has a full user-pays system. In effect, everybody needs to be licensed. Victoria also has a full licensing regime, I believe. South Australia I am unsure of but I do not believe they have a full licensing system. They are probably like us; they probably have what is defined as a high-value fisheries licensing regime. But that is just my opinion; I am not aware of the specific details around that. So there are a number of different ways of licensing in Australia. Tasmania has system that is not replicated in any other State but we have a particular fishery structure in Tasmania that seems to work. That does not preclude people thinking about alternative licensing arrangements that could potentially work in Tasmania.

CHAIR - Thanks very much, Mark.

Mr NIKOLAI - I have some further information that you do not have that I feel needs to be put into this process. I have e-mailed to you this morning our current audit report and a copy of our annual performance report to the minister and his response to that report.

TARfish also sit on the National Climate Change Marine Biodiversity National Coordinating Committee as the national recreational fishing representative for Australia. We also sit on the National People Development Program: Building seafood industry representational capacity, as the national recreational fishing representative on that particular project. TARfish have recently been implemented into the new SMRAC, which is the Sustainable Marine Research Advisory Committee. This is a new committee that has been implemented as a consequence of TAFI progressing across to IMAS. So there is a new sustainable-marine committee that has been established. We have a seat at that table. This new committee sits between the new IMAS board and the TASFRAB. So it sits somewhere in the middle in relation to the strategic research direction.

As I mentioned earlier, I was up at the Tas Trout Expo yesterday. We are doing the Hobart Show again this year and we are also doing the new Seafest festival up at Triabunna in late November. We are actively participating in that as well. We also sit on the Recreational Fishing Round Table which is the Federal Government recreational fishing communication process. I am off to Canberra in a couple of weeks. We have attended all meetings. David Llewellyn is the deputy chair of that. He started out as the chair and he is now the deputy chair.

I would like to table our recently updated strategic plan. That will drive the organisation for the next four years. I would like to table our annual plan. That is our activities by month, what we are going to be doing for the next 12 months.

I would also like it to be put on the record that TARfish are supporting me in what is called the Australian Rural Leadership Program. The objective with this course is to improve leadership capacity and capability in regional Australia. I am quite fortunate that the Federal Fisheries Research and Development Corporation are funding 95 per cent of my inclusion in that project. It is a national body funding somebody in Tasmania. I know there is the farmer in Tasmania who is doing it at the same time. That benefits recreational fishers by increasing the leadership capacity right around Australia so I am quite fortunate in that.

Ms RATTRAY - How long does that go for, Mark?

Mr NIKOLAI - Eighteen months. There are residential elements to it. I spent two weeks in the Kimberlys in March. I have just recently come back from Adelaide; we had a week of media training. We're off to Canberra and Sydney in November to look at the federal parliamentary system and also to interact with people less fortunate on the streets of Sydney. So it's quite a diverse and well-respected course. I think they have had 550-odd people. I think Jeremy Rockliff has gone through that process. I really appreciate the fact that our organisation is supporting leadership change in Tasmania and continuing to support the ongoing development of what is happening, both here in Tasmania and at a national level. I am actively trying to get more involved in things that are happening at a national level, because we're finding that is having an increasing impact on what happens in Tasmania.

CHAIR - Thanks very much, Mark.

Mr NIKOLAI - Thank you.

THE WITNESS WITHDREW.