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## Northern Demersal Scalefish Managed Fishery

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# Northern Demersal Scalefish Managed Fishery

## An operators' guide to the management arrangements 2016

Version 2.0 (July 2016)



Government of Western Australia  
Department of Fisheries

### **Aquatic Management Division**

Department of Fisheries Western Australia

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## Disclaimer

**Important Note:** Every effort has been made to ensure that the information contained in this document is correct and accurate at the time of printing. However the information provided is intended to serve as a plain English guide only, and therefore the Department of Fisheries shall in no way be liable for any loss caused, whether due to negligence or otherwise, arising from the use of or reliance upon this document.

The document is not intended to replace the requirement for operators to make themselves aware of the legislation in the *Northern Demersal Scalefish Management Plan 2000*; *Fish Resources Management Act 1994* (the Act); *Fish Resources Management Regulations 1995* and relevant licence Conditions, management plans, notices, orders, Instruments of Exemption and determinations issued under the Act. The web addresses for this legislation can be found on page 23 or can be accessed via links on the Department's website via the legislation link at: **[www.fish.wa.gov.au](http://www.fish.wa.gov.au)**

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## 1. Introduction

This guide summarises the management arrangements for the Northern Demersal Scalefish Managed Fishery (NDSF) current at the time of publication (2016 season).

This booklet is intended as a guide only. The complete requirements for operators in the NDSF are detailed in several key documents. It is the responsibility of the licence holder and the master of the vessel to access and interpret this legislation.

The relevant legislation includes:

- *Fish Resources Management Act 1994* (the Act);
- *Fish Resources Management Regulations 1995* (the Regulations);
- *Northern Demersal Scalefish Management Plan 2000* (the Plan);
- *Northern Demersal Scalefish Managed Fishery Licence* and any conditions imposed on that Licence;
- *Northern Demersal Scalefish Managed Fishery Automatic Location Communicator Approved Directions* (as signed by Executive Director Regional Services on 11 March 2014) (NDSF Approved Directions);
- *Instruments of Exemption*;
- *Northern Demersal Scalefish Managed Fishery Daily/Trip Logbook*; and
- Commonwealth and WA legislation on prohibited and protected species and bycatch limits for Commonwealth managed species.

### 1.1 A guide for the Northern Demersal Scalefish Managed Fishery

This guide is a simple ‘plain English’ explanation of the legislation associated with the Fishery and may not be comprehensive. We hope that you find the guide to be a useful source of information regarding the NDSF management arrangements and that it assists operators in understanding the relevant rules and legislation.

Electronic versions of this guide are available for download from the Department of Fisheries website ([www.fish.wa.gov.au](http://www.fish.wa.gov.au)). Hard copies may be available from the Department of Fisheries, Broome.

If there is anything that you don’t understand in this guide, please contact the Department of Fisheries, Broome on (08) 9193 8600.

### 1.2 Feedback wanted

The Department of Fisheries is interested in comments from users of this guide in regard to its content. Please email any feedback to: [pia.dobson@fish.wa.gov.au](mailto:pia.dobson@fish.wa.gov.au)

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## **2. About the Northern Demersal Scalefish Managed Fishery**

### **2.1 The NDSF Management Plan**

The *Northern Demersal Scalefish Fishery Management Plan 2000* ('the Plan') is an important document in managing the NDSF. An up to date version of the Plan is available by clicking on the legislation link of the Department's website at [www.fish.wa.gov.au](http://www.fish.wa.gov.au). The Plan was most recently amended on the 11 December 2015 and included the following changes:

- removal of Schedule 8 which provided a description of Fishing Area A, Fishing Area B and Fishing Area C – formerly used under the 'time in time out' model of calculating the consumption of entitlement; and
- provision for the continued use of the 'nominations system' in 2016 and beyond.

Further details on these management arrangements are included under Section 3.

#### **2.1.1 Boundaries of the Northern Demersal Scalefish Fishery**

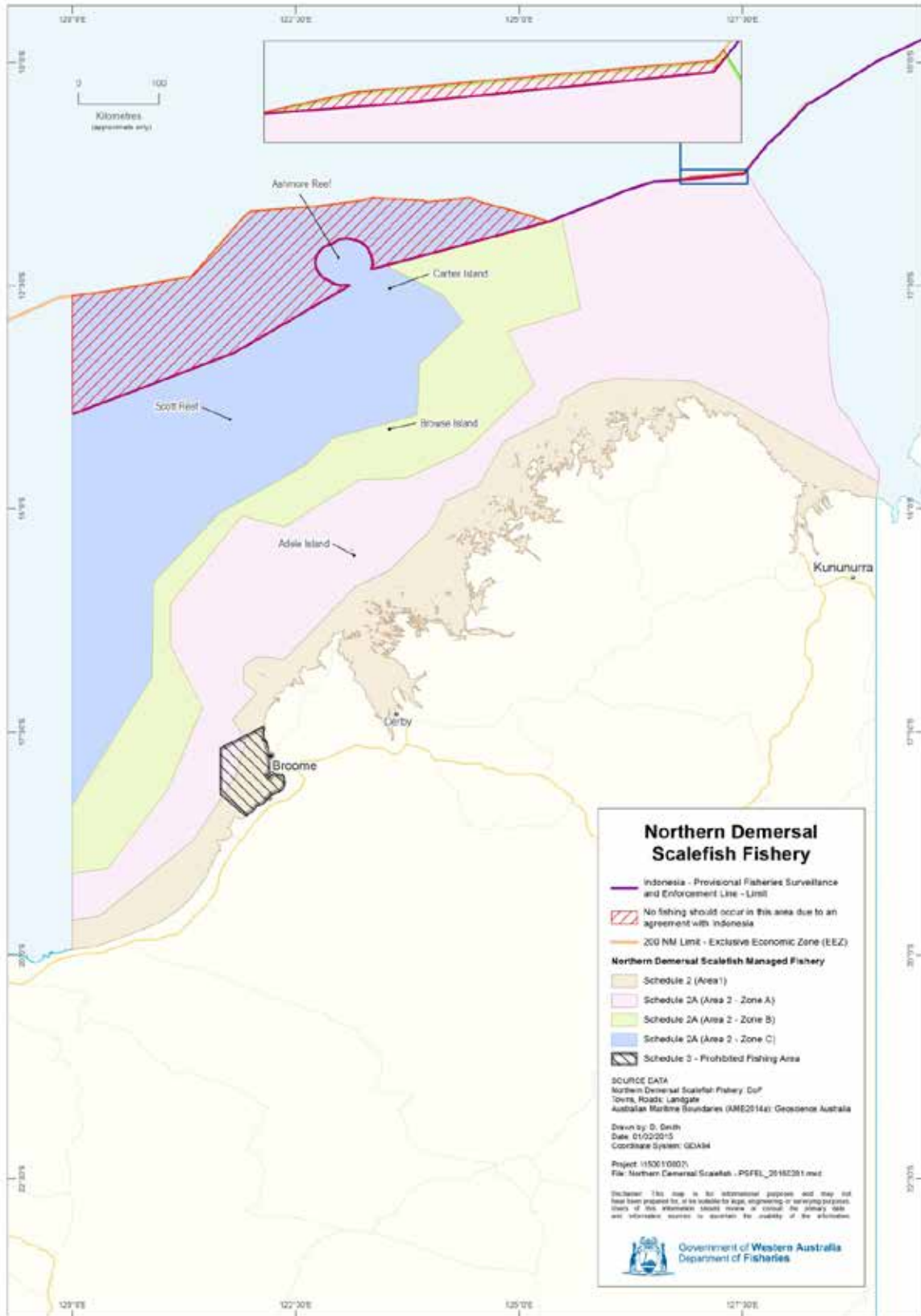
The boundaries of the NDSF are all waters of the Indian Ocean and Timor Sea off the north coast of Western Australia east of 120° 00.079' east longitude and north of 19°59.917' south latitude (Schedule 1 of the Plan; Map on next page).

Under the Offshore Constitutional Settlement arrangements between the Commonwealth and Western Australia, the waters of the Fishery extend offshore to 200 nautical miles, however under an agreement with Indonesia there are some restricted areas to fishing in the northern waters of the Fishery (see section 3.2.3 Provisional Fisheries Surveillance and Enforcement Line, for more details).

