

FISHERIES MANAGEMENT ACT 1991
NORTHERN PRAWN FISHERY MANAGEMENT PLAN 1995

NPF DIRECTION No. 106
(revoking NPF Direction No. 82)
BYPRODUCT LIMITS

I, Richard McLoughlin, Managing Director of the Australian Fisheries Management Authority, as delegate, make the following Direction under section 17(5A) of the *Fisheries Management Act 1991* and section 25(1) of the *Northern Prawn Fishery Management Plan 1995*.

Dated March 2007

Managing Director,
Australian Fisheries Management Authority

Citation

1. This Direction may be cited as NPF Direction No. 106

Commencement

2. This Direction commences the day after it is registered.

Application

3. This Direction applies to a holder of statutory fishing rights in the Northern Prawn Fishery, and to a person acting on behalf of the holder, when fishing in the Northern Prawn Fishery area.

Period of Application

4. This Direction applies for a period beginning on the date this Direction commences and ending on 31 March 2012.

Interpretation

- 5.1 In this Direction:
“**boat**” means a boat that is nominated on statutory fishing rights for the Northern Prawn Fishery;
“**fishing**” means the commercial fishing activities that are referred to in section 14 of the Northern Prawn Fishery Management Plan 1995;
“**equipment**” means equipment for fishing;
“**rock lobster**” shall be taken to mean a whole lobster of the species *Panulirus ornatus* and/ or a lobster tail of that species;
“**trip**” means the period between the unloading of a catch, or part of a catch, to a mothership or port or any other point where catch is unloaded;
“**UTC**” means Coordinated Universal Time, the time scale based on the second (SI), maintained by the International Bureau of Weights and Measures. For the purposes of this Direction UTC is equivalent to mean solar time at the prime meridian (0 degrees longitude), formerly expressed in Greenwich Mean Time (GMT) ;

“W” means the whole weight of fish in kilograms;
“GG” means the gilled and gutted weight of fish in kilograms;
“F” means the fish fillet weight in kilograms;
“HG” means the headed and gutted weight of fish in kilograms.

- 5.2 For the purposes of this Direction, the master of a boat is, at any time, presumed to have taken all of the fish present on the boat at that time and, in so doing, to have been acting on behalf of the holder of the statutory fishing rights in respect of which the boat is nominated.
- 5.3 A term used in this Direction that is defined for the purposes of the Northern Prawn Fishery Management Plan 1995 has the same meaning in this Direction as it has in that plan.
- [Notes: 1. Terms defined in the *Fisheries Management Act 1991* have the same meanings in this Direction. 2. Terms defined in the Northern Prawn Fishery Management Plan 1995 include "Northern Prawn Fishery" and "Northern Prawn Fishery area".]
- 5.4 This Direction is to be read consistently with other Directions made under the Northern Prawn Fishery Management Plan 1995.
- 5.5 The origin of geographical coordinates used in this Direction is the Australian Geodetic Datum 1966 (AGD66).

Prohibitions on byproduct

- 6 No fishing for the species named in Part 1 of the Schedule (the First Species) can be undertaken in this fishery in excess of a combined catch of one kilogram per trip.

Exemptions to the prohibition on taking fish in clause 6

- 7.1 The prohibition in clause 6 does not apply:
- (a) if the trip ends during the period beginning on 1 March in a year and ending on 30 June in the same year during the period of application of the Direction; and
 - (b) if no more than a cumulative total of 550 kilograms (whole weight) (the First Weight Limit) of the First Species are taken per trip; and
 - (c) if the First Weight Limit or any part thereof has been processed, the whole weight equivalent of the processed First Weight Limit or part thereof is determined using the conversion factors:
$$W = GG \times 1.1$$
$$W = F \times 2.6$$
$$W = HG \times 1.4.$$
- 7.2 The prohibition in clause 6 does not apply:
- (a) if the trip ends during any other period of the year outside of the period defined in clause 7.1 (a) during the period of application of the Direction; and
 - (b) If no more than a cumulative total of 55 kilograms (whole weight) (the Second Weight Limit) of the First Species are taken per trip; and
 - (c) if the Second Weight Limit or any part thereof has been processed, the whole weight equivalent of the processed Second Weight Limit or part thereof is determined using the conversion factors:
$$W = GG \times 1.1$$
$$W = F \times 2.6$$
$$W = HG \times 1.4.$$

Prohibition on taking fish in Part 2 of the Schedule

8. No fishing for the species named in Part 2 of the Schedule (the Second Species) can be undertaken in this fishery in excess of a combined catch of 10 individual fish per trip.

Prohibition on taking mudcrabs (*Scylla spp*)

9. No fishing for mudcrabs can be undertaken in this fishery in excess of a catch of 10 individuals per trip.

Prohibition on taking rock lobsters (*Panulirus ornatus*)

10. No fishing for rock lobsters can be undertaken in this fishery in excess of a catch of 6 individuals per trip.

Presumption on fish that are on board

11. Fish that are on board a boat are presumed to have been taken during:
 - (a) the current trip; or
 - (b) if the boat is not on a trip, the most recent trip.

Additional exemption to prohibitions in clauses 6, 8, 9 and 10

12. The prohibitions in clause 6, 8, 9 and 10 do not apply to a person if the person is fishing in accordance with another plan of management in force under the Management Act, or a law of a State or Territory that is in force in relation to the Northern Prawn Fishery area.

Revocation of NPF Direction No. 82

13. This Direction revokes NPF Direction No. 82 with effect from the date of this Direction.

SCHEDULE

Part 1

Common name	Scientific name
Saddle Tailed Snapper	<i>Lutjanus malabaricus</i>
Red Snapper	<i>Lutjanus erythropterus</i>
Red Emperor	<i>Lutjanus sebae</i>

Part 2

Common name	Scientific name
Broad-barred Spanish Mackerel	<i>Scomberomorus semifasciatus</i>
Coral trouts, Rock cods etc	Serranidae family
Gold Band Snapper	<i>Pristipomoides multidens</i>
Longtail Tuna	<i>Thunnus tonggol</i>
Narrow -barred Spanish Mackerel	<i>Scomberomorus commerson</i>
Emperors, sea breams	Lethrinidae family