

# Access and allocation

## Access

The opportunity for identifiable sectors to “use” the resource.  
Use may be extractive or non-extractive.

## Allocation

The determination of how much of the finite resource is distributed to each user group.  
It encompasses both the process of determination and the unit of allocation.

# Common pool resources

- A resource made available to all by consumption and to which access can be limited only at high cost.
- The resource can be extractive or non-extractive
- Examples are forests, underwater basins and fisheries
- Susceptible to overuse for example the “tragedy of the commons”
- It must be protected or nurtured to allow for continuous exploitation

# Tragedy of the commons

## The Tragedy of the Commons



Use of the commons is below the carrying capacity of the land. All users benefit.



If one or more users increase the use of the commons beyond its carrying capacity, the commons becomes degraded. The cost of the degradation is incurred by all users.



Unless environmental costs are accounted for and addressed in land use practices, eventually the land will be unable to support the activity.



# How are common pool resources shared

- Generally governments manage common pool resources for the benefit of the community
- BUT, the value of a resource varies between sectors
- Consideration of optimal use must be given to environmental, economic and social (including spiritual) values
- Natural resource management more sustainable if local people participate actively
- Differences in values often leads to conflict relating to social justice and equity



# Social justice and equity

- Social justice is a common driver of policy regarding access and allocation in fisheries
- Components of social justice include:
  - Procedural justice: Transparent and fair process leading to decisions of access and allocation
  - Distributive justice: Transparent and equitable access and allocation to users of the resource
  - Interactional justice. How participants are treated during the decision-making process



# Differing access rights between sectors

- Fishing access rights does not mean ownership of the fish prior to capture
- Fishing access rights describe the right of individuals or groups to access a fishery with the aim of catching fish
- Fishing access rights usually contain the following characteristics:
  - Exclusivity - all benefits and costs accrue to the owner
  - Transferability – rights can be transferred from one owner to another
  - Security – rights are secure from involuntary seizure
  - Durability – the time span of the entitlement



# Differences in access rights between sectors

- Australian commercial fisheries:
  - have limited access
  - have well defined units of access (including security and durability)
  - are transferable
- Other user groups:
  - do not have rights that are excludable
  - do not have rights that are tradeable
  - Have values that are not based on economics
- **These differences make access and allocation difficult**



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# Regulation of access - Commercial sector

- licences, permits or statutory fishing rights
- access rights are capped and mostly tradable
- input and output controls to achieve sustainability, economic and social objectives
- Catch and effort must be reported



# Regulation of access - Recreational sector

- open access – but charter boats restricted in some States
- some States require a paid licence
- input and output controls to achieve sustainability, economic and social objectives
- catch and effort must be estimate by occasional surveys



# Regulation of access – Customary / Indigenous sector

- unrestricted access to people engaged in “traditional” or “customary” fishing, but some states require permits or licences (which are uncapped)
- non- “traditional” or “customary” fishing, fisheries are managed as for the recreational sector



# Regulation of access – Non-extractive sector

- these include boating, diving, bathing, tourism etc or just the knowledge that some areas are protected
- about 36% of Australian waters are protected by Marine Protected Areas
- level of impact on access is determined by the “zoning”
- some of this “reallocation” from commercial fisheries compensated financially



# Inter-sectoral allocation – Comm.

- Policies differ among jurisdiction
- Commonwealth
  - No explicit allocation policy available, but working on it

# Inter-sectoral allocation - NSW

- No explicit access policy
- A range of principles for determination and adjustment of allocation available based on
  - Sustainability
  - Fairness and equity
  - Optimum utilisation
  - Certainty for users
  - Transparency
  - Existing access rights and arrangements
  - Compensation
  - Information
  - Integrity of fisheries management

# Inter-sectoral allocation - NT

- No explicit access policy
- Catch by weight preferred unit for level of access.
- A range of principles for determination and adjustment of allocation available based on
  - Sustainability
  - Customary use
  - Stewardship
  - Information
  - Transparency
  - Goal orientation
  - Strategic development
  - Social performance
  - Practicality
  - Certainty for users
  - Structural adjustment and cost contributions