The Fishery is further divided into two areas, Area 1 and 2. Area 1 is an inshore area where fishing is restricted to line fishing methods (see section 3.4 Permitted fishing gear, for further details) and Area 2 is the offshore area of the Fishery and has historically been the main fishing grounds, predominately fished via trap. The Department has issued separate Managed Fishery Licences for each Area of the Fishery.

In 2013, Area 2 was further divided into 3 zones (Zones A, B and C). See Schedule 2A of the Plan for the description of Zone A and C within Area 2. Zone B is defined as all the waters of Area 2 that are not part of Zones A or C. Electronic files of the Fishery boundaries (in C-Plot and GPX format, which can be loaded onto vessel plotters and computers), are available from the Department of Fisheries Broome office upon request.

The waters to the south and west of the NDSF are part of the Pilbara Trap Managed Fishery, the Pilbara Fish Trawl Interim Managed Fishery and the Pilbara Line Fishery, and are managed separately.



**Figure 1:** Map of the Northern Demersal Scalefish Fishery



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## **3. Northern Demersal Scalefish Fishery Fishing Rules**

### **3.1 What do I need to fish in the NDSF?**

To fish commercially in **Area 1** of the NDSF you will need to ensure:

- The vessel being used is listed on a NDSF Area 1 Managed Fishery Licence;
- The vessel is an authorised vessel on a Fishing Boat Licence;
- Every person that works on the authorised vessel has a Commercial Fishing Licence;
- The master has a Catch and Effort Monthly Returns Logbook for recording details of the trip and catches;
- If your vessel is greater than 8 metres in length an approved Automatic Location Communicator must be installed, serviced and used in accordance with the NDSF Approved Directions and the Regulations; and
- Copies of all licences (boat and crew) are on board the vessel at all times.

To commercially fish in **Area 2** of the NDSF you will need to ensure:

- The vessel being used is listed on a NDSF Area 2 Managed Fishery Licence;
- The NDSF Licence has unused fishing days for the Zone or Zones that you intend to fish in;
- The vessel is an authorised vessel on a Fishing Boat Licence;
- Every person that works on the authorised vessel has a Commercial Fishing Licence;
- The master has a *NDSF Daily/Trip Logbook* for recording details of the trip and catches;
- An approved Automatic Location Communicator is installed, serviced and used in accordance with the NDSF Approved Directions and the Regulations; and
- Copies of all licences (boat and crew) are on board the vessel at all times.

For both Area 1 and Area 2, there is no need to nominate an operator who is going to fish on behalf of the person who holds the Managed Fishery Licence, so long as the vessel they are using has been listed as the authorised vessel on the Managed Fishery Licence.

### **3.2 Where can't I fish?**

The following section describes the areas that may not be fished within the waters of the NDSF:

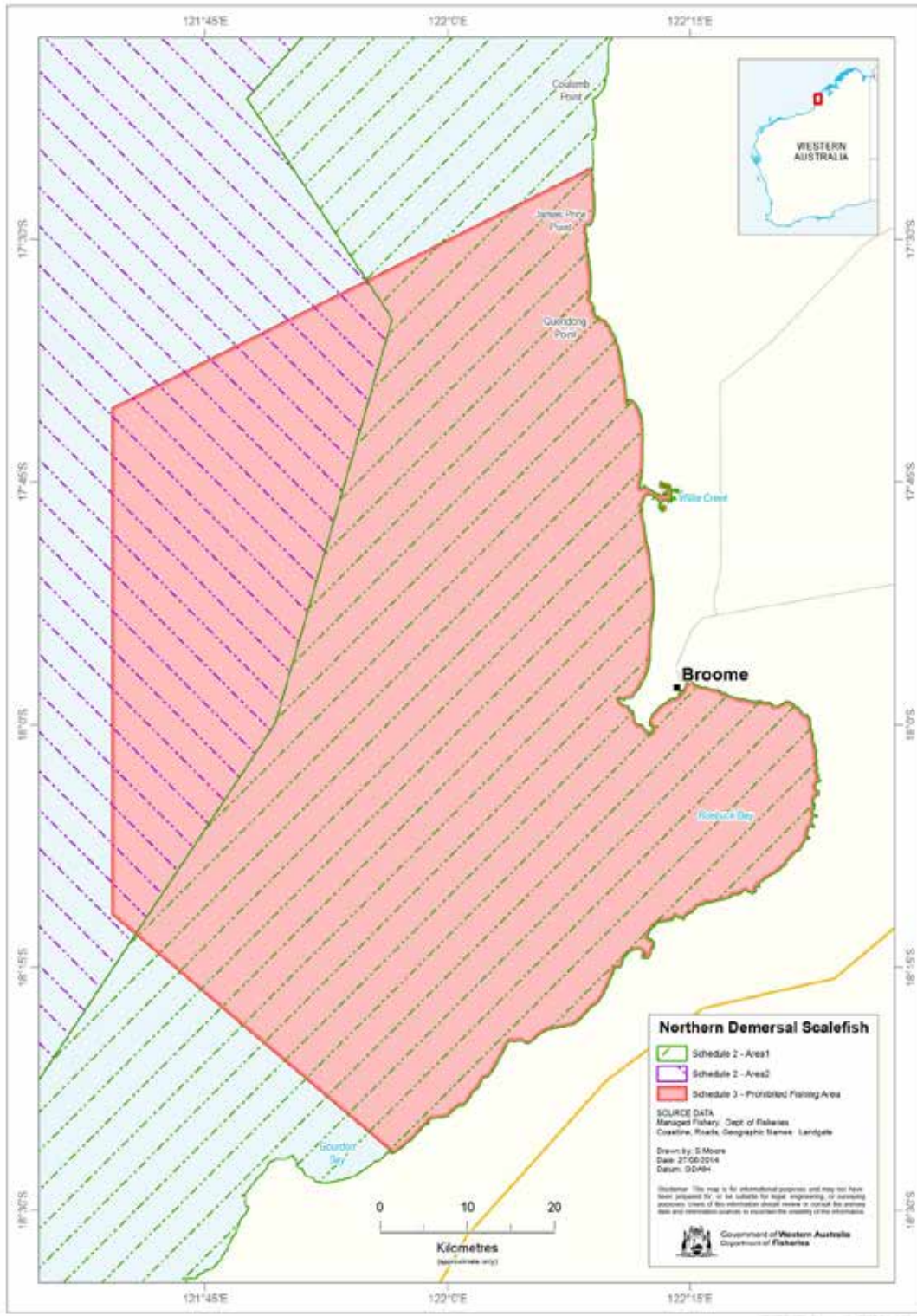
#### **3.2.1 Areas of the Fishery**

An Area 1 Managed Fishery Licence only authorises fishing in Area 1; fishing may not occur in Area 2.

An Area 2 Managed Fishery Licence only authorises fishing in Area 2; fishing may not occur in Area 1 (Clause 7 of the Plan).

### 3.2.2 Closed Waters: Broome Recreational Fishing Area

You cannot fish in the prohibited fishing area (shown in red in **Figure 2** below (Schedule 3 of the Plan)), note that this closed Area overlaps with both Area 1 and Area 2 of the NDSF.



**Figure 2:** Map of prohibited commercial fishing area

### **3.2.3 North of the Provisional Fisheries Surveillance and Enforcement Line**

The governments of Indonesia and Australia signed an agreement in 1981 which provided for a provisional water column / fishing boundary between the two countries, referred to as the Provisional Fisheries Surveillance and Enforcement Line (PFSEL). The location of this line is shown on the map on page 3, and included in the electronic boundary files available to licence holders.

Under this agreement, no Australian boat equipped to fish for swimming species (including licensed NDSF vessels) should be north of the PFSEL unless their gear is stowed and secured.

For the purposes of running from cyclonic weather an Australian boat can cross the PFSEL with the gear secured but it is recommended that the master phone AFMA so that the information can be passed onto the Australian Embassy in Jakarta.

Enquires on this issue can be directed to Mr Jim Prescott from Australian Fisheries Management Authority (contact details at [Attachment 1](#)).

### **3.2.4 Closed Waters - State Marine Parks**

#### **Proposed Kimberley Marine Parks**

Planning is underway for a number of State marine parks in the Kimberley at Eighty Mile Beach, Roebuck Bay, Horizontal Falls, Camden Sound and North Kimberley. The establishment of these parks will likely restrict commercial fishing activities within State waters (3nm of the coast), and therefore may impact NDSF operations in Area 1. The marine parks are in various stages of implementation, and the zoning schemes are expected to be gazetted during 2016 and 2017.

