

1. OBLIGATIONS

The holder of these Statutory Fishing Rights (SFRs) or authorised agent, must comply with the provisions of the Management Plan, the Fisheries Management Act 1991, the Fisheries Management Regulations 2002 and any other conditions as specified on this certificate or extract.

2. ICVMS REQUIREMENTS

A vessel nominated to this concession must be fitted with an operational Integrated Computer Vessel Monitoring System (ICVMS) which, unless otherwise waived or altered by AFMA in writing addressed to the holder, must meet and be operated according to the criteria set out in sub-paragraphs (a) to (e) hereunder.

(a) ICVMS must:

- i. include or consist of an Automatic Location Communicator (ALC) which:
 - is a type that has been approved by AFMA;
 - is correctly registered with the relevant Inmarsat-C provider; and
 - not to be switched off in port. 'Sleep mode' may not be used without prior arrangement with AFMA. The permit holder, or authorised agent, may enter into a prior arrangement to switch off the ALC or use 'sleep mode' by calling 02 6225 5369, 0418 468 134 or after hours by contacting the AFMA duty officer on 0419 205 329.*
- ii. have a personal computer attached to the ALC which is capable of sending and receiving emails; and*
- iii. be installed in accordance with the AFMA installation guidelines; and*
- iv. have the appropriate Data Network Identification Number (DNID) downloaded to the unit through AFMA; and*
- v. unless arrangements are entered into with AFMA in writing, be operating continuously and in accordance with the manufacturer's specifications and operating instructions.*

(b) The fishing permit holder must ensure that:

- i. in respect to condition (a)iv. above, the appropriate DNID download forms as supplied by AFMA are completed; and*
- ii. immediately after installation of the ICVMS and prior to going to sea for the first time following installation of the ICVMS seek confirmation from AFMA that the ALC is being monitored correctly (please note this only applies to the first trip following installation, you are not required to contact AFMA to confirm the ALC is working on any subsequent trip); and*

- iii. no person or persons switches off, tampers with, alters, damages or disables any component of the ALC, it's software, cabling or it's antenna system; and*
 - iv. the power supply(s) to the ALC is not tampered with, altered, damaged or disabled; and*
 - v. the AFMA seals attached to the unit in accordance with the installation guidelines are not removed by any person other than an authorised agent of the installer; and*
 - vi. in the event of the seals being removed by an authorised agent, the seals are replaced by an authorised agent.*
 - vii. he/she becomes aware that the ALC is not functioning contact AFMA immediately on the telephone numbers contained in condition (a)(i)*
- (c) If the ALC is not operating or is malfunctioning the boat must remain in port until the ALC is inspected, repaired if necessary and AFMA has received confirmation from an authorised technician that the ALC is functioning normally.*
- (d) If the ALC stops reporting or malfunctions after the boat has left port, the master of the boat must comply with any instructions given by an AFMA authorised officer. These instructions may include a requirement for the master to submit accurate manual position reports, or for the master to immediately stow all fishing gear and take the boat directly to port.*
- (e) The manual position reports referred to in paragraph (d) must be made at times and frequencies required by AFMA. They should be sent by:*
- i. fax to (02) 6225 5442; or*
 - ii. email to monitoring@afma.gov.au; or*
 - iii. phone to the AFMA duty officer on 0419 205 329.*

The report must include:

- i. the boat's name; and*
 - ii. the boat's distinguishing symbol; and*
 - iii. the boat's present latitude and longitude (in degrees and minutes); and*
 - iv. the date and time;*
3. The SFR holder or authorised **agent** must not carry nets on the boat unless those nets have been measured and tagged in accordance with conditions 4 to 18 of this SFR. The SFR holder or authorised **agent** may apply for an exemption to carry untagged nets in the area of the fishery in accordance with the procedure set out in condition 19 of this SFR.

