



**Australian Government**

**Australian Fisheries Management Authority**

# **Small Pelagic Fishery Management Arrangements Booklet 2015-16**



## **AFMA Small Pelagic Fishery**

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### **Important Note:**

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**Table 1. Scientific names, Total Allowable Catches (TACs), Overcatch and Undercatch %, number of Statutory Fishing Rights (SFRs), Conversion Factors and Levy Amounts for the Small Pelagic Fishery (SPF) quota species in the 2015-16 fishing season.**

Quota Species	Scientific Name	TAC (tonnes)	Overcatch (%)	Undercatch (%)	Number of SFRs	Conversion Factor (kg/SFR)	Levy Amount per SFR (\$)
Redbait East	<i>Emmelichthys nitidus</i>	3,310	10	10	11 866 489	0.278937	0.0066
Redbait West	<i>Emmelichthys nitidus</i>	2,880	10	10	8 120 002	0.354680	0.0066
Blue Mackerel East	<i>Scomber australasicus</i>	2,630	10	10	5 770 594	0.455759	0.0066
Blue Mackerel West	<i>Scomber australasicus</i>	6,200	10	10	9 724 000	0.637598	0.0066
Jack Mackerel East	<i>Trachurus declivis</i> , <i>T. murphyi</i>	18,670	10	10	11 170 217	1.671409	0.0066
Jack Mackerel West	<i>Trachurus declivis</i> , <i>T. murphyi</i>	3,600	10	10	11 396 002	0.315900	0.0066
Australian Sardine East	<i>Sardinops sagax</i>	1,880	10	10	3 000 001	0.626666	0.0066

Information about prohibited fish species in the SPF and trip limits for State managed finfish species is available by contacting the AFMA SPF Manager (contact details can be found on [page 29](#)).

## Important documents

### Commonwealth

[Fisheries Management Act 1991](#)

[Fisheries Management Regulations 1992](#)

[Commonwealth Fisheries Harvest Strategy Policy and Guidelines 2007](#)

[Commonwealth Policy on Fisheries Bycatch 2000](#) (under review)

[Accreditation under Parts 10 and 13 of the \*Environment Protection and Biodiversity Conservation Act 1999\*](#)

### SPF Specific

[Small Pelagic Fishery Management Plan 2009](#)

[Final \(Small Pelagic Fishery\) Declaration 2012](#)

[Small Pelagic Fishery Fishing Period Determination 2012](#)

Small Pelagic Fishery Statutory Fishing Right Conditions 2015-16

Small Pelagic Fishery Harvest Strategy

[Small Pelagic Fishery Bycatch and Discarding Workplan](#)

*Small Pelagic Fishery Total Allowable Catch Determinations (2015-16 Fishing Season) – for quota species and overcatch and undercatch*

[Small Pelagic Fishery Ecological Risk Assessment and Management Reports for Purse Seine and Mid-water Trawl Sectors 2010](#)

### Other

Individual Vessel Management Plans to protect Seabirds, Seals and Dolphins

[AFMA logbooks](#)

[AFMA licensing forms](#)

## Introduction

### Purpose of the booklet

The *Small Pelagic Fishery (SPF) Management Arrangements Booklet* is a guide for SPF concession holders to the management arrangements that will apply throughout the fishing season from 1 May 2015 to 30 April 2016.

Legislative requirements for SPF concession holders are detailed in several key documents, which are listed on [page 6](#). **It is your responsibility to familiarise yourselves with these documents.**

Further information on any of the SPF management arrangements can be found on the [SPF page](#) of the AFMA website (<http://www.afma.gov.au/fisheries/small-pelagic-fishery/>), or by contacting the SPF manager whose contact details can be found on [page 29](#).

### Management of the fishery

The SPF is managed in accordance with the *Small Pelagic Fishery Management Plan 2009* (the Plan). The SPF targets the following species:

- Blue mackerel (*Scomber australasicus*)
- Jack mackerel (*Trachurus declivis*, *T. murphyi*)
- Redbait (*Emmelichthys nitidus*)
- Australian sardine (*Sardinops sagax*).

The area of the fishery includes Commonwealth waters (3-200nm) extending from Southeast Queensland, around Southern Australia to latitude 31°00' South in Western Australia (see [Attachment 2](#)). The fishery is divided into two sub-areas, east and west of latitude 146°30' due to evidence of separate stocks both east and west of Tasmania.

A Total Allowable Catch (TAC) is set for each quota species within each zone, which is the total catch that may be taken during that fishing season. The TACs for the 2015-16 fishing season are provided in Table 1. Each TAC is divided amongst concession holders depending on the number of Statutory Fishing Rights (SFRs) held by each concession holder.

In order to fish in the SPF, operators must hold uncaught quota SFRs that authorise fishing for quota species in a sub-area of the fishery and use a boat that is nominated to the SFR. The SPF is a limited entry fishery, which means that no new fishing concessions are created and operators must obtain an existing concession in order to enter the fishery. Further details on fishing concessions are provided in the Licensing section of this booklet.

The two fishing methods permitted in the SPF are purse seine and mid-water trawl. The minimum mesh size for mid-water trawl is 30 millimetres.

## Consultative arrangements

Management Advisory Committees (MACs) are AFMA's main point of contact with each fishery, providing a forum where issues relating to a fishery are discussed, problems identified and possible solutions developed.

The former SPF MAC was incorporated into the South East Management Advisory Committee (SEMAC) on 1 July 2010. Current membership can be found on the AFMA [website](#)).

The [Small Pelagic Fishery Resource Assessment Group](#) (SPFRAG) provides advice on the status of SPF stocks and the impact of fishing on the marine environment to the SEMAC and the AFMA Commission.

The SPF TACs are set by the AFMA Commission following consideration of advice from SPFRAG, SEMAC and AFMA Management.

## State – managed species

The SPF is a selective fishery with little bycatch in which operators may only target SPF species. However, there is a possibility of catching species that are either not permitted to be taken by Commonwealth operators or are under trip limits in Commonwealth waters (3-200nm) adjacent to the states of New South Wales, Tasmania, South Australia and Victoria. To address the incidental take of these species, the Commonwealth and the states have established Offshore Constitutional Settlement (OCS) Arrangements that determine what jurisdiction species and/or quantities of species can be taken.