For further information please check the Department of Parks and Wildlife website (<http://www.dpaw.wa.gov.au/>) or contact Sarah Bignell (Planning Branch, Department of Parks & Wildlife (08) 9219 9116) or Nikki Sarginson (Senior Management Officer – Marine Planning, Department of Fisheries (08) 9193 8600).

**Note:** Whilst the State **Rowley Shoals Marine Park** (encompassing Clerke and Imperieuse reefs) is not located within the area of the NDSF, it is in close proximity. No commercial fishing is permitted in the Rowley Shoals Marine Park. For further information please refer to the Parks and Wildlife website - <http://parks.dpaw.wa.gov.au/park/rowley-shoals>.

### **3.2.5 Closed Waters: Commonwealth Marine Reserves**

**Note:** Whilst the **Mermaid Reef Commonwealth Marine Reserve** is not located within the area of the NDSF, it is in close proximity. No commercial fishing is permitted in the Mermaid Reef Commonwealth Marine Reserve. For further information please visit the Parks Australia website <http://www.environment.gov.au/topics/marine/marine-reserves/north-west/mermaid-overview>

### **Ashmore Reef Commonwealth Marine Reserve**

You cannot fish in the waters of the Ashmore Reef Commonwealth Marine Reserve. For further information please refer to the following website:

<http://www.environment.gov.au/topics/marine/marine-reserves/north-west/ashmore-activities>

### **Cartier Island Commonwealth Marine Reserve**

You cannot fish in the waters of the Cartier Island Commonwealth Marine Reserve. For further information please refer to the following website:

<http://www.environment.gov.au/topics/marine/marine-reserves/north-west/cartier-activities>

There are no restrictions on commercial fishing in the waters of **Scott Reef**.

### **Proposed North-west Commonwealth Marine Reserves Network**

The North-west Commonwealth Marine Reserves Network was proclaimed under the *Environment Protection and Biodiversity Conservation Act 1999* in November 2012. This included the establishment of nine additional Commonwealth marine reserves in the North-west region. Further information is available here - <http://www.environment.gov.au/topics/marine/marine-reserves/north-west>.

Importantly, these additional reserves are under transitional arrangements (no changes to fishing) and are currently subject to the Marine Reserves Review. To keep up to date with the progress of the review please refer to this website - <http://www.environment.gov.au/marinereservesreview/home>.

## **3.3 Licensing Period / Season**

The licensing period for the NDSF is the 1 January to the 31 December in each year.

The NDSF is not closed at any time during the licensing period, although you must have a current Managed Fishery Licence and in Area 2 you must have unused fishing days for the Zone you are fishing in, in order to fish.

## **3.4 Permitted fishing gear**

The type of gear that may be used depends on whether you are permitted to fish in Area 1 or Area 2 of the Fishery.

### **Both Area 1 and Area 2**

Gear other than a handline, dropline or fish trap may not be used in the Fishery (Clause 15(2)).

You cannot fish using wire or chain (metal) on the snood attached to the hook. This does not include the sinker, swivel, crimp or connector (Order No. 14 of 2008).

## Area 1

Fishing in Area 1 may only be done by handline (Clause 15(1)). A permitted handline is a fishing line which is weighted at one end, is attached to the boat and has not more than 6 hooks attached.

The maximum number of handlines that can be used in Area 1 at any one time is 5 (Clause 15(4)(a)).

You may not use electric reels, only manual reels may be used to set, haul or pull gear (Clause 15(7)).

It is an offence for a master of a vessel authorised to fish in Area 1 to have on board a handline with more than 6 hooks or a dropline with more than 30 hooks at any time while the boat is in the waters of the fishery (Clause 15(5)).

## Area 2

### Lines

In Area 2 you may not use more than 5 handlines or 5 droplines at any one time (Clause 15(4)(b)).

Under the Plan a permitted handline is fishing line which is weighted at one end, is attached to the boat and has not more than 6 hooks attached, however under an Instrument of Exemption approval has been granted for the Master and crew of vessels authorised to fish under an Area 2 Managed Fishery Licence to carry and use a handline that has up to 30 hooks. See Exemption at [Attachment 6](#).

A permitted dropline is a fishing line which is weighted at one end only, is not attached to the boat and which has not less than 6 hooks and not more than 30 hooks attached.

It is an offence for a Master of a vessel authorised to fish in Area 2 to have on board a handline or dropline with more than 30 hooks at any time while the boat is in the waters of the fishery (Clause 15(5) and Instrument of Exemption ([Attachment 6](#))).

### Traps

Fishing traps may be used in Area 2 of the Fishery. The fish trap must conform to the trap specifications set out in Schedule 9 of the Plan, which states:

- The fish trap may not have an internal volume equal to, or greater than 2.25 cubic meters.
- The mesh on the fish trap must be square, with each side of the square 50 mm or larger.
- When you measure between the diagonal corners of each mesh square it must be 70 mm or more.

A fish trap must be attached to a surface float that has a diameter of not less than 150 mm that has the Fishing Boat Licence number stamped on it (Clause 15(12)). Alternatively, if two or more fish traps are connected together in a line it is acceptable to have a surface float at each end of the line (Clause 15(13)).

## **Area 2 – Zone C**

At present the gear permitted to be used in Zone C is the same as the rest of Area 2 - there are no special provisions.

### **What if I want to leave traps in the waters of the Fishery when I return to Port?**

Under the Plan it is an offence to use more traps in a zone of the fishery than you have nominated to fish with (Clause 15 (10)).

Should you wish to leave traps in the waters of the Fishery when you ‘cease fishing’ and return to Port, you should ensure that the traps are left with their doors tied open and unbaited. This demonstrates for compliance purposes that the traps are not being ‘used’.

Note that traps left in the waters of the Fishery in this manner are not considered to be ‘dumped traps’ under the Plan.

### **What should I do if I lose a trap(s) whilst fishing?**

The Master should report the details of the lost trap(s) to VMS via an EasyMail message through Automatic Location Communicator or to the Compliance Manager in Broome (see contact details at [Attachment 1](#)) (Clause 15(11)). Reporting the details of the lost trap(s) to the Compliance Manager provides a defence under Clause 15(10) for future trips. The details of the lost traps should also be indicated on the research logbook, as the Research section collects data on this for Ecologically Sustainable Development reporting purposes. Please provide as much information as possible; such as last known position of the trap.

Should you wish to send a revised fishing nomination given the reduction in trap numbers for the remainder of the trip due to lost traps, the Master may send a new ‘Commence Fishing’ nomination with the revised number of traps. There is no need to do a ‘Cease Fishing’ nomination for the old number of traps.

### **What do I do if a trap breaks and can’t be used for the remainder of the trip?**

If a trap is unable to be used as it has been damaged, but remains aboard the vessel it needs to be included in the number of traps indicated in the ‘Commence Fishing’ nomination (Clause 15(10)(b)). In this instance the Master may not do a new ‘Commence Fishing’ nomination with the revised number of traps.

### **What if I want to fish both lines and traps on the one trip?**

If undertaking a trip on which both line and trap fishing are occurring, it is recommended that the Master nominates both gear types in their 'Nomination of intention to fish' and their 'Commence Fishing' nomination. The Master would then have the flexibility to fish both gear types each day, or only one of the gear types.

Should you nominate in this way, the fishing days deducted from the Managed Fishery Licence (MFL) will be the sum of the trap and line fishing. For example, if the Master nominated fishing with 20 traps and 5 lines for 5 days, 10 standard fishing days would be deducted from the MFL.

Note that the Plan prohibits lines being on board the boat on a day that has been nominated as a trap fishing day only (Clause 15(4)(d)). There is no provision for 'dumped lines' in the Plan as there is for 'dumped traps'.

### **What is a dumped trap?**

Under the provisions of the Plan a trap is considered a 'dumped trap' when it has been left in the waters of the Fishery and a nomination is made to change to line fishing. The trap ceases to be a 'dumped trap' when a nomination is made to commence fishing by traps (Clause 15(1)). It is an offence to pull a dumped trap (Clause 15(8)). Therefore dumped traps may only be pulled after you have nominated to commence fishing using traps.