# Inter-sectoral allocation - Qld

- Clarity on how resources are accessed and shared between different users being developed
- Developing a resource allocation policy with:
  - A transparent and repeatable process with clear reasons for decisions
  - Opportunities for stakeholder input
  - Criteria for when and how to explicitly allocate fisheries resource access
  - The value (economic or social) of the fishery or resource
  - A method to adequately quantify the benefits to the community
  - Determine allocations as an explicit part of harvest strategies for individual stocks or regions



# Inter-sectoral allocation - SA

- Catch by weight used as preferred unit for estimating shares
- If catch weight not available need another means (e.g. fishing period)
- Principles for developing a resource allocation include:
  - Optimum utilisation
  - Equitable distribution
  - Fishing is to be fostered
  - Certainty
  - Opportunity to be heard
  - Rights of existing users recognised
  - No acquisition of licences/entitlements without compensation
  - No reduction of other rights without compensation
  - Use best available science/information.

# Inter-sectoral allocation - Tas

- No explicit allocation policy available

# Inter-sectoral allocation - Vic

- No explicit allocation policy available
- Statement in the Victorian Fisheries Authority Act 2016 that the VFA would work closely with many stakeholders to deliver three core outcomes:
  - Sustainable fishing and aquaculture
  - Clear resource access and sharing arrangements
  - Increased economic, social and cultural value

# Inter-sectoral allocation – WA

- Fish resources are a common property resource managed by the Government for the benefit of present and future generations
- Integrated Fisheries Allocation Advisory Committee provide advice to WA Gov. on inter-sectoral allocations based on
  - Sustainability
  - The best available information
  - A harvest level that includes the total mortality of each sector, and allocation designated to each sector, should be made explicit.
  - Harvest across sectors shouldn't exceed allowable harvest level.
  - Appropriate management structures and processes should be introduced for each sector within their prescribed allocation.



# Inter-sectoral allocation – WA cont

- Integrated Fisheries Allocation Advisory Committee provide advice to WA Gov. on inter-sectoral allocations based on
  - Allocation decisions should aim to get optimal benefit to WA community and take account of economic, social, cultural and environmental factors
  - It should remain open to government policy to determine the priority use of fish resources where there is a clear case to do so
  - Management arrangements must provide sectors with the opportunity to access their allocation

# Inter-sectoral allocation – WA cont

- An aquatic resource management strategy must specify:
  - the quantity of the aquatic resource that is to be available in a fishing period for customary fishing and public benefit uses
  - the proportion of the TAC that is to be available for recreational fishing for the resource;
  - the proportion of the TAC that is to be available for commercial purposes.



# Inter-sectoral allocation – WA – an example- Rock Lobster Fishery

- Based on catch history for the commercial and recreational sector and, a nominal percentage allocated to the customary/indigenous sector
- Customary/indigenous fishing is considered to have priority over commercial and recreational allocations
- Split between sectors:
  - Customary/indigenous fishing – 1 t
  - Commercial fishing – 95%
  - Recreational fishing – 5%



# Inter-sectoral allocation – WA – an example- Shark Bay Snapper Fishery

- Based on catch history for the commercial and recreational sector and, a nominal percentage allocated to the customary/indigenous sector
- Customary/indigenous fishing is considered to have priority over commercial and recreational allocations
- Split between sectors:
  - Commercial fishing – 25%
  - Recreational fishing – 75%





# Inter-sectoral allocation – SA – an example- Marine Scalefish Fishery

- Based on catch history for the commercial and recreational sector and, a nominal percentage allocated to the customary/indigenous sector
- Split is species dependent (from draft management plan):
  - Snapper
    - Customary/indigenous fishing – 1% - deducted from recreational share
    - Commercial fishing – 81%
    - Recreational fishing – 18%
  - Abalone
    - Customary/indigenous fishing – 0.11% - deducted from recreational share
    - Commercial fishing – 99.74%
    - Recreational fishing – 0.15%
  - King George Whiting
    - Customary/indigenous fishing – 1% - deducted from recreational share
    - Commercial fishing – 50.50%
    - Recreational fishing – 48.50%

# Allocation by spatial segregation

- Based on catch history for the commercial and recreational sector and, a nominal percentage allocated to the customary/indigenous sector
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## Sources of information

- Knuckey, I, Sen, S, and McShane P. (2019). Review of fishery resource access and allocation arrangements across Australian jurisdictions. Fishwell Consulting, 2019. CC BY 3.0



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