EXPLANATION OF AMENDMENT

1. Item 1 amends the definition of ‘fishing’ in the Great Barrier Reef Marine Park and Other Legislation Amendment Bill 2008. This definition, with one minor difference, is also currently a feature of the Great Barrier Reef Marine Park Act 1975 (section 38CA).

2. The amendment improves clarity in the law and improved assurance that the definition of ‘fishing’ is not of an unintended and undesirable scope. The revised definition clarifies that a person may only legally be considered to be ‘fishing’ where they have taken a fish, attempted to take a fish, or carried out activities that are a constituent part of the taking or an attempt to take, a fish, such as the use of fishing equipment.