Whilst the Plan does make provisions for dumped traps, as detailed above, there are no equivalent provisions for dumped lines, therefore our recommendation is for Masters to nominate both gear types in the 'Nomination of intention to fish' and the 'Commence Fishing' nomination, when using both gear types on the one trip.

## **3.5 How many units do I hold?**

### **Area 1**

There are no units of entitlement for licence holders in Area 1.

### **Area 2**

The number of units held is shown on your NDSF Managed Fishery Licence. The Licence will show you the 'permanent allocation' of units; as well as the 'current allocation' of units. The current allocation is the permanent allocation, plus or minus any temporary transfers of units that have occurred within the current licensing period.

## **3.6 How many days can I fish?**

### **Area 1**

There are no limits on the number of days that each licensee can fish in Area 1 of the Fishery.

## Area 2

The maximum number of days you are entitled to fish for the licensing period is shown on your NDSF Managed Fishery Licence (MFL). The number of days available per Zone of Area 2 is worked out by multiplying the number of units on your licence by the unit value, as set for that licensing period.

### Unit Value

The Chief Executive Officer of the Department of Fisheries, in accordance with Subclause 19(1) of the Plan, determined the capacity of Area 2 of the Northern Demersal Scalefish Managed Fishery to be:

- 616 fishing days for Zone A;
- 985.6 fishing days in Zone B; and
- 1,100 fishing days for Zone C

for the 2016 licensing period, via publication of a notice in the Government Gazette on the 1 December 2015.

As per Schedule 6 of the Plan, the total number of fishing days set for each Zone is then divided by the total number of units in each zone, to give the associated unit value, as follows:

- **Zone A** - 616 days divided by 1,760 units = 0.35
- **Zone B** - 985.6 days divided by 1,760 units = 0.56
- **Zone C** - 1,100 days divided by 1,760 units = 0.625

### Zone C Effort

Clause 18A of the Plan provides for a Zone C industry cap of 550 days; which essentially means that if 550 days was fished collectively by all licence holders the Director General could prohibit fishing in Zone C for the rest of the licensing period. This would be done via a notice being published in the Government Gazette. Licence holders would also be contacted if this was to occur. Under this scenario all fishing in Zone C would need to stop, regardless of whether you have fished the full Zone C entitlement showing on your MFL or not.

The provision of the 'Zone C effort cap' has allowed the capacity of Zone C to be set at a higher level than in previous years (in 2015 and 2016 the capacity of Zone C has been set at 1,100 days).

In addition, under an Instrument of Exemption (See [Attachment 5](#)) licence holders may use more than 20 traps per day in Zone C, without increasing the consumption of entitlement. The amount of time between a 'Commence Fishing' nomination, and a 'Cease Fishing' nomination for Zone C is the amount of time that is deducted, regardless if you are using 20 traps or more than 20.

These provisions for Zone C have been made to encourage exploratory fishing in this area.

### Total Fishing Days

In order to determine the total number of days available per licence you would multiply the number of units held by the associated unit value for that Zone. For example, in 2016 if you held 160 Zone B units:



160 (number units) x 0.56 (Unit Value) = 89.6 fishing days.

Please note important definitions as per clause 3 of the Plan; particularly:

- ‘*Fishing day*’ means the use of 20 traps for one day; or 5 lines for one day, from an authorised boat in Area 2 of the fishery.
- The term ‘*day*’ is also defined in clause 3 - ‘day’ means a period of 24 hours, or part thereof if the final day is not a complete period of 24 hours, commencing when the ‘Commence Fishing’ nomination is made, and ending when then ‘Cease Fishing’ nomination is made.

By using these two definitions together it can be seen that a ‘*fishing day*’ is a period of 24 hours when 20 traps are being used in the Fishery and a fishing nomination is in place.

It is an offence to fish under a MFL at any time that you have consumed all your available entitlement on that licence (Clause 21(4)).

### **3.7 Calculation of consumption of entitlement (fishing days)**

The amount of time that will be deducted from a licence is calculated based on the time that elapses between a ‘commence fishing’ nomination and a ‘cease fishing’ nomination. In addition the greater the number of traps used the faster your time will be deducted (except in Zone C). For example, if you fished in Zone B for 24 hours using 20 traps, one day’s worth of fishing time would be consumed. If you fished in Zone B for 24 hours with 40 traps, two day’s worth of fishing time would be consumed.

Relevant clauses of the Plan that provide these arrangements are as follows:

Clause 3 (interpretation – see definition of ‘day’), Clause 25(D) and Schedule 7.

Note that in Zone C in 2016 the use of more than 20 traps in Zone C will not result in more fishing time being deducted (See [Attachment 5](#)).

Please note that if you nominate less than 20 traps fishing time will still be deducted based on the use of 20 traps (Clause 25B (5)). Essentially 20 traps is the minimum trap number for the purposes of calculating consumption of fishing days.

Please see [Attachment 3](#) for some examples of how consumption of entitlement is calculated.

#### **3.7.1 How many days do I have left?**

It is the responsibility of each licence holder and the vessel master to keep a record of the amount of fishing that has occurred against their licence. You may like to do this by keeping an excel spreadsheet of the nominations you make and the trap numbers that you fish with.

If you would like to check your records against the records held by the Department’s VMS unit the licence holder need to submit an *Application for the Release of Information* ‘(E1 form) requesting this information. More details of the E1 application process and the E1 form can be found here:

## **3.8 Landing Fish**

### **3.8.1 Where can I land fish?**

There are no restrictions on where you can land your catch. Note that the ‘Cease Fishing’ nomination requires you to advise the Department which Port you will be returning to at the end of a trip (Clause 25C).

### **3.8.2 What fish can't I land?**

A list of the prohibited and/or protected species in the NDSF and a list of species that have trip limits on them are provided at Table 1 and Table 2 in section 5 and 6 of this guide.

## **3.9 What logbooks do I have to fill in and submit?**

### **3.9.1 Area 1 – Catch and Effort Monthly Returns Logbook**

You need to accurately complete a Catch and Effort Monthly Return. You should complete the version of the logbook that is relevant to Trap and Line Gear, which has a green cover.

This must be completed for each fishing trip and submitted to the Department by the 15<sup>th</sup> day of the following month, even when no fishing is undertaken during a month. Full instructions on how to fill out this form are provided at the front of the logbook. Any questions on this logbook can be directed to staff in the Stock Assessment and Data Analysis area, based in the Hillarys office Perth (see contact details at [Attachment 1](#) of this guide).

### **3.9.2 Area 2 - NDSF Daily/Trip Logbook**

You need to accurately complete the NDSF Daily/Trip Logbook. This must be completed for each fishing trip and submitted to the Department by the 15<sup>th</sup> day of the following month, even when no fishing is undertaken during a month. Full instructions on how to fill out this form are provided at the front of the logbook and these **must** be complied with. Any questions on this logbook can be directed to Craig Skepper (see contact details at [Attachment 1](#) of this guide).

## **3.10 Size limits**

Minimum size limits apply to many demersal scalefish caught in the NDSF. The size limits are listed in the Department of Fisheries’ ‘Recreational Fishing Guide 2016’, which can be obtained at the Department’s Broome office or downloaded from the internet at [www.fish.wa.gov.au](http://www.fish.wa.gov.au), and in Schedule 2 of the Regulations. The master and deckhands aboard a NDSF vessel need to be fully aware of the minimum size limits for various species, as the Department’s Fisheries and Marine Officers inspect and measure catches.

### **3.11 No recreational fishing from a commercial vessel**

You are not allowed to recreationally fish from a commercial fishing vessel. Any fish caught or landed by a commercial vessel are deemed to be commercially caught (*Fish Resources Management Act 1994* Section 210).

### **3.12 Use of 'bait bands'**

A bait band is plastic tape used for the purpose of securing cartons of bulk bait. Given concerns around these bait bands entering the marine environment a general prohibition on having bait bands aboard fishing vessels was introduced in WA in November 2011 via Regulation 55E.

However, following a request from NDSF and Pilbara Trap Managed Fishery licence holders approval was granted in December 2015 (via an Instrument of Exemption) to allow for the operators in the NDSF and Pilbara Trap fisheries to use bait bands.

It is a condition of the Exemption that the bait band must be cut when it is removed from the box (so that it does not encircle marine fauna if it enters the marine environment). Bait bands must not be deposited in the sea and should be returned to shore for appropriate disposal.

