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Lose of constitutional Fishing Right

3 messages

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To: minister.punch@dpc.wa.gov.au

On May 15 `1990 Mark Paxton's Abrolhos Island and Mid West Trawl Fishery Licence ,single rig scallop licence No. 1921 was transferred to LFB G249.This transfer was not accompanied with a Stamp Duty Receipt ,therefore according to Fisheries Department practice NO CHANGE OF OWNERSHIP was recorded or recognised by the Department.

This is evidenced in writing by the Director of Licencing Peter Millington's statement,dated 10/03 1993,acknowledging, recognising and confirming Mark Paxton's Beneficial/Actual ownership before and after that transfer.

On 3/05 1991 LFBL holder Fred Blenkinsop with boat broker Jim Mace transferred and SOLD Mark Paxton's fishing right without his Knowledge or permission.

This transfer constituted two crimes, a Failure of Duty of Care by the Fisheries Department and Criminal code 409 Fraud by LFBL holder Fred Blenkinsop,

The Fisheries Licencing system was inadequate and administered incompetently as evidenced by

- 1 No legislated register of beneficial ownership
- 2 No reference to beneficial ownership on transfer form.
- 3 The Executive Director ,Peter Roger's statement,LFBL holders are "CONSIDERRED OWNERS' of any licences on that LFBL.

-4 The Director of Licencing Peter Millington's statement confirming Mark Paxton's ownership.

The Fisheries Departments involvement in and actions and inactions related to these crimes constitute abuse of power,criminal negligence,breaching Public sector standards,perverting the course of Justice,denying natural justice,contempt of Parliament and Fraud,

AS EVIDENCED BY

1 - An inadequate licencing system,to protect beneficial ownership

2 -Peter Rogers statement,"i have to protect the department or you, and im going to protect the Department"

3 - Peter Rogers' refusal to report Fraud,a legislated obligation

4 - Peter Rogers' refusal to cancel the Fraudulent transfer

5 - Peter Rogers' refusal to review an inadequate licensing system.

6 - Peter Rogers' refusal to amend his proven inadequate licencing system

7 -- Peter Rogers misleading and lying to The Standing Committee on Public Administration.

8 - Peter Rogers,subverting an inquiry requested by then Minister of Fisheries Kim Chance into the " matters raised regarding the cancelled licence"

NB ; Kim Chance stated he accepted all evidentiary facts,being Fisheries Department 's Failure of Duty of Care,LFBL holders Fraud and the criminal negligence of Peter Rogers as Executive Director of Fisheries.

As both crimes are matters that can only be determined by the Supreme Court Rogers failed to use FRMA 155 Case Stated "If a question of Law arises"...."For the Opinion of the Supreme Court".

The Supreme Court FRMA 1994 section 155 was necessary to answer the questions of law,FRMA section 249 Inquiry relating to Authorization,was necessary to[Section 249]"to determine who holds ,controls or has an interest in an authorization".

Peter Rogers failed to address the intrinsic issues ,instead after 20 months reaching the specious and perverse outcome totally irrelevant to Kim Chances assurances,that Mark Paxton was statute barred from Litigating due to want of time.

9 - Peter Rogers' refusal to draw up legislation requested by the next Minister of Fisheries Jon Ford to amend the AIMWTF notice to include a 17th or vacant licence to be in the notice to be given to Mark Paxton by the forthcoming SAT tribunal on this matter.Peter Rogers instead drew up subsidiary legislation to serve his,agenda,that could not affect anyone in the industry,but quite affectedly leave the SAT without a Vacant licence for Mark Paxton, evidenced by Jon Ford tabling the new amendments,adding"May i remind the membethere i one VACANT licence in the plan " There isnt, Rogers duped Jon Ford firstly with the inquiry and secondly using amended legislation to continue what had become a vendetta against Mark Paxton.

This is just the tip of the iceberg,,Rogers' agenda was not possible without collusion and criminal negligence by the DPP and the Ombudsman.

Previous Ministers Norman Moore,David Kelly and Peter Tinley have been made aware of this corruption and have breached their Legislated obligation under Corruption Crime and Misconduct Act 2003 sections 28 and 29 -Duty to notify and Dutyto notify is Paramount.

I am requesting the Minister of Fisheries Don Punch to cancel the transfer ,proven to be a failure of Duty of Care and Fraud,

This can be done,using FRMA 1994 section 143 [c],section 71 [2],72 [2] or amended version of for purpose, and restore a constitution right.