4. The SFR holder or authorised **agent** must ensure that nets, headropes and footropes are measured in metres (to 2 decimal places). [Note: If measurements are equal to or greater than 0.005m then the number must be rounded up. If measurements are less than 0.005m the number must be rounded down.
5. The SFR holder or authorised **agent** must measure and tag each net.
6. The SFR holder or authorised **agent** must ensure that nets are measured in Fremantle, Geraldton, Darwin, Karumba, Cairns, Townsville or Brisbane. The SFR holder or authorised **agent** must inform the Fisheries Officer/s in the relevant port, with at least 24 hours notice, of the date and time, and location at, which nets will be measured.
7. To prepare the net for measuring, the SFR holder or authorised **agent** must ensure that:
 - a) the net is laid out straight for measuring
 - b) the eye of the headrope or footrope is attached to a fixed object at ground level
 - c) the other eye of the headrope or footrope is attached to a hand winch or a vehicle
 - d) the hand winch or vehicle is then used to straighten the headrope or footrope until it is aligned straight with the ground.
8. The SFR holder or authorised **agent** must ensure that the net is measured from the first hanging to the last hanging on the headrope. No net can extend beyond the limit of the first or last hanging of the net.
9. The SFR holder or authorised **agent** must measure the length of the headrope and the length of the footrope.
10. The SFR holder or authorised **agent** must complete the form titled Northern Prawn Fishery Net Measuring Form after the net has been measured and the tag stamped with the length of the net. These forms can be obtained from fisheries officers or AFMA. The SFR holder or authorised **agent** must ensure that when the net, headrope and footrope are measured and the measurements are verified, the tags that are attached to the headrope are stamped with the appropriate measurement.
11. For new nets, the SFR holder or authorised **agent** must insert a blank net tag into one eye of the headrope when the headrope is being made. Once the net has been measured, the SFR holder or authorized **agent** must use a number punch to punch the headrope length onto the net tag.

12. For existing nets, the SFR holder or authorised **agent** must secure a blank net tag into one eye of the headrope using a piece of stainless steel wire, which is to be fixed in place with a small swage.

Once the net has been measured, the SFR holder or authorised **agent** must use the number punch to punch the headrope length onto the net tag. The net tag is to be taped to the headrope using electrical tape.

13. The SFR holder or authorised **agent** must secure the net in a manner that allows access for fisheries officers to inspect the tag but avoids damaging the tag.
14. The SFR holder or authorised **agent** must ensure that the tags remain attached to the nets at all times when fishing is being undertaken in the area of the Fishery.
15. If a tag is lost from a net then the SFR holder or authorised **agent** must contact AFMA Compliance in Canberra to inform a Compliance Officer that a tag has been lost and to identify which tag has been lost. Contact details are contained in Condition 18.
16. If a headrope breaks and needs to be replaced then the SFR holder or authorised **agent** must re-measure the net.
17. If a net is lost when fishing and cannot be retrieved, the SFR holder or authorised **agent** must contact AFMA Compliance in Canberra to inform a Compliance Officer that a net has been lost and to identify which tag has been lost. Contact details are contained in Condition 19.
18. If an SFR holder or authorised **agent** wishes to carry an untagged net in the area of the Northern Prawn Fishery then they must apply for an exemption to carry untagged nets in the area of the Fishery by contacting AFMA Compliance in Canberra. Contact details are contained in Condition 19.
19. An application for exemption made to AFMA Compliance in Canberra must be made either by telephone, by fax or by email as follows:
 - (a) by telephone to (02) 6225 5369 or 0418 468 134;
 - (b) after hours on 0419 205 329 ; or
 - (c) by fax to (02) 6225 5442; or
 - (d) by email to monitoring@afma.gov.au.
20. The SFR holder or authorised **agent** must ensure that relevant information about fish taken and other species interactions in the area of the Northern Prawn Fishery is accurately and fully recorded and submitted:

- a) in the logbook titled Northern and Torres Strait Prawn Fisheries Daily Fishing Log (NP15) in accordance with the general information and instructions for completion of the logbook, or
 - b) as an alternative for SFR holders who have registered for lodgment of electronic logbook reports, in the form titled Electronic Logbook Report (XPR03.DTD), in accordance with the Instructions for Holders of Fishing Concessions and Licenses using XPR03 (VERSION1.0) dated March 2004.
21. The holder must ensure that relevant information about fish taken in the area of the Northern Prawn Fishery is accurately and fully recorded and submitted on a Seasonal Landing Return (SLR-T01) at the conclusion of the banana prawn season (1st season) and tiger prawn season (2nd season) respectively. These forms must be submitted in accordance with the information and instructions provided by AFMA.

22. CARRIAGE OF OBSERVERS

The SFR holder or authorised **agent** must, if requested by AFMA or its delegate, facilitate the carriage of observers on the boat.

If requested by AFMA to facilitate the carriage of observers then:

- a) Observers must be provided with:
 - i. reasonable access to all areas and facilities of the boat necessary to collect data, samples and other information necessary to allow an independent assessment of the total catch and effort and interactions with the environment;
 - ii. a satisfactory grade of accommodation and provisions, preferably on a single basis and of an equivalent standard to a deckhand on board;
 - iii. reasonable daily access to the boats radio or satellite communication facilities to permit the observer to make scheduled communications with AFMA or its **agents**;
 - iv. medical care to an adequate standard;
 - v. a safe and healthy living and working environment in which the observers are free from harassment and undue influence.

b) Observers must be assisted in facilitating the:

- i. collection of scientific data and samples as requested by AFMA;
- ii. recording the number, types and circumstances of interactions with seabirds, reptiles or mammals; and
- iii. reporting boat activity in the area of operation.