If you use bait bands it is a requirement that a copy of the Exemption is held on board the vessel. See [Attachment 4](#) for a copy of the Exemption.

### **3.13 Can I have friends/visitors come commercial fishing with me?**

Any person that comes on a commercial fishing trip with you that assists with fishing or operation of the vessel, or is paid, must hold a Commercial Fishing Licence. If the person only observes and is not paid, they do not require a Commercial Fishing Licence.

Generally speaking a Commercial Fishing Licence will not be issued to children; given it is an offence to employ children under 15 years of age unless specific legal requirements have been met under the *Children and Community Services Act 1999* and *School Education Act 1999*.

### **3.14 Commercial vessel survey, moorings and berthing in the NDSF**

The Department of Transport is responsible for vessel survey requirements, mooring, and for commercial vessel qualification matters. Berthing, jetty regulations and moorings with the gazetted port areas are the responsibility of the Kimberley Ports Authority. Contact details for the Department of Transport in Broome and the Kimberley Ports Authority are provided at [Attachment 1](#).

### **3.15 What should I do if I suspect someone of fishing illegally?**

If you suspect illegal fishing operations are occurring, contact *Fishwatch* on **1800 815 507** as soon as possible after you witness the event. Reports may be made anonymously and would ideally include the following:

- the date, time and location that the activity took place;
- details such as the registration numbers of the vehicle/vessels involved;
- descriptions of persons involved;
- the names of any verifying witnesses; and
- any photographs and/or other evidence.

Details of the *Fishwatch* calls are sent to Fisheries and Marine Officers in the region and they will respond whenever possible.

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## **4. Vessel Monitoring System (VMS)**

To use or have an authorised boat in the waters of the Fishery, an approved Automatic Location Communicator (ALC) must be installed and operated in accordance with the NDSF Approved Directions (Clause 17(2); Regulation 55). This applies to all authorised boats listed on a NDSF Area 2 licence, and any authorised vessel listed on a NSDF Area 1 licence if the vessel is greater than 8 metres in length.

The *Northern Demersal Scalefish Managed Fishery Automatic Location Communicator Approved Directions* were re-issued in March 2014 (please refer to the version signed by the Executive Director Regional Services on 11 March 2014), and contains the procedures and guidelines to have an approved ALC properly installed, tested and maintained for the Fishery. It also lists ALC breakdown and power down procedures. The Approved Directions can be downloaded from the following website:

<http://www.fish.wa.gov.au/Fishing-and-Aquaculture/Commercial-Fishing/Commercial-Fishing-Management/Pages/ALC-Approved-Directions.aspx>

If fishing in Area 1 there are no requirements to make nominations via an ALC. The rest of the information in this section is relevant when fishing in Area 2 only.

### **4.1 Area 2 - Nomination Requirements**

The nominations that are required to be made by the masters of boats authorised to fish in Area 2 via the ALC are described in detail in Part 5A of the Plan and in Schedule 1 of the NDSF Approved Directions.

The master must not allow a boat to be used in contravention of a nomination or unless all nominations required have been made.

A master must not make a false or misleading nomination (Clause 25(2)).

#### **4.1.1 Nomination of Intention to Fish (Clause 25A)**

This nomination must include the following details:

- The Fishery you intend to fish in (i.e. Northern Demersal Scalefish Fishery);
- MFL number that you intend to fish under;
- The zone or zones that you intend to fish in on that trip;
- The port that you will be departing from;
- The port that you intend to land in at the end of the trip;
- whether you intend to use traps or lines or both;
- the amount of gear (i.e. how many traps or lines you intend to use); and
- the master's name for the trip.

If you are departing from Broome or any other Kimberley location, this nomination needs to be made between 24 hours and 1 hour of the vessel entering Area 2 of the Fishery. If you

will be starting your trip in the Northern Territory, this nomination needs to be made immediately upon the vessel entering the waters of the Fishery (i.e. WA).

#### **4.1.2 Nomination to Commence Fishing (Clause 25B)**

This nomination must include the following details:

- The Fishery you are fishing in (i.e. Northern Demersal Scalefish Fishery);
- MFL number that you are fishing under (from which time will be deducted);
- The date and time that fishing is to commence ;
- The boat location (in latitude and longitude) when the first baited trap or line goes into the water;
- The zone in which you are fishing;
- Whether you are fishing with traps or lines or both gear types;
- The amount of gear which will be used; and
- The masters name.

Note that only one master's name should be indicated in this nomination.

We recommend you use the Date/Time stamp and Position stamp in EasyMail for Commence and Cease fishing nomination times and positions, rather than manually entering this information.

It is an offence for the Master to use or carry more traps than indicated in this nomination (Clause 15(10)).

#### **4.1.3 Nomination to Cease Fishing (Clause 25C)**

This nomination must include the following details:

- The Fishery in which fishing took place (i.e. Northern Demersal Scalefish Fishery);
- MFL number that you fished under;
- The date and time that fishing ceased;
- The boat location when the last trap or line was secured aboard the vessel; and
- The landing port and your estimated time of arrival.

This nomination needs to be made at the end of a fishing trip or when fishing in a Zone has ceased; immediately after the last trap or line is secured aboard the vessel.

#### **4.1.4 Minimum period for Nomination – 24 Hours (Clause 25C(3))**

A 'Cease Fishing' nomination is of no effect if it is received within 24 hours of a 'Commence Fishing' nomination, unless the vessel then:

- Either returns to a port area or leaves the waters of the Fishery (i.e. it is the last day of the fishing trip); or
- A 'Commence Fishing' nomination is then received for another Zone in Area 2 (i.e. the vessel is changing zones).

This clause has been included to reflect the historical method of nominating on a trip (or zone by zone) basis, rather than a gear in / gear out hourly style of nominating. This historical method of nominating and the resulting catch per unit effort data has been assumed in setting the effort capacity of the fishery each year (i.e. the total number of fishing days that are permitted). Please ensure you are aware of this, as entitlement will be deduced based on this rule – even if you do submit daily commences and ceases.

The Plan does allow for part day fishing on the last day of your trip or on a day that you change zone (Clause 25C(3)). You may also need to bear this in mind when using up last day on a Managed Fishery Licence (i.e. you will need to have need a minimum of 24 hours left on a licence to nominate commence fishing, or alternatively use the ‘part day’ on the last day of a trip or last day in a zone).

#### **4.1.5 Failure to send a Nomination to Cease Fishing (Clause 25D(3))**

If a master sends a nomination to ‘Commence Fishing’ but forgets to send a ‘Cease Fishing’ nomination, for the purposes of calculating the extent of fishing that has occurred, and the associated consumption of entitlement (fishing time), the following procedure will be used:

Fishing time will keep being deducted from nominated zone until either:

- Boat leaves waters of Fishery (i.e. leaves WA); or
- Boat enters a Port area (Broome, Derby, Wyndham); or
- Another commence fishing nomination is made (i.e. the boat changes Zone).

#### **4.1.6 Failure to Send a Nomination to Commence Fishing (Clause 25D(2))**

If a master was to submit a ‘Cease Fishing’ nomination but no corresponding ‘Commence Fishing’ nomination was received, for the purposes of calculating the extent of fishing that has occurred, and the associated consumption of entitlement (fishing time), the following procedure will be used:

Fishing time will be taken to have commenced when;

- First position report when boat enters waters of Fishery (i.e. enters WA);
- First position report when boat leaves a Port area (Broome, Derby, Wyndham); or
- When fishing more than one zone on a trip, the time of the most recent ‘Cease Fishing’ nomination.

***It is a serious offence to fish without having submitted a ‘Commence Fishing’ nomination (Clause 13; 25; 25B(1)).***

### **Other points regarding Nominations:**

- Do not refer to ‘Exemption’ in your nominations for Zone A and C fishing, as from the commencement of the 2014 licensing period all entitlement is held on the Managed Fishery Licence.
- You may only nominate one MFL at one time (Clause 25B (3)).
- If you need to change MFL at sea please ensure you have sent a ‘Commence Fishing’ nomination and then a ‘Cease Fishing’ nomination listing the first MFL number; then do a new ‘Commence Fishing’ nomination and then a ‘Cease Fishing’ nomination for the second MFL.
- Only ONE zone may be nominated to fish at a time (i.e. operating ‘over the line’ or nominating two zones on a ‘commence and cease fishing’ nomination is not permitted).
- If you want to change Zones on a trip please do a separate ‘Commence Fishing’ nomination and ‘Cease Fishing’ nomination for each zone (Clause 25B(4)).

