

Southern & Eastern Scalefish & Shark Fishery Gillnet Boat SFR 2008

CONDITIONS

1. MEASURING NETS

A mesh in a net must be measured in accord with the SESSF Guide to measuring fishing gear standard operating procedures.

2. CARRYING STATE GEAR

Small mesh nets permitted under a State licence must be stowed and secured at all times that the boat is fishing under authority of this fishing permit.

3. DEEPWATER DOGFISHES

Taking, retaining, carrying and landing deepwater dogfishes (*Centrophorus spp.*) is permitted subject to:

- (a) The total combined per trip limit trunked weight of Harrison's dogfish (*C. harrissoni*), Endeavour dogfish (*C. moluccensis*) and Southern dogfish (*C. uyato*) not exceeding 150kg; and (b) within this 150kg trip limit no more than 30kg trunked weight of Harrison's dogfish (*C. harrissoni*) is taken, retained, landed or carried.

4. SCHOOL & GUMMY SHARK SIZE LIMIT

Retained and/or landed school shark (*Galeorhinus galeus*) and gummy shark (*Mustelus antarcticus*) must exceed 450 millimetres when measured in a straight line from the middle of the posterior edge of the aftermost gill-slit to the ventral insertion of the caudal fin.

5. LANDING SHARKS

Sharks of the Class *Chondrichthyes*, (excluding skates and rays, angel shark of the Family *Squatinidae* and elephant fish of the Families *Callorhynchidae*, *Chimaeridae* and *Rhinochimaeridae*), must be landed and sent to the receiver headed and gutted (trunked) with their dorsal, pectoral and caudal (tail) fins naturally attached to their carcass. The tail tip may be cut off at the sub-terminal notch; the caudal lobe must be left attached. Pelvic fins and claspers may be removed or left attached to their carcass.

Angel sharks of the Family *Squatinidae* may be landed headed and gutted (trunked) with their belly flaps removed. The dorsal and caudal (tail) fins must not be removed from their carcass. The tail tip may be cut off at the sub-terminal notch. Pelvic fins, pectoral fins and claspers may be removed or left attached to their carcass.

Dogfishes of the Family *Squalidae* (which, for example includes Endeavour dogfishes, black sharks, brier sharks, lantern sharks, and greeneye spurdogs) may be landed headed and gutted with belly flaps removed. The dorsal and caudal (tail) fins must not be removed from their carcass. The tail tip may be cut off at the sub terminal notch. Pectoral fins, belly flaps, pelvic fins and claspers may be removed or left attached to their carcass.

Skates, rays and *Trygonorrhina sp.* (banjo shark) may be processed at sea, but not skinned or filleted. Banjo shark may be landed headed and gutted with their belly flaps, pelvic fins and claspers removed from their carcass. The pectoral fins and tail must not be removed from banjo

sharks. Pectoral fins (flaps) obtained from skates and rays may be landed separately.

All elephant fish of the Families *Callorhynchidae*, *Chimaeridae* and *Rhinochimaeridae* must be landed and sent to the receiver headed and gutted with the belly flaps removed. Fins must be removed excluding the second dorsal fin and tail which must be left attached to their carcass for identification purposes.

6. SHARK LIVERS

Carrying, retaining and landing livers obtained from sharks is prohibited unless the individual carcasses from which the livers were obtained are also landed at the same time.

7. FLATHEAD SIZE LIMIT

Carrying, retaining or landing flathead less than 280 millimetres in length when measured from the point of the snout to the tip of the tail is prohibited.