The incidental catch limits and prohibited species in Commonwealth waters adjacent to various States is available by contacting the AFMA SPF Manager, whose contact details can be found on [page 29](#).

Note that although Australian Sardine is a quota species in the SPF, it is a no take species for Commonwealth operators in Commonwealth waters (3-200nm) adjacent to Tasmania, Victoria, South Australia and Western Australia.

## Fishing in other Commonwealth fisheries

You must hold a valid fishing concession to fish in any Commonwealth fishery. For information on requirements in other Commonwealth fisheries please contact AFMA on **1300 723 621**.

If you catch any quota species managed under other Commonwealth Fishery Management Plans, these must be covered by quota SFRs of the relevant Commonwealth fishery.



## Licensing

### Quota Statutory Fishing Rights (SFRs)

Quota SFRs allow operators to take a limited weight of a particular quota species. They are granted under the Plan for each fishing season and remain in force for the rest of that season. SFRs may be transferred, leased, surrendered or cancelled. The conversion factors for kg/SFR are outlined in Table 1.

To fish in the SPF, you must hold uncaught quota SFRs nominated to the boat that will fish the quota.

To fish using mid-water trawl gear in the SPF, in areas overlapping with relevant sectors of the Southern and Eastern Scalefish and Shark Fishery, including the Great Australian Bight Trawl Fishery, Western Deep Water Trawl Fishery, and/or the East Coast Deepwater Trawl Fishery, the boat nominated to the SPF SFRs must also be nominated to a fishing concession that allows access to trawl in that fishery.

In addition, to mid-water trawl in waters within 3nm of NSW and WA, operators must also hold the relevant State trawl entitlement.

For further information on fishing concessions, refer to the Plan or the SPF SFR conditions. A list of SFR owners and quota owned is available on AFMA's [website](#).

### Transfer of a Quota SFR

You may transfer quota SFRs by completing the appropriate application form (Permanent Transfer Application for Fishing Concessions [TC] & SPF Attachment) and submitting it to AFMA.

AFMA will assess the application and approve the transfer of an SFR, unless:

- the SFR owner (transferor) is subject to legal proceedings in relation to that Right
- the SFR has been suspended (including instances where the owner has requested a review of that suspension) or AFMA believes there may be grounds for suspension
- levies have been issued and not yet paid in full when the transfer application is received.

### High Seas

To fish outside of the Australian Fishing Zone (AFZ) with an Australian boat, an operator will require a current High Seas Permit or a Commonwealth fishing concession that explicitly provides access to the high seas. Boats must not engage in fishing inside the AFZ and on the high seas in the same trip, unless arrangements have been made with AFMA prior to the start of the trip. For further information regarding High Seas Permits please contact the SPF Manager (whose contact details can be found on [page 29](#)).

## Fish Receiver Permits

The Fisheries Management Regulations require that Commonwealth operators dispose of landed fish to the holder of a Fish Receiver Permit (FRP).

FRPs are granted for 12 months and cannot be transferred. To obtain a FRP, the applicant must submit a completed application form (FR) to AFMA and pay an application fee. The FR application form can be found on the [AFMA website](#).

Fish Receivers are required to complete the Catch Disposal Record (CDR), immediately upon receipt of the consignment as per the instructions printed on the CDR.

## Scientific Permits

Scientific permits are granted for the purpose of conducting scientific research in a specified area of the AFZ or in a specified fishery.

AFMA will only consider granting a scientific permit if:

- the application is made using the approved form (SP1)
- the application provides sufficient information for AFMA to assess the activity
- the proposed activity is for the purpose of scientific research
- the activity is supported by a specific scientific research project plan.

Please note that scientific permits are granted for a maximum duration of six months and are not transferable. Scientific permits may take up to 10 days to be processed.

For further information on obtaining a scientific permit please contact AFMA Licensing Policy on 1300 723 621.

## Where can I obtain a Licensing Application Form?

All AFMA licensing forms are available on the AFMA website under [Services for fishers then Forms](#), or can be obtained by contacting AFMA on 1300 723 621.

## Processing requirements

### Processing at sea

Section 28 of the Plan imposes a general 'carrying, transshipping or processing condition' on all fishing concessions in the fishery unless AFMA grants a fishing permit allowing the concession holder to carry, tranship or process fish. Generally SPF quota species are not processed at sea and are landed whole. If any bycatch is processed, the restrictions in Table 2 apply under the *Fisheries Management Regulations 1992*.

**Table 2: Prohibited ways of processing fish.**

Species	Must not be removed from the carcass before the fish is received by an authorised fish receiver
Tuna other than northern bluefin tuna or billfish	caudal keel
Billfish other than broadbill swordfish ( <i>Xiphias gladius</i> )	caudal keel dorsal, pectoral or anal fin
Sharks of the class Chondrichthyes other than: angel sharks (family <i>Squantinidae</i> ) rays skates spurdogs (genus <i>Squalus</i> )	caudal lobe; dorsal, pectoral or caudal fin
Angel sharks (family <i>Squantinidae</i> ) and Dogfish (family <i>Squalidae</i> )	dorsal or caudal fin
Skates and Rays	the skin, a fillet
Banjo shark ( <i>Trygonorrhina</i> sp.)	the skin, a fillet, pectoral fin, tail
Elephant fish (families <i>Callorhynchidae</i> , <i>Chimaeridae</i> and <i>Rhinochimaeridae</i> )	second dorsal fin, tail

## Quota management

### 28 day quota reconciliation

Under the Plan, an operator cannot fish for an SPF quota species unless they hold sufficient quota SFRs to cover any catches of that species in that sub-area.