### **What if I don’t receive a Delivery Notification after submitting a Nomination?**

Generally, if a delivery notification is not received within 20 minutes, then the message has failed. The master should try to send the notification again.

Where the messaging facility of the approved ALC is still not operating and the master is unable to transmit the mandatory nominations, the VMS Unit (08 9432 8008) is to be called and the details of the nomination left as a voice message along with the masters name and contact number.

Note this phone call is a temporary option and the computer is to be repaired as soon as practically possible.

#### **4.1.7 Powerdown Approval Process**

If you need to power down your ALC, you must first obtain approval from the VMS unit. You can either submit the request via EasyMail or submit the power down request form - available at:

[http://www.fish.wa.gov.au/Documents/commercial\\_fishing/vms/alc/alc\\_power\\_down\\_approval\\_form.pdf](http://www.fish.wa.gov.au/Documents/commercial_fishing/vms/alc/alc_power_down_approval_form.pdf)

Written approval **must** be received from a VMS Officer prior to the ALC being switched off and the vessel must remain in one location while powered down. The master or license holder is required to contact the VMS unit when power is reinstated to ensure the ALC is operating effectively. Please note that if there is any change to the power up date, you need to contact a VMS Officer. Powerdown Approval is strongly recommended if a vessel is undergoing repair or maintenance or if there will be a long period of inactivity, unless you can ensure that the ALC will not fail to operate (e.g. lose power).



## 5. Prohibited/Protected Species

The species in the table below **cannot be taken** as they are protected under WA legislation and/or Commonwealth legislation. Page 4 of the *NDSF Managed Fishery Daily/Trip Logbook* details how to report any interactions with, or injuries to, species protected under Commonwealth legislation.

**Table 1** Prohibited and/or Protected Species in the Northern Demersal Scalefish Fishery

Common Name	Scientific Name	Limits
All rays and sawfish		
Billfish (marlins, spearfish and sailfish)	Family Istiophoridae	
Mackerel (includes Spanish, broad bar, school etc)	All fish of the genera <i>Scomberomorus</i> , <i>Grammatorcynus</i> and <i>Acanthocybium</i> ;	
Potato cod	<i>Epinephelus tukula</i>	These species cannot be taken
Queensland groper	<i>Epinephelus lanceolatus</i>	
Humphead Maori wrasse	<i>Cheilinus undulates</i>	
Seabirds, sea turtles, dugongs, sea snakes, great white sharks, pipefishes, seals, whales and dolphins		
All crustaceans, corals, live rock and molluscs		

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## 6. Bycatch Limits

### 6.1 Sharks

You may not have more than two whole sharks on board your vessel. In order to prevent ‘finning’ there are specific requirements for the condition that the shark must be in while on board your vessel. The options are:

- Whole; or
- Whole – with guts and head removed; or
- Separated into parts, but all parts of the shark (except for the guts and head) must be on board the vessel (Clause 27).

It is an offence to mutilate or disfigure a shark such that a Fisheries and Marine Officer could not determine how many sharks are on board the vessel (Clause 27).

If you already have 2 sharks on board the vessel you need to ensure that any further sharks caught are returned to the water immediately with the least possible injury.

**Table 2** Bycatch Limits for Commonwealth Managed Species (Regulation 16GE)

Common name	Scientific Name	Restrictions
Yellowfin Tuna Bigeye Tuna	<i>Thunnus albacares</i> <i>Thunnus obesus</i>	2 fish per trip in total (any combination)
Albacore Tuna Blue mackerel Jack Mackerel Longtail Tuna Peruvian jack mackerel Pomfrets, fanfish Redbait Skipjack Tuna Yellowtail jack mackerel	<i>Thunnus alalunga</i> <i>Scomber australasicus</i> <i>Trachurus declivis</i> <i>Thunnus tonggol</i> <i>Trachurus murphyi</i> <i>Family Bramidae</i> <sup>1</sup> <i>Emmelichthys nitidus</i> <i>Katsuwonus pelamis</i> <i>Trachurus novaezelandiae</i>	10 fish per trip in total (any combination)
Northern Bluefin Tuna Southern Bluefin Tuna Billfish (Marlins, Sailfish & Soearfish)	<i>Thunnus thynnus</i> <i>Thunnus maccoyii</i> <i>Family Istiophoridae</i>	No fish may be taken

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<sup>1</sup> when taken in WA waters outside the 200 m isobath

## Attachment 1: NDSF Contact Details (as at July 2016)

Department of Fisheries <b>Broome Office</b>	Port of Pearls House 401 Port Drive Broome WA 6725  PO Box 71 BROOME WA 6725	Ph: (08) 9193 8600  Fax: (08) 9193 8688
<b>Management enquiries</b> Pia Dobson, Senior Regional Fisheries Management Officer, Broome	<a href="mailto:pia.dobson@fish.wa.gov.au">pia.dobson@fish.wa.gov.au</a>	(08) 9193 8600
<b>VMS enquiries</b> Stephanie Nicoloff (nee Hughes) Nick Stingemore Lisa West	<a href="mailto:VMS@fish.wa.gov.au">VMS@fish.wa.gov.au</a>  easyMail - DNID address	Ph: (08) 9432 8000  Fax:(08) 9335 8615
<b>Licensing enquiries</b> Tristan Lowe	<a href="mailto:tristan.lowe@fish.wa.gov.au">tristan.lowe@fish.wa.gov.au</a>	(08) 9482 7302
Compliance enquiries Compliance Manager Broome Stuart McDowall Supervising FMO Peter Hurst	<a href="mailto:stuart.mcdowall@fish.wa.gov.au">stuart.mcdowall@fish.wa.gov.au</a> <a href="mailto:peter.hurst@fish.wa.gov.au">peter.hurst@fish.wa.gov.au</a>	(08) 9193 8600
Suspected illegal fishing activity	<i>Fishwatch</i>	<b>1800 815 507</b>
Catch and Disposal Record enquiries via E1form Rhonda Ferridge	<a href="mailto:rhonda.ferridge@fish.gov.au">rhonda.ferridge@fish.gov.au</a>	(08) 9203 0111
Daily Logbook enquiries Craig Skepper	<a href="mailto:craig.skepper@fish.wa.gov.au">craig.skepper@fish.wa.gov.au</a>	(08) 9203 0111
PFSEL Enquiries Jim Prescott Manager - MoU Box Foreign Compliance Operations Australian Fisheries Management Authority - Darwin	<a href="mailto:Jim.Prescott@afma.gov.au">Jim.Prescott@afma.gov.au</a>	08 8943 0364 0448 211 139
<b>Commonwealth Protected Species interactions</b>		1800 641 806
<b>Vessel survey requirements, marine safety</b> Department of Transport, Broome	<a href="mailto:regional.serviceskimberley@transport.wa.gov.au">regional.serviceskimberley@transport.wa.gov.au</a>  9 Napier Terrace Broome WA 6725	(08) 9192 0200 or (08) 9022 5999
<b>Kimberley Ports Authority</b>	<a href="mailto:info@kimberleyports.wa.gov.au">info@kimberleyports.wa.gov.au</a>	(08) 9194 3100
<b>Marine Parks</b> Department of Parks and Wildlife, Broome Office	111 Herbert Street BROOME PO Box 65 BROOME 6725	Ph: (08) 9195 5500 Fax: (08) 9193 5027

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## **Attachment 2: NDSF Internet links for relevant documents**

### **Online WA Fisheries Legislation**

<http://www.fish.wa.gov.au/About-Us/Legislation/Pages/default.aspx>

### **Online Commercial Licensing Forms**

<http://www.fish.wa.gov.au/Fishing-and-Aquaculture/Commercial-Fishing/Commercial-Fishing-Licences/Pages/Commercial-Licence-Forms.aspx>

### **Department of Transport (moorings, marine safety, navigation aids etc.)**

[http://www.transport.wa.gov.au/imate/marine\\_information.asp](http://www.transport.wa.gov.au/imate/marine_information.asp)

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## **Attachment 3: How to calculate your entitlement – 2016 licensing period**

### **NDSF Area 2 – Consumption of Entitlement Examples**

#### **DISCLAIMER**

This information sheet has been prepared to provide you with some working examples of how consumption of entitlement is calculated in Area 2 of the Northern Demersal Scalefish Fishery for the 2016 licensing period. This sheet is intended as a guide only, and has been derived from information contained in other key documents, primarily:

1. *Northern Demersal Scalefish Managed Fishery Management Plan 2000*. Last amended: Government Gazette No. 187 on 11 December 2015; and
2. *Determination of the Capacity Zones of Area 2 of the Northern Demersal Scalefish Fishery for the 2016 licensing period*; as published in the Government Gazette of 1 December 2015.