23. Navigating in area that is a closed zone for less than 24 hours

- (1) The master of a boat operating under this concession must not navigate the boat as shown by AFMA's monitoring of that boat's Vessel Monitoring System, in an area that at the time, is a closed zone for less than 24 hours.
- (2) Condition 23 (1) does not apply to the master of a boat if information given by the boat's vessel monitoring system during the period that the boat was navigated in the closed zone shows that:
 - (a) the boat was navigated in the closed zone for a period of 1 hour or more; and
 - (b) at all times during the period, the boat was either:
 - (i) stationary for a continuous period of 1 hour or more; or
 - (ii) traveling at a speed of at least 5 knots for a continuous period of 1 hour or more.
- (3) Condition 23 (1) does not apply to the master of a boat if:
 - (a) AFMA had given approval for the boat to be navigated in the closed zone because of an unforeseen emergency, or circumstances beyond the control of the master of the boat; and
 - (b) the boat was navigated in the closed zone in accordance with any instructions given by AFMA.

24. Navigating in area that is a closed zone for 24 hours or more

- (1) The master of a boat operating under this concession must not navigate as shown by AFMA's monitoring of that boat's Vessel Monitoring System in an area that, at the time, is a closed zone for 24 hours or more.

- (2) Condition 24 (1) does not apply to the master of a boat if information given by the boat's vessel monitoring system during the period that the boat was navigated in the closed zone shows that:
 - (a) the boat was navigated in the closed zone for a continuous period of 1 hour or more; and
 - (b) at all times during the period, the boat was traveling at a speed of at least 5 knots.
- (3) Condition 24 (1) does not apply to the master of a boat if:
 - (a) AFMA had given approval for the boat to be navigated in the closed zone because of an unforeseen emergency, or circumstances beyond the control of the master of the boat; and
 - (b) the boat was navigated in the closed zone in accordance with any instructions given by AFMA.

25. Meaning of "closed zone"

For the purposes of Condition 23 and 24 "closed zone" means:

- (a) AFMA has given a direction under s17(5A)(a) of the Act; and
- (b) the direction is in force; and
- (c) the effect of the direction is that fishing is not to be engaged in the area of a fishery, or a particular part of the area of a fishery, at a particular time; and
- (d) a particular boat:
 - (i) is specified in, or is nominated for, a fishing concession that entitles the holder to engage in fishing in the fishery or that authorises the use of the boat for fishing in the fishery; or
 - (ii) is specified in a scientific permit that authorises the use of the boat for scientific research purposes in the fishery;

- (e) the area of the fishery, or the particular part of the area of the fishery, to which the direction applies is, at the time, a closed zone for the boat and includes:
 - (i) a first season closure; and
 - (ii) a second season closure; and
 - (iii) a protected area closure; and
 - (iv) a prohibition on trawling; made under the Management Plan
26. (1) Condition 24(2) does not apply to the closed zone in NPF Direction103 paragraph 6(b) or part 10, Schedule 1 of NPF Direction 102 (Port Essington closure).
- (2) Condition 23(2) does not apply to the closed zone in NPF Direction103 paragraph 6(c).
27. This SFR, or a true copy of the SFR, must be carried on board at all times.

Definitions

"authorised **agent**" means an **agent** of the Statutory Fishing Right holder authorised in writing by the holder to act on their behalf.

"boat" means a boat that is nominated on statutory fishing rights for the Northern Prawn Fishery, and includes carrier boats and fishing boats;

"footrope" means the operational footrope of the net that lies between the two outermost points at which the netting at the bottom of the net is attached to the footrope;

"headrope" means the operational headrope of the net that lies between the two outermost points at which the netting at the top of the net is attached to the headrope;

"net" means a net used for trawling except a try-net;

"net tag" means a uniquely numbered stainless steel tag with the AFMA logo embossed on it;

"number punch" means the punch used to mark the length of the headrope onto the net tag;

"small swage" means a copper swage approximately 1 cm in length used to secure the net tag in place on an existing net;

"statutory fishing rights holder (SFR holder)" means the person who is the holder of the gear and boat SFR package nominated in respect of a particular boat or an authorised **agent** nominated in writing by that person to perform functions under the conditions of this SFR.