AFMA has implemented a 28 day quota reconciliation process if an operator exceeds their quota holdings during the season. In this event they will have 28 days from the date of landing to cover the exceeded amount with quota. During this 28 day period the operator can still fish. If they go further over quota during this 28 day period, the second amount of overcatch must be reconciled within 28 days from when it is landed. This means that

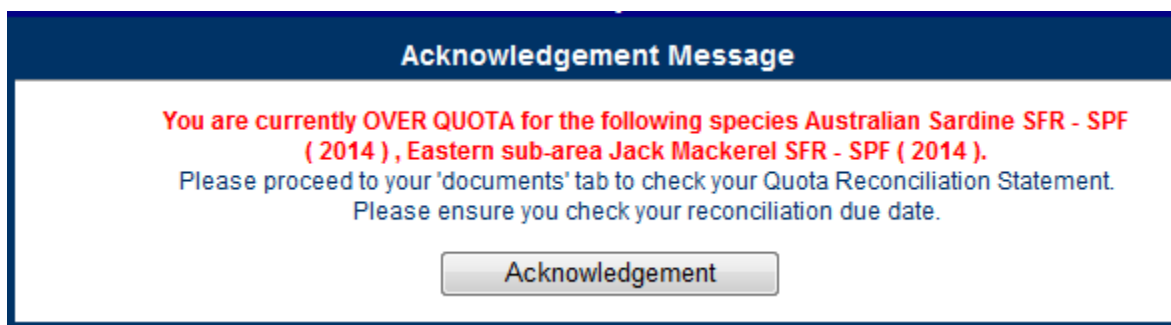
operators have 28 days from the date of each landing to cover the overcatch from that landing, with quota. An example is outlined below.

Any operator that is still over quota after the 28 day period for any landing will be subject to compliance action. Operators must keep track of their catch and quota and ensure that they reconcile catch with quota before it is due. Note that an operator can still use the overcatch provisions on the last trip of the season (refer to the following page for undercatch and overcatch provisions).

If, due to exceptional circumstances an operator cannot reconcile their catches, you must contact AFMA prior to the 28 day due date. Further information on quota reconciliation can be obtained from the [AFMA website](#).

Operators are responsible for monitoring their own catch versus quota holdings as the only over-quota notification they will receive from AFMA is via GOFish. When an operator is over quota for one or more species a screen will appear on GoFish much like Figure 1 below. You will be required to acknowledge the screen before you can proceed to any other area within GOFish.

**Figure 1: Concession over quota acknowledgment message**



If you are not already registered for GOFish and wish to receive your statements and/or keep track of your quota holdings online you can do so by completing the appropriate forms or for assistance please call AFMA Licensing and Data Services on 1300 723 621 or GOFish application forms are available on the [AFMA website](#).

## Undercatch and overcatch

### Undercatch

Undercatch is when an operator catches less than the quota allocated to them for a species in a season. It provides relief when operators encounter circumstances which prevent them from taking their quota for a species, by allowing them to carry over a percentage of undercatch kilos to use in the next season.

AFMA has set an undercatch percentage for all the SPF quota species of 10 per cent of quota holdings on the last day of the fishing season. This is the maximum amount of uncaught

quota that an operator will be allowed to take into the following fishing season. AFMA will allow you to take the calculated percentage amount of your quota holdings or the uncaught fish amount whichever is the **lower** of the two amounts into the following fishing season. An example can be found below.

### **Undercatch kilos cannot be leased or transferred.**

In order to receive undercatch for the 2015-16 fishing season, you are required to hold at least one uncaught quota SFR for that species on **30 May 2015**. This SFR can either be permanently held by the operator, or can be leased in for the new season.

### **Undercatch Example**

- If an operator holds 100 000 kg of Jack Mackerel quota (either owned or leased in) for the 2014-15 season and only catches 80 000 kg in the season, the difference between their quota holdings and what was actually landed is 20 000kg, but you can only carry over up to a maximum of 10 per cent of your quota holdings – in this example case that would be 10 000 kg (10 per cent of the 100,000kg holdings ) that would be available to carry over.
- If the operator had landed 95 000 kg on a quota holding of 100 000 kg for the 2014-15 season then they would have 5000 kg carried over, which is the difference between your quota holdings and actual catch as it is the **lower** amount.

### **Overcatch**

Overcatch provisions are applied at the end of the season based on holdings on the last day of the fishing season. Overcatch is applied when an operator catches more than their allocated quota for a species in a season and that amount is deducted from their quota holdings in the next season.

AFMA has set a 10 per cent overcatch percentage for all the SPF quota species that is applied to an operator's quota holdings on the last day of the fishing season. This means that an operator can catch up to 10 per cent over their quota holdings of each species in one fishing season without being penalised. AFMA deduct this amount from the operator's quota holdings in the next season, provided they hold enough uncaught quota SFRs in the next season to cover the overcatch.

Note that AFMA may vary or amend quota entitlements in the current or subsequent seasons if overcatch is not balanced with uncaught quota, or where AFMA has reason to believe that catches were misreported.

### **Determined weight**

The AFMA Commission has set a 'determined weight' of 2000 kg for the 2015-16 season.

Determined weight provides concession holders the ability to take an additional 2000 kg, in excess of their 10 per cent overcatch, without being prosecuted. However, the additional

2000 kg is decremented against their quota allocation in the subsequent season at twice the rate (i.e. if 2000 kg in excess was taken, 4000 kg would be decremented in the subsequent season). An example of this can be found below.

### Overcatch and Determined Weight Example

- If an operator holds 100 000 kg of Jack Mackerel quota in the current season and they go over their quota holdings by up to 112 000 kg at the end of the season they are entitled to use:
  - overcatch of up to 10 000 kg (10 per cent of their quota holdings) – which is deducted in the following season.
  - determined weight of up to 2000 kg – which is deducted at twice the rate in the following season.
- Therefore a total of 14 000 kg would be deducted from the operator's quota in the following season ( $[10\% \times 100\,000\text{ kg} = \underline{10\,000\text{ kg}} \text{ overcatch}] + [2 \times 2000\text{ kg} = \underline{4000\text{ kg}} \text{ determined weight}]$ ).

**Any catch in excess of the overcatch percentage and determined amount would be an offence and will be subject to compliance action.**

## Quota deduction

Quota is deducted from an operator's total quota allocation using the verified weights detailed on Part C of the CDR (GAB2C or SESS2B) from the fish receiver. The operator must forward Part B of the CDR to AFMA.