Each licence holder should also refer to a current version of their Northern Demersal Scalefish Fishery Managed Fishery Licence, in order to determine the units of entitlement available to them.

It is the responsibility of the licence holder and the master of the vessel to access and interpret the legislation and key documents relating to the Fishery.

#### **Getting Started**

Please refer to your Managed Fishery Licence, which will indicate how many units of entitlement you have in each Zone of Area 2, what the current unit value is, and what this equals in ‘*Fishing Days*’.

Please note important definitions as per clause 3 of the *Northern Demersal Scalefish Fishery Management Plan 2000*; particularly:

- ‘*Fishing day*’ means the use of 20 traps for one day; or 5 lines for one day, from an authorised boat in Area 2 of the Fishery.
- The term ‘*day*’ is also defined in clause 3. A ‘*day*’ means a period of 24 hours, or part thereof if the final day is not a complete period of 24 hours, commencing when the ‘*Commence Fishing*’ nomination is made, and ending when then ‘*Cease Fishing*’ nomination is made.

By using these two definitions together it can be seen that a ‘*fishing day*’ is a period of 24 hours when 20 traps are being used in the Fishery and a fishing nomination is in place.

We will now work through some examples to answer some common questions you may have regarding your entitlement.

### Example 1 - TRAPS ZONE B – CONVERT UNITS TO HOURS (using 20 traps)

**Question: How many hours can I fish with, given I have 160 units and I use 20 traps?**

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The Zone B unit value for 2016 has been set at 0.56 'fishing days'.

**IMPORTANT NOTE:** Remember that as set out on Page 2, the term 'fishing day' is defined in the plan, and refers to a period of 24 hours when 20 traps are being used in the Fishery and a commence fishing nomination is in place.

So, how many hours does one Zone B unit equal when using 20 traps?

***1 unit = 0.56 fishing days***

To convert this to hours, multiply by 24 (the total number of hours in one day):

***1 unit = 24 hrs × 0.56 fishing days***

***1 unit = 13.44 hours (when using 20 traps)***

If your Managed Fishery Licence shows you hold a total of 160 units in Zone B, how many total hours do you have available?

***Total Hours = 160 units × 13.44 hours***

***Total hours = 2,150 hours (when using 20 traps)***

This can also be converted back into 'fishing days' by dividing the hours by 24 (the number of hours in a single day):

***Total days = 2,150 hours ÷ 24***

***Total days = 89.5 fishing days (using 20 traps)***

This calculation (showing fishing days) should reflect the information shown on your Managed Fishery Licence.

#### **Notes:**

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- If you have a different number of units the same formulas can be used, just change the value of 160.
- You can perform the same calculation for Zone A, but you will need to use the unit value that has been set for Zone A in 2016, which is 0.35 fishing days.
- You can perform the same calculation for Zone C, but you will need to use the unit value that has been set for Zone C in 2016, which is 0.625 fishing days. Performing this calculation for Zone C will tell you the total hours you have available, irrespective of how many traps you chose to fish with. For further information regarding Zone C please see Example 4.

**Example 2 - TRAPS ZONE B – CONVERT UNITS TO HOURS (using more than 20 traps)**

**Question: How many hours can I fish with in 2016, given I have 160 Zone B units and I use 35 traps each day?**

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You hold a licence with 160 units on it in Zone B. You are planning to fish with 35 traps and want to know how many hours you have available to fish.

As set out in the previous example, in 2016 in Zone B one unit allows for 13.44 hours when using 20 traps. If you have 160 units this is a total of 2,150 hours using 20 traps.

To be able to work out the number of hours you have using 35 traps you need to divide 20 traps by 35 traps and then multiply this by the total number of hours you worked out earlier (using 20 traps and 160 units).

$$\text{Hours available} = \frac{20}{35} \times 2,150$$

$$\text{Hours available} = 0.57 \times 2,150$$

$$\text{Hours available} = 1,228.5 \text{ hours available for 160 units using 35 traps}$$

To work out days divide the hours by 24 (the number of hours in a single day)

$$160 \text{ units} = 1,228.5 \text{ hours} - \text{When using 35 traps}$$

$$160 \text{ units} = \frac{1,228.5}{24}$$

$$160 \text{ units} = 51.2 \text{ days} - \text{When using 35 traps}$$

**Notes:**

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- If you have a different number of units you will first need to use the formula at Example 1 to work out how many hours you have available, when using 20 traps.
- You can perform the same calculation for Zone A, but you will need to use the unit value that has been set for Zone A in 2016, which is 0.35 fishing days, in the formulas provided at Example 1, before using this calculation.
- If fishing in Zone C in 2016 it does not matter how many traps you use. See Example 4 for further details.

### Example 3 – TRAPS ZONES A & B

**Question: How many units have I used between a ‘Commence Fishing’ nomination and a ‘Cease Fishing’ nomination in Zone B?**

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You intend to fish using 35 traps in Zone B and want to know how many units you have used between a ‘Commence Fishing’ nomination and a ‘Cease Fishing’ nomination. For this example we will assume you sent the ‘Commence Fishing’ nomination at 06:00 on 1/01/2016; and a ‘Cease Fishing’ nomination at 06:30 on 05/01/2016.

To calculate how much time or units you have used in between a ‘Commence Fishing’ and ‘Cease Fishing’ nomination using 35 traps, you need to refer to the formulas provided in Schedule 7 of the Plan. When using traps in Zone B the relevant formula is provided at Item 1 and states:

$$A = \frac{(B \times C)}{(D)}$$

Where:

- A is the total amount of fishing carried out on the trip expressed as a number of fishing days (to be deducted from the sum of the unit values of the units conferred by the license); (*i.e. the number of ‘fishing days’ you used on this trip*)
  - B is the number of days fished using traps (*i.e. the time (in days) that has elapsed between your ‘Commence Fishing’ nomination and the ‘Cease Fishing’ nomination*);
  - C is the number of fishing traps nominated to be used each day in the trip; and
  - D is the value of a fishing day when using traps. (*i.e. 20, given the definition of ‘fishing day’ used in the Plan*)
- 

To calculate the days fished (*i.e. the value of B for the formula*):

***Hours fished = cease fishing – commence fishing***

***Hours fished = 05/01/2016 06:30 – 01/01/2016 06:00***

***Hours fished = 96 hours 30 minutes***

We now need to change these hours fished to decimal format:

***Hours fished = 96 +  $\left(\frac{30}{60}\right)$***



$$\text{Hours fished} = 96 + (0.5)$$

$$\text{Hours fished} = 96.5$$

$$\text{Days fished} = 96.5 \text{ hours} / 24 = 4.02 \text{ days}$$

Therefore using the formula at Item 4 of Schedule 7:

$$A = \frac{(B \times C)}{(D)}$$

$$\text{Days consumed (A)} = \frac{(\text{days fished} \times \text{number of traps used})}{(20)}$$

$$\text{Days consumed (A)} = \frac{(4.02 \times 35)}{(20)}$$

$$\text{Days consumed (A)} = 7.035$$

To then convert this to units, you need to divide the number of days by the relevant unit value. In this example, as we are dealing with the 2016 licensing period and fishing has occurred in Zone B, the unit value is 0.56:

$$\text{Units fished} = 7.035 / 0.56$$

$$\text{Units fished} = 12.56$$

**Notes:**

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- In the calculation examples above, we have used Zone B as an example. You can use these same calculations for Zone A also by changing the unit value to 0.35.
- The arrangements for Zone C are different, for a Zone C example please see example 4.

#### Example 4 - TRAPS – ZONE C

**Question: You have been fishing using traps in Zone C and you want to work out how many units you have used between a single commence and cease fishing.**

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You are a fisherman using 35 traps in Zone C and want to know how many units you have used between a commence and cease fishing.