8. 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 subparagraphs (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 representative, may enter into a prior arrangement to switch off the ALC or use 'sleep mode' by calling 02 6225 5555 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;

9. PRIOR TO LANDING REPORTS

A prior to landing report must be made when fishing under the authority of this Boat SFR in accord with the following:

- (a) If mooring or anchoring in a port or another place EAST of the meridian of Longitude 136 degrees 32 minutes East, other than for the purpose of attending fishing gear at sea, AFMA must be notified at least two (2) hours before it is intended to moor or anchor the boat. Unloading must not commence until the date and time specified in the notification;

- (b) If mooring or anchoring in a port or another place WEST of the meridian of Longitude 136 degrees 32 minutes East, other than for the purpose of attending fishing gear at sea, AFMA must be notified at least four (4) hours before it is intended to moor or anchor the boat. Unloading must not commence until the date and time specified in the notification;
- (c) If the date and time of arrival is different from that specified in the previous notification, AFMA must be notified again immediately. The revised time of arrival must not be less than two hours if anchoring in a port or another place EAST of the meridian of Longitude 136 degrees 32 minutes East, or four hours if mooring or anchoring in a port or another place WEST of the meridian of Longitude 136 degrees 32 minutes East, from the time AFMA is notified and unloading must not commence until the revised date and time.

To make a prior to landing report contact 03 9625 1145 and provide all information requested.

10. REPORTING REQUIREMENTS

Unless otherwise advised by AFMA in writing, relevant information about each fishing operation must be accurately and fully recorded by the concession holder and or authorised agent on their behalf and submitted to AFMA:

- (a) In the applicable Logbook and Commonwealth Catch Disposal Record, in accord with the general information and instructions for completing those documents (The applicable Logbook and Catch Disposal Record are as determined by AFMA under subsection 42(1) of the Fisheries Management Act 1991); and
- (b) The transit form titled Commonwealth Managed Fisheries Transit Form (CTF) in accord with the information and instructions in the catch disposal record specified in (a) above and that transit form.

It is a further condition that the concession holder must supply any outstanding documentation to AFMA within 7 working days of a written demand from AFMA to supply such outstanding documents. A failure to supply the documents within that 7 day period will constitute a further breach of these conditions.

If documents are not supplied as required by these conditions, a continuing failure to supply such documents is a further continuing breach (until the documents are supplied). This is notwithstanding the payment of any penalty or the discharging of liability in relation to the original breach.

11. QUOTA AND CATCH BALANCING PROCEDURES

- (a) Unless otherwise varied by AFMA in writing, the holder of this concession must have a number of quota Statutory Fishing Rights registered in the holder's name on the Register of Statutory Fishing Rights kept by AFMA pursuant to s 44 of the *Fisheries Management Act 1991* (Cth) which is equal to or greater than the total quantity (by weight) of the quota species taken by the holder, or on behalf of the holder:
- by 5pm Eastern Standard Time 18 August 2008 for quota species taken between 1 May 2008 and the 31 July 2008 quota and catch balancing date; and
 - by 5pm Eastern Standard Time 17 November 2008 for quota species taken between 1 May 2008 and the 31 October 2008 quota and catch balancing date; and
 - by 5pm Eastern Standard Time 16 February 2009 for quota species taken between 1 May 2008 and the 30 January 2009 quota and catch balancing date; and

- in accordance with the obligations set out in s 20(3) of the *SESSF Plan*.
- (b) Unless otherwise varied by AFMA in writing, any dealing in a quota Statutory Fishing Right by the holder of a Boat SFR for the purpose of complying with a condition of this concession must be lodged with AFMA and be duly executable in the form approved by AFMA, on or before 5pm Eastern Standard Time on the dates, 18 August 2008, 17 November 2008, and 16 February 2009.
- (c) Failure to balance all catch against quota holdings by 5pm Eastern Standard Time on the dates described in this condition at paragraph (a) or in accordance with the obligations of the *SESSF Plan* may result in suspension and/or cancellation of this concession in accordance with s 38 and/or s 39 of the *Fisheries Management Act 1991* (Cth).
- (d) In this condition:
- quota statutory fishing rights has the same meaning as quota statutory fishing right in s 3 of the *SESSF Plan*.
- quota species has the same meaning as quota species in s 3 of the *SESSF Plan*.
- taken has the same meaning as take in s 4 of the *Fisheries Management Act 1991*
- quota and catch balancing date refers to the dates 31 July 2008, 31 October 2008 and 30 January 2009.