If no Part C is submitted for a trip, AFMA will use the information provided on Part B of the CDR (the operator's accurate estimate of catch weight) for a given quota species as an interim weight until the Part C has been received from the fish receiver.

Please note that operators must record the form of landed fish (e.g. whole) and include all the quota species on their CDR. Quota species must not be recorded as mixed fish.

## Keeping track of your quota

### Quota Statements

Operators can obtain free Quota Holding and Catch Summary and Quota Transaction Statements by registering for GoFish. Statements requested by operators to be mailed out by AFMA Licensing and Data Services staff will incur a fee.

## GoFish

Operators can use GoFish to:

- receive all correspondence from AFMA in your GoFish account (you need to notify AFMA if you wish to have this facility available)
- update contact information
- view, export and print Quota Holding and Catch Summaries and Quota Transaction Statements
- obtain Quota Reconciliation Statements
- lease and permanently transfer Quota SFRs (you may also set up a lease to occur for multiple seasons to an individual client)
- nominate and denominate Quota SFRs to/from boats
- renew permits 'if applicable' (this facility is available 2 weeks prior to the commencement of any season)

Organisations (including companies and partnerships) will need to have completed an Authorised Agent form (AA) to authorise an individual (or individuals) to act on their behalf.

The operator and/or their agent will need to complete an Application for GOFish registration form (AGR) to gain access to the GoFish system.

Agents that are authorised to act on an operator's behalf will have the ability to instantly change which concession holder they are acting for once they have logged on to the GoFish system.

The AA or AGR forms can be obtained from the AFMA website.

For further assistance please call AFMA Licensing and Data Services area on 1300 723 621.

## Important dates for the 2014-15 fishing season

**30 April 2015** – Is the end of the 2014-15 fishing season.

**By 8 May 2015** – All 2014-15 catch disposal records must be sent in. AFMA will then generate a final quota transaction statement for 2014-15. If, upon receipt of the final quota transaction statement the operator feels that there is a discrepancy in the figures they should contact AFMA immediately to rectify the issue.

*Note: To further assist AFMA in processing the forms operators should annotate the last page of the CDR (GAB2C or SESS2A/B) for the season as the 'last trip for 2014-15'. For leases or transfers, operators should annotate the lease documentation with the season the lease will apply. A separate CDR must be used for any catches caught in the 2015-2016 season.*

**28 May 2015** – All trading for the 2014-15 season, including that to cover any over quota status closes. After this date AFMA will close off the 2014-15 season.

**01 June 2015** – AFMA calculates undercatch and overcatch and produces a report for the 2014-15 season for concession holders. On this day operators must hold at least one SFR of each species held in the 2014-15 season to be eligible for undercatch in the 2015-16 season and must hold enough quota in 2015-16 season to cover any overcatch from the 2014-15 season.

## Important dates for the 2015-16 fishing season

The 2015-16 fishing season runs for 12 months from 1 May 2015 to 30 April 2016.

**15 April 2015** – Trading commences for the 2015-16 season.

**1 May 2015** - Is the start of the 2015-16 fishing season. Continuous 28 day reconciliation will be in force during the season

**16 April 2016** – Trading for the 2016-17 season is available.

**By 30 April 2016** – TACs for the 2016-17 fishing season will be finalised.

**30 April 2016** – Is the end of the 2015-16 fishing season.

**1 May 2016** – Is the start of the 2016-17 fishing season. Continuous 28 day reconciliation will be in force during the season.

**11 May 2016** – All 2015-16 catch disposal records should have been sent in and AFMA will generate a final quota transaction statement for the 2015-16 season. If, upon receipt of the final quota transaction statement an operator feels that there is a discrepancy in the figures they should contact AFMA immediately to rectify the issue. If an operator is in an over quota position, they must balance all their excess catches of quota species by leasing or transferring in 2016-17 uncaught quota.

*Note: To further assist AFMA in processing the forms operators should annotate the last page of the CDR (GAB2C or SESS2A/B) for the season as the 'last trip for 2015-16'. For leases or transfers, operators should annotate the lease documentation with the season the lease will apply. A separate CDR must be used for any catches caught in the 2016-17 season.*

**28 May 2016** – all trading for the 2015-16 season, including that to cover any over quota status closes. After this date AFMA will close off trading for the 2015-16 season.

**1 June 2016** – AFMA calculates undercatch and overcatch and posts a report for the 2015-16 season to concession holders.

## Levies

If you own leviable fishing concessions you will receive three separate invoices during the first five months of 2015. Each invoice will be one third of the total annual levy amount payable on the SFRs you own. The levy amounts payable for 2015 are outlined in Table 1. The invoice and due dates are illustrated in Table 3.



**Table 3: Invoice and Due Dates for the 2015-16 levy amounts**

Invoice date	Due date
14 January 2015	11 February 2015
11 March 2015	8 April 2015
30 April 2015	28 May 2015

**Note:** Levies are issued by financial year not fishing season.

## How to pay

Operators can make payments by cheque, money order, direct deposit, or electronic funds transfer (EFT) from their bank account to AFMA, or by phone and internet banking (BPAY), and by credit card by faxing back the completed strip on the first page of the levy invoice. EFT and direct deposit details are listed on the remittance slip on the reverse of the first page of the levy invoice. Operators should ensure that their bank inserts the client reference number when depositing the levy payment into AFMA's account.

## Need more time to pay the levy?

AFMA is able to negotiate alternative arrangements with operators to pay the levy amount. If an operator wishes to enter into an arrangement to pay, they need to write to the licensing manager. There is a \$220 administration fee to enter into an arrangement and unpaid amounts still attract the penalty charge of 20 per cent per annum that is calculated daily.

AFMA will suspend and may cancel fishing concessions if a levy remains unpaid 14 days after the due date and an arrangement has not been entered into.

## Data collection

### Logbook and catch disposal records (CDRs)

The collection of accurate and comprehensive fisheries data is important for the stock assessment and TAC setting process.