Under an Instrument of Exemption which is in place for the 2016 and 2017 licensing periods, the formula in Schedule 7 (when fishing by traps in Zone C) is amended to the following –

$$A = B$$

Where:

- A is the total amount of fishing carried out on the trip expressed as a number of fishing days (to be deducted from the sum of the unit values of the units conferred by the license); (*i.e. the number of 'fishing days' you used on this trip*);
- B is the number of days fished using traps (*i.e. the time (in days) that has elapsed between your commence fishing nomination and the cease fishing nomination*)

You can see in this formula the number of traps is not a factor, unlike in Zone A or B. If you use 20 traps for 24 hours or 40 traps for 24 hours the amount of time deducted from your entitlement will still be 24 hours (or one day).

For this example we will assume you sent the commence fishing nomination at 06:00 on 1/01/2016; and a cease fishing nomination at 06:30 on 05/01/2016.

To calculate the days fished (i.e. the value of B for the formula):

***Hours fished = cease fishing – commence fishing***

***Hours fished = 05/01/2016 06:30 – 01/01/2016 06:00***

***Hours fished = 96 hours 30 minutes***

We now need to change these hours fished to decimal format:

***Hours fished = 96 +  $\left(\frac{30}{60}\right)$***

***Hours fished = 96 + (0.5)***

***Hours fished = 96.5***

***Days fished = 96.5 hours / 24 = 4.02 days***

When fishing in Zone C, the formula will be:

$$A = B$$

We have just calculated above that:

$$B \text{ (number of days fished using traps)} = 4.02 \text{ days}$$

Therefore, using the formula:

$$A \text{ (fishing days to be consumed)} = 4.02 \text{ days}$$

To convert this to units divide the number of days by the 2016 unit value for Zone C; which is 0.625.

$$4.02 \text{ days} / 0.625 = 6.4 \text{ units.}$$

## Attachment 4: Instrument of exemption – exem 2694 – use of bait bands by NDSF and Pilbara Trap

Office use only
LATMS Number: 15/634
EXEMPTION NUMBER: 2694

**Fish Resources Management Act 1994**  
Section 7(2)(e)

### INSTRUMENT OF EXEMPTION

I, Heather Brayford, Director General, as delegate for the Minister for Fisheries, pursuant to 7(2)(e) of the *Fish Resources Management Act 1994* do HEREBY EXEMPT the class of persons in **Schedule 1** from the provisions of Regulation 55F of the *Fish Resources Management Regulations 1995* and any other legislation which would otherwise prevent that class of persons from lawfully pursuing the activity listed in **Schedule 2**, for the period and purpose specified in **Schedule 3**, subject to the conditions listed in **Schedule 4**.

**Schedule 1**  
**Class of persons**

Masters of vessels authorised to fish under a Managed Fishery Licence under the *Northern Demersal Scalefish Fishery Management Plan 2000* and the *Pilbara Trap Limited Entry Fishery Notice 1992*.

**Schedule 2**  
**Activity**

Having bait bands on board a boat being used for, or in connection with, fishing in the Northern Demersal Scalefish Managed Fishery or the Pilbara Trap Managed Fishery.

**Schedule 3**  
**Period and Purpose**

1. From the date of signing of this Instrument until 31 December 2018.
2. To allow masters of authorised boats in the Northern Demersal Scalefish Managed Fishery and the Pilbara Trap Managed Fishery to have bait bands on board the boat.

**Schedule 4**  
**Conditions**

1. Bait bands must not be deposited in the sea.
2. Once removed from the box a bait band must be cut.
3. The class of persons identified in **Schedule 1** of this Exemption must carry a copy of the Exemption when carrying out the Activities described in **Schedule 2**.



Heather Brayford  
DIRECTOR GENERAL  
as delegate for MINISTER FOR FISHERIES

Dated the 21<sup>st</sup> day of December 2015

**Attachment 5: Instrument of exemption – exem 2759 – revised calculation of the extent of fishing in zone c via traps 2016-2017**

Office use only
LATMS Number: 16-74
EXEMPTION NUMBER: 2759

**Fish Resources Management Act 1994**  
*Section 7(1)*

**INSTRUMENT OF EXEMPTION**

I, Michael McMullan, Director Aquatic Management, as delegate for the Minister for Fisheries, pursuant to 7(1) of the *Fish Resources Management Act 1994* do HEREBY EXEMPT the class of persons in **Schedule 1** from Schedule 7 Item 1 of the *Northern Demersal Scalefish Fishery Management Plan 2000* and any other legislation which would otherwise prevent those class of persons from lawfully pursuing the activity listed in **Schedule 2**, for the period and purpose specified in **Schedule 3**, subject to the conditions listed in **Schedule 4**.

**Schedule 1**  
**Class of persons**

1. The holder of an Area 2 Managed Fishery Licence under the *Northern Demersal Scalefish Fishery Management Plan 2000*; and
2. Officers of the Department of Fisheries (WA) required to calculate the extent of fishing that has occurred under the *Northern Demersal Scalefish Fishery Management Plan 2000*.

**Schedule 2**  
**Activity**

When a vessel has fished using traps in Zone C of Area 2 of the NDSF, the class of persons listed in schedule 1 may not be subject to the formula at Schedule 7 Item 1 of *Northern Demersal Scalefish Fishery Management Plan 2000* to determine the extent of fishing that has occurred, to the extent that the formula in condition 1 is used.

**Schedule 3**  
**Period and Purpose**

1. To apply during the 2016 and 2017 licensing periods of the Northern Demersal Scalefish Fishery.
2. To allow for a revised method of determining the extent of fishing that has been carried out, following a nomination of intention to fish using traps in Zone C of the Fishery.

**Schedule 4**  
**Conditions**

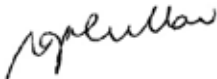
1. The following formula is to be used in place of Schedule 7 Item 1:

*When using traps in Zone C of Area 2 -*

where  $A = B$

A is the total amount of fishing carried out on the trip expressed as a number of fishing days (to be deducted from the sum of the unit values of the units conferred by the licence);

B is the number of days fished using traps.



**Michael McMullan**  
**DIRECTOR AQUATIC MANAGEMENT**  
**as delegate for MINISTER FOR FISHERIES**

Dated the 20<sup>th</sup> day of APRIL 2016

# Attachment 6: Instrument of exemption – exem 2780 – line fishing area 2

Office use only	
LATMS Number:	15-679
EXEMPTION NUMBER:	2780

**Fish Resources Management Act 1994**  
Section 7(2)(e)

### INSTRUMENT OF EXEMPTION

I, Michael McMullan, Director Aquatic Management, as delegate for the Minister for Fisheries, pursuant to 7(2)(e) of the *Fish Resources Management Act 1994* do HEREBY EXEMPT the class of persons in **Schedule 1** from clause 15(5)(a) and clause 15(6)(a) of the *Northern Demersal Scalefish Fishery Management Plan 2000* and any other legislation which would otherwise prevent those class of persons from lawfully pursuing the activity listed in **Schedule 2**, for the period and purpose specified in **Schedule 3**, subject to the conditions listed in **Schedule 4**.

**Schedule 1**  
Class of persons

Master and crew of vessels authorised to fish under an Area 2 Managed Fishery Licence under the *Northern Demersal Scalefish Fishery Management Plan 2000*.

**Schedule 2**  
Activity

1. The master of an authorised vessel may have handlines with more than 6 hooks on board the vessel.
2. The master and crew of an authorised vessel may fish in Area 2 of the Northern Demersal Scalefish Managed Fishery with a handline that has more than 6 hooks.

**Schedule 3**  
Period and Purpose

1. From the date of signing of this Instrument until 31 December 2017.
2. To allow for the trial of alternative line fishing gear in Area 2 of the Northern Demersal Scalefish Fishery for a commercial purpose.

**Schedule 4**  
Conditions

1. A handline may not have more than 30 hooks.
2. A handline may only be used for a commercial purpose.
3. A master identified in **Schedule 1** of this Exemption must carry a copy of the Exemption when carrying out the Activities described in **Schedule 2**.

  
Michael McMullan  
DIRECTOR AQUATIC MANAGEMENT  
as delegate for MINISTER FOR FISHERIES

Dated the 9<sup>TH</sup> day of JUNE 2016





