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ECONOMIC AND SOCIAL INDEPENDENCE

media release



NEW SOUTH WALES ABORIGINAL LAND COUNCIL

NSW Government Recognises Aboriginal Cultural Fishing as a Legal Right

Two of the State's peak Aboriginal organisations have welcomed reforms in the NSW Parliament which formally recognise Aboriginal Cultural Fishing as a legal right.

The reforms, which passed through the Legislative Council last night, will be welcomed by all Aboriginal people in New South Wales, the Chairperson of the New South Wales Aboriginal Land Council, Ms Bev Manton, and Chairperson of NTSCORP Limited, Michael Bell said today.

Both organisations have been involved in negotiations with the Minister for Primary Industries, Tony Kelly and the Department of Industry and Investment NSW to amend the *Fisheries Management Act 1994* to recognise Aboriginal cultural fishing,

"Minister Kelly agreed to amend the original Bill as a direct result of these negotiations," Ms Manton said today.

"He should be commended for doing so as these have ultimately improved the rights of Aboriginal fishers in NSW," she added.

Mr Bell said Aboriginal people would now have stronger legislative rights than they have ever had before.

The changes would bring NSW into line with other States and Territories.

"Our concern was always to ensure that Aboriginal People did not continue to be prosecuted for undertaking their inherent right to fish," he added.

"The Act now acknowledges that fishing for the Aboriginal community is an imperative part of culture, encompassing spiritual, social and customary significance."

One of the key changes is that an Aboriginal person will now be authorised to fish within the Act's definition of *Aboriginal Cultural Fishing*, without the need to apply for a fishing permit or to pay a fee.

This applies to both freshwater and saltwater fishing activities. New regulations will make provision for the management of Aboriginal cultural fishing.

Ms Manton and Mr. Bell said the new law was a culmination of many years of hard work by NTSCORP, NSWALC and other Aboriginal organisations and individuals.

These included Danny Chapman, Stephen Ryan, Mick Leon, the Department's Aboriginal Reference Group, Local Aboriginal Land Councils and Traditional Owner groups.

The amendments have also paved the way for the Minister to establish an Aboriginal Advisory Council.

The Council will play a key role in advising the Minister on all Aboriginal fishing issues.

Ms. Manton and Mr Bell said the changes were just the beginning.

“Much hard work still remains to be done,” they added.

“We will need to continue to work closely with the Government on the management regime for the Regulations which will be crucial in cementing the gains for our people.

“The Minister has shown real leadership and we are looking forward to keeping up the momentum in relation to the development of the Regulations and the Aboriginal Advisory Council.

“We look forward to extending our discussion to Marine Parks and establishing Aboriginal commercial fishing opportunities in NSW.”

The collaboration between NTSCORP and NSWALC has been conducted under the terms of a Memorandum of Understanding between the two organisations which was signed in October 2009.

Media Contact NSWALC: Roy Tatten 0419 777592
Media Contact NTSCORP: Rana Koroglu 0448 444 417