### Paper log book and CDR returns

Operators must accurately record all the relevant information about each fishing operation and the information about fish taken in the SPF and submit it to AFMA in the following logbooks and CDRs (in accordance with general information and instructions for completion of that logbook):

- **Trawl:** 'Eastern Finfish Trawl Daily Fishing Log' (EFT01B) or 'Southern and Western Finfish Trawl Daily Fishing Log' (SWT01A) (e-Logs are also available, for further details see below)
- **Purse seine:** 'Daily Purse Seine Fishing Log' (PS01A)

The catch disposal record titled either 'GAB Catch Disposal Record' (GAB2C) or 'SESSF Catch Disposal Record' (SESS2A/B) must be used for all fishing methods.

The transit form titled 'Commonwealth Managed Fisheries Transit Form' (CTF). A CTF is required when landing fish inside the AFZ using multiple vehicles to transport the fish to **one** receiver.

All interactions with listed marine or threatened species must be recorded in the Listed Marine and Threatened Species Form at the back of the logbook and submitted with the relevant log page.

If an operator wishes to nominate an authorised agent to complete logbooks, catch disposal records and/or transit forms on their behalf, they must complete the authorised agent nomination form (AA) and return it to AFMA Licensing and Data Services. Please note that new nominations will not take effect until AFMA has sent written confirmation of the nomination. Further information on AA forms can be obtained from AFMA Licensing and Data Services by contacting 1300 723 621.

The original white copy of the CDR and logsheets are to be completed and returned to AFMA **within 3 days** of unloading the consignment.

**Note:** Each page of the logbook and CDR is numbered and therefore any spoiled or incorrectly completed forms must be clearly marked and returned to AFMA.

For further information on the logbooks, or if a new logbook or CDR book is required, please contact Licensing and Data Services on 1300 723 621.

### Electronic Logbook Return

There are also e-Log alternatives available for those wishing to complete and transmit their logbook returns electronically. If an operator or their agent wishes to submit e-Logs, they must register with AFMA. AFMA requires you to enter an agreement and be issued with an appropriate User ID, Boat ID and password for yourself and your agent before you can submit e-logs.

To submit e-logs the operator must purchase an e-log application that is certified for the fishing method and fishery. There are several vendors who offer an AFMA authorised electronic logbook product that can be utilised as an alternative to the EFT01B or SWT01A logbooks for mid-water trawling. OLRAC and Catchlog Trading Pty Ltd. have a product for trawl suitable for transmission. There is currently no e-log application for purse seine operations.

Further information can be obtained from AFMA's [website](#) or by contacting the AFMA Technical Manager for On Boat Systems on 1300 723 621.

## Fishery observers

### Role of the observer

The observer's role is to collect independent, accurate and reliable data on Commonwealth fishing operations, catches and interactions with the environment by a boat and its fishing gear.

This is achieved through:

- collection of independent boat activity and catch data (that is not obtainable through official logbooks)
- collection of data and samples for research programs, supporting marine management and other issues relevant to environmental awareness and fisheries management
- monitoring compliance of the boat with its fishing concession.

The role of the observer is not one of a fisheries compliance officer. Observers have no authority to direct fishing operations of the boat or act in an enforcement role. However, observers are required to report their observations, including illegal fishing activity.

### Observer obligations

#### **Operators are required to carry an AFMA observer upon direction by AFMA.**

If AFMA directs an operator to carry an observer, the master of the boat must provide the observer with food and accommodation that is at least the standard that is appropriate for a junior officer serving on the boat. The master must allow the observer to have access to the parts of the boat which the observer reasonably requires access to, use facilities, take samples as appropriate and operate equipment taken on board the boat in accordance with the request.

The master is also required to give the observer the information that he or she reasonably asks for in relation to the boat, its equipment and fish caught.

The cost of observers is generally met by industry through levies, but some trips may be invoiced directly.

Further information can be obtained by calling Chris Burns, A/g Observer Manager on 02 6225 5506.

### Observer coverage targets

The following observer level targets apply to monitor operations in the SPF:

- **Purse seine boats:** observer coverage target of 10 per cent of shots. For new boats entering the fishery or existing boats moving into significantly new areas, observer coverage of the first five trips is required.

- **Mid-water trawl boats:** observer coverage target of 20 per cent of shots. For new boats entering the fishery or existing boats moving into significantly new areas, observer coverage of the first 10 trips is required.

## Compliance

### Compliance overview

AFMA's compliance and enforcement programs are designed to maintain the integrity of fisheries management arrangements and protect Australia's fishing resources. AFMA seeks to achieve a level of compliance consistent with its legislative objectives to provide ecologically sustainable and economically efficient Commonwealth fisheries, through maximising voluntary compliance and creating effective deterrents to non-compliance.

AFMA's national compliance and enforcement program uses a risk based approach that enables AFMA's resources to be targeted to the areas where they are most needed and where they will prove most effective. It involves a series of steps to identify and assess non-compliance risks and then apply appropriate enforcement actions to mitigate these risks.

AFMA also maintains a general presence/deterrence model at fishing ports (and at sea) that discourages those operators who do not wish to comply from attempting to flout the rules and regulations. It also reassures those who are complying that non-compliant activity is likely to be detected. Further, AFMA officers can assist those wishing to comply (but not knowing how) by providing advice and/or instructions on operators responsibilities.

### Vessel Monitoring System (VMS)

#### VMS reporting

It is the operator's responsibility to ensure that any boat nominated to the SPF quota SFR is fitted with a Vessel Monitoring System (VMS) of a category specified in the register of AFMA approved units. The list of approved units and operational requirements is available on the AFMA [website](#).

The VMS unit must remain switched on at all times including when the boat is in port or fishing under a State fishing concession. You must ensure the VMS is reporting correctly before going out to sea for the first time and that no interference occurs with the correct operation of the VMS unit. On becoming aware of a problem with the VMS functioning, the operator must advise AFMA as soon as practicable via:

- Phone: 02 6225 5369 (if prompted, follow voicemail instructions)
- Mobile: 0419 205 329
- Fax: 02 6225 5440
- Email: [VMSreporting@afma.gov.au](mailto:VMSreporting@afma.gov.au)

If the VMS is not operating or is malfunctioning the boat must remain in port until the VMS is inspected, repaired if necessary and AFMA has received confirmation from an authorised technician that the Automatic Location Communicator is functioning normally.

## Manual reporting

If a nominated boat's VMS unit stops reporting, the operator **may** be allowed to manually report the vessels position at a frequency specified by AFMA. The manual position reports must include:

- the boat's name
- the boat's distinguishing symbol
- the boat's present latitude and longitude (in degrees and minutes)
- the date and time.

Manual position reports are to be made by:

- Phone: 02 6225 5369 (if prompted, follow voice mail instructions)
- Fax: 02 6225 5440
- Email: [VMSreporting@afma.gov.au](mailto:VMSreporting@afma.gov.au)

## Directions to return to port

Depending on the circumstances, and in accordance with the enforcement decision principles in the National Compliance and Enforcement Policy, if a nominated boat's VMS unit stops reporting AFMA may determine that it is appropriate to issue a Direction under the Act for the boat to immediately return to, and/or remain in port until AFMA is satisfied the problems with the VMS unit have been rectified.

## Temporary Switch Off (TSO) arrangements

A TSO is a formal arrangement that allows a unit to be legitimately switched off. If a nominated boat is undergoing maintenance, berthed for an extended period or in other exceptional circumstances that render VMS operation impractical, an operator can apply for a TSO by filling out an 'Application for VMS Temporary Switch Off' form and sending it to AFMA via:

- Fax: 02 6225 5440
- Email: [VMSreporting@afma.gov.au](mailto:VMSreporting@afma.gov.au)
- Mail: AFMA Data Processing  
PO Box 7051  
CANBERRA BC ACT 2610

Further information can be found on the AFMA [website](#).

**Note:** *Switching off a unit without first obtaining a TSO will constitute an offence. It is also an offence for a boat to be moved, from the place stipulated under the TSO, without approval from AFMA.*

## Navigation regulations

Additional regulations were introduced regarding navigation in closures through an amendment to Part 9A of the *Fisheries Management Regulations 1992*.

Under the regulations a boat must maintain a speed over five knots when navigating in a closure. If the closure is in effect for less than 24 hours (such as daylight closures) the boat must either be stationary or travelling faster than five knots. A breach of the regulations is an offence of strict liability equal to \$4250 (25 penalty units).

Speed is calculated via the boat's VMS. Therefore, it is recommended that the most direct route is taken when travelling through a closure so the boat does not appear to be navigating at less than five knots. If the boat does enter a closure, the boat is also required to remain in that closure for greater than 30 minutes so its speed can be calculated.

If the master of a boat is unable to comply with any of the navigation requirements due to an unforeseen emergency (e.g. crew safety, breakdowns etc.) then the master must contact AFMA as soon as possible to request an exemption from the regulation.

## Illegal/suspicious fishing

### **CALL 1800 CRIMFISH (1800 274 634)**

If an operator suspects illegal fishing operations are occurring or witnesses any suspicious activity involving fish or fishing type activity (e.g. selling off the back of boats, cheap fish offers, questionable landing sites etc.) they can either contact AFMA's free CRIMFISH hotline on **1800 274 634** (1800 CRIMFISH) or AFMA's Compliance Duty Officer on **0419 205 329** (24 hours a day, seven days a week) as soon as possible.

Reports may be made anonymously and all information received will be treated in the strictest confidence. Any information supplied should be as detailed as possible to assist AFMA to investigate the incident and should include the following:

- the date, time and location that the activity took place
- the names of any verifying witnesses
- any photographs and/or other evidence.

If a foreign boat is sighted that is believed to be involved in illegal fishing please contact the AFMA National Surveillance & Response Unit, based at the Customs Border Protection & Command watch floor on free-call **1800 06 1800** (attended 24 hours a day, seven days a week). All information received will be treated as strictly confidential.

More information is available on the [CRIMFISH](#) page on the AFMA website.

## Environment

### Ecological Risk Management

AFMA's implementation of ecologically sustainable development includes the implementation of an ecological risk management (ERM) framework. This framework outlines the process to assess, analyse and respond to the ecological risks posed by Commonwealth managed fisheries.

The initial assessment stage involves the development of an ecological risk assessment (ERA) for the fishery that assesses the impact of fishing activities on the marine ecosystem.

Ecological Risk Assessment Reports for the SPF are prepared for both the Mid-water Trawl and Purse Seine sectors. These reports were published in 2007 and identified eight species that are of high risk from the effects of mid-water trawling and 29 species that are of high risk from the effects of purse seining in the SPF. These species are outlined in Table 4 below.

**Table 4: High risk species identified from the SPF Level 2 Productivity Susceptibility Analysis Residual Risk Assessment for purse seine (PS) and mid-water trawl (MWT). Yes = high risk species to method; No = not high risk species to method.**

Common Name	Scientific Name	PS	MWT
Andrew's Beaked Whale	<i>Mesoplodon bowdoini</i>	Yes	No
Australian Fur Seal	<i>Arctocephalus pusillus doriferus</i>	Yes	Yes
Blainville's Beaked Whale	<i>Mesoplodon densirostris</i>	Yes	No
Bottlenose Dolphin	<i>Tursiops truncatus</i>	Yes	Yes
Cuvier's Beaked Whale	<i>Ziphius cavirostris</i>	Yes	No
Dwarf Sperm Whale	<i>Kogia simus</i>	Yes	No
Elephant Seal	<i>Mirounga leonina</i>	Yes	No
False Killer Whale	<i>Pseudorca crassidens</i>	Yes	No
Fraser's Dolphin	<i>Lagenodelphis hosei</i>	Yes	Yes
Ginkgo Beaked Whale	<i>Mesoplodon ginkgodens</i>	Yes	No
Gray's Beaked Whale	<i>Mesoplodon grayi</i>	Yes	No
Hector's Beaked Whale	<i>Mesoplodon hectori</i>	Yes	No
Hourglass dolphin	<i>Lagenorhynchus cruciger</i>	Yes	Yes
Humpback Whale	<i>Megaptera novaeangliae</i>	Yes	No
Indian Ocean bottlenose dolphin	<i>Tursiops aduncus</i>	Yes	Yes
Indo-Pacific Humpback Dolphin	<i>Sousa chinensis</i>	Yes	No
Killer Whale	<i>Orcinus orca</i>	Yes	No
Leopard Seal	<i>Hydrurga leptonyx</i>	Yes	No
Long-finned Pilot Whale	<i>Globicephala melas</i>	Yes	No
Minke Whale	<i>Balaenoptera acutorostrata</i>	Yes	No
Pygmy Killer Whale	<i>Feresa attenuata</i>	Yes	No
Risso's Dolphin	<i>Grampus griseus</i>	Yes	Yes
Rough-toothed Dolphin	<i>Steno bredanensis</i>	Yes	No
Short-finned Pilot Whale	<i>Globicephala macrorhynchus</i>	Yes	No
Southern Bottlenose Whale	<i>Hyperoodon planifrons</i>	Yes	No
Southern Right Whale Dolphin	<i>Lissodelphis peronii</i>	Yes	Yes

Strap-toothed Beaked Whale	<i>Mesoplodon layardii</i>	Yes	No
Striped Dolphin	<i>Stenella coeruleoalba</i>	Yes	Yes
True's Beaked Whale	<i>Mesoplodon mirus</i>	Yes	No

The management measures to address the risks highlighted by the ERA are described in the ERM Report. Specific actions to address these risks are then described in the SPF Bycatch and Discarding Workplan and Vessel Management Plans tailored for individual boats (further information below).

SPF industry has also developed a Purse Seine Code of Practice which documents standard industry practice for vessel operation and avoidance of environmental impacts. The code includes measures such as observing the presence and behaviour of threatened, endangered and protected species before deploying the net and outlines ways in which industry can effectively return any incidentally captured species to the water with minimal distress.

## Bycatch and Discarding Workplan

The current SPF Bycatch and Discard Workplan includes specific measures to address the risks highlighted by the ERA and to minimise the risk of further interactions with non-target species.

The SPF [Bycatch and Discard Workplan](#) can be accessed via AFMA's website. Management actions under the Bycatch and Discard Workplan include implementing upward-opening Seal Excluder Devices and developing Vessel Management Plans for each mid-water trawl vessel operating in the fishery to minimise the risk of interactions with seabirds, seals and dolphins.

## Vessel Management Plans

Under the SPF Part 13 accreditation under the *Environment Protection Biodiversity and Conservation Act 1999* (EPBC Act), mid-water trawl boats must have in place effective mitigation approaches and devices to minimise interactions with dolphins, seals and seabirds. AFMA has enacted this legislative requirement through the development and implementation of Vessel Management Plans (VMP) for all mid-water trawl boats operating in the SPF.

The VMPs are developed by AFMA in consultation with industry and set out individually tailored mitigation measures for the boat to minimise seabird, seal and dolphin interactions. Examples of these measures include using an AFMA-approved seal exclusion device (SED) to reduce seal interactions and avoiding the discharge of biological waste from boats to reduce seabird, seal and dolphin attraction. VMPs also outline the reporting requirements of any interactions with a listed or protected species.

In some cases VMPs can also outline regional catch limits for the vessel and rules to ensure that effort is distributed across the fishery. Regional catch limits are applied to enable the collection of representative data across the fishery and may also minimise the potential risk of localised depletion occurring by restricting catches in localised areas overtime. Bycatch



limits can also be described in VMPs to prevent the targeting of species that are managed under adjacent and/or overlapping fisheries or jurisdictions.

Any operator that intends to undertake mid-water trawl operations in the SPF should contact Bycatch and Discards Program Manager on 02 6225 5555 to develop a VMP. Operators should allow one month for the development of an AFMA approved VMP.

## Protected species interactions

### Protected species groups

The classification of a species as 'protected' provides for the recovery of populations and/or the long-term conservation of a species. The EPBC Act establishes four categories of protected species in Commonwealth managed areas:

- listed threatened species or ecological community – species or communities whose survival is threatened, e.g. those with low population numbers or which have had a reduction in habitat or distribution
- listed migratory species – listed to provide protection for species listed under the international *Convention on Migratory Species*
- listed marine species – listed to provide general protection to Australia's native marine wildlife to reduce the likelihood of population decline
- all cetaceans.

Operators should note that all whales, dolphins, seabirds, sea snakes, turtles, seals and sea lions, syngnathids (seahorses, seadragons and pipefish), sawfishes (green, dwarf and freshwater), crocodiles, dugongs, sharks (great white, grey nurse, shortfin mako, longfin mako and porbeagle) and some other fish species are protected under the EPBC Act.

A full listing of protected species is available on the Department of Environment [website](#). AFMA has also provided a Protected Species Identification Guide to all SPF operators. For a copy of the guide, please contact the AFMA Environment Officer on 02 6225 5555.

### Interactions with protected species

The AFMA document, 'Flow of information of Protected Species' (AFMA 2010), defines an 'interaction' as any physical contact an individual (person, boat or gear) has with a protected species that causes, or may cause death, injury or stress to the species.

Examples of what an interaction includes and does not include can found in Table 5.

**Table 5: Illustrating what an interaction with a protected species does and does not include.**

Species Group	An interaction includes:	An interaction does not include:
Seabirds	Where a seabird has to be assisted back into the water; when heavy contact occurs with the	Seabirds landing on a boat or diving into/onto a net of fish and swimming or flying off uninjured and without

Species Group	An interaction includes:	An interaction does not include:
	boat/gear, causing the bird to be dragged underwater or to deviate from its course; any collisions with the fishing boat, fishing gear (i.e. warps, wheel house); a bird gets snagged on loose or protruding wire ends (e.g. splice ends); a high speed collision with boat/gear; or a bird gets caught in the net or snagged on the net while attempting to feed (on 'stickers') and has to be assisted back into the water or air.	assistance; Where a bird is flying and has light contact with boat/gear, and the bird does not deviate from its course; A bird floating on the water, and has light contact with boat/gear; Where a bird 'hitches a ride' on the trawl arms for a period of time and then flies away unassisted.
Seals and Australian Sea Lions	Where a seal gets caught in a trawl net and or in a seal exclusion device.	Where a seal is sighted in close proximity to the net but no contact or light contact with net is made.
Cetaceans	Any cetacean that gets caught in a net even if it is released or escapes unassisted and uninjured.	Where a cetacean is sighted in close proximity to the fishing gear but no contact or light contact with the fishing gear is made.

### Porbeagle, shortfin mako and longfin mako sharks

Porbeagle, shortfin mako and longfin mako sharks were listed as migratory species in 2010. However, provided an operator is fishing in accordance with the Plan, the operator may retain and trade any of these species that are brought up dead. Live sharks **must** be returned to the sea unharmed.

All catches of these migratory sharks, whether retained or discarded, must be reported in the daily fishing log book and operators must complete a Listed Marine and Threatened Species Form, which is found at the back of the logbook.

### Reporting an interaction

By law **all** interactions must be reported according to the instructions in your Daily Fishing Logbook.

This means that if there is an interaction, the operator needs to circle 'yes' in the box at the bottom of the logsheet, complete the Wildlife and other Protected Species form (located at the back of the logbook) and return the form and corresponding logsheets to AFMA.

If there is an observer present, they must be informed of the interaction immediately.

AFMA provides a protected species interaction summary report to the Environment Department on a quarterly basis on behalf of fishers who report interactions in their logbook. These reports are published on AFMA's [website](#).

## Interactions with tagged wildlife

Researches investigating wildlife species will periodically tag animals (or use bands, in the case of seabirds) to help improve the understanding of their biology and population.

If you capture a tagged animal you should:

- record the details in the Listed Marine and Other Species form, with the band or tag number inserted in the appropriate section of the form
- record the following details in the Comments section: tag or band number and colour; species identification or description (photos are very useful); size; sex; and time, date and position of capture.
- If captured alive, record as many details as possible about the animal then release it as carefully as possible, noting the condition in which it was released. AFMA will arrange to notify the appropriate researchers.

**Remember: Don't get caught, just report!**

Further information on interactions with protected species can be obtained from the AFMA Environment Officer on 02 6225 5555 or contact AFMA Direct on 1300 723 621.

## Contact Details

### SPF Management

Small Pelagic Fishery	
George Day – Senior Manager	02 6225 5331
Steve Shanks – Manager	02 6225 5388
Matt Piasente – Senior Management Officer	02 6225 5387
Lisa Stevenson – Management Officer	02 6225 5325
SPF Facsimile	02 6225 5446

### Licensing and Data Services

Licensing, Quota Management and Logbooks	
Anne Shepherd – Licensing and Data Services Manager	02 6225 5361
Licensing and Data Service Officers	1300 723 621
Licensing and Data Service Facsimile	02 6225 5400
Licensing and Data Service Email	<a href="mailto:licensing@afma.gov.au">licensing@afma.gov.au</a>

<b>Levy and Licensing Policy</b>	
Cameron Pietsch – Licensing Policy Manager	02 6225 5353
Simone Pont – Licensing Policy Officer	1300 723 621
Licensing Policy Facsimile	02 6225 5440
Licensing and Policy Email	<a href="mailto:licensing@afma.gov.au">licensing@afma.gov.au</a>

## Compliance

<b>Compliance</b>	
Peter Venslovas – General Manager Operations	08 8943 0356 or 0409 465 561
Duty Officer	0419 205 329
Compliance Facsimile	02 6225 5442
Compliance Email	<a href="mailto:domestic.compliance@afma.gov.au">domestic.compliance@afma.gov.au</a>
<b>Domestic Compliance</b>	
John Andersen – Senior Manager Compliance Operations	02 6225 5330 or 0409 129 638
Glen Salmon – Manager National Compliance Operations	02 6225 5482 or 0401 593 756
<b>Intelligence</b>	
Tod Spencer – Senior Manager Intelligence and Compliance Planning	02 6225 5446
Phil Ravello – Manager Intelligence	02 6225 5398 or 0437 816 512

## Observers

<b>Observers</b>	
Observer Duty Officer	0427 016 859
Chris Burns	0408 287 740

## State Fisheries

<b>Tasmania</b>	
Department of Primary Industries, Parks, Water and Environment, Wild Fisheries Management Branch	03 6233 2147
<b>South Australia</b>	
Department of Primary Industries and Resources, Fisheries Division	08 8204 1380 FISHWATCH: 1800 065 522
<b>Victoria</b>	
Department of Primary Industries	136 186
<b>New South Wales</b>	
Industry and Investment Fishing and Aquaculture	1300 550 474
<b>Western Australia</b>	
Department of Fisheries Western Australia	08 9482 7333 FISHWATCH: 1800 815 507
<b>Queensland</b>	
Primary Industries and Fisheries	07 3404 6999

## Attachment 1: Acronyms

AFMA	Australian Fisheries Management Authority
AFZ	Australian Fishing Zone
ALC	Automatic Location Communicator
CDR	Catch Disposal Record
CTF	Commonwealth Managed Fisheries Transit Form
CTS	Commonwealth Trawl Sector
DNID	Data Network Identification Number
EFT01B	Eastern Finfish Trawl Daily Fishing Logbook
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
FRDC	Fisheries Research and Development Corporation
FRP	Fish Receiver Permit
GAB2C	GAB Catch Disposal Record
ICVMS	Integrated Computer Vessel Monitoring System
ITQ	Individual Transferrable Quota
MAC	Management Advisory Committee
MPA	Marine Protected Area
OCS	Offshore Constitutional Settlement
PS01A	Purse Seine Daily Fishing Log
QHS	Quota holding and Catch Summary
QTS	Quota Transaction Statement
RAG	Resource Assessment Group
SPFRAG	Small Pelagic Fishery Resource Assessment Group
SPF	Small Pelagic Fishery
SPF Plan	Small Pelagic Fishery Management Plan 2009
SEMAC	South East Management Advisory Committee
SFR	Statutory Fishing Right
SWT01A	Southern and Western Finfish Trawl Daily Fishing Log
TAC	Total Allowable Catch

## Attachment 2: Area of the SPF

