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**DETERMINATION OF LOGBOOKS AND RETURNS**

***Fisheries Management Act 1991***

Subsection 42(1)

**Logbook Determination (northeRn prawn fishery) 2013**

I, **JAMES FINDLAY**, Chief Executive Officer of the Australian Fisheries Management Authority, as its delegate pursuant to delegation numbered 30 of 2008 dated 1st July 2008 from the Commission, make the following Determination under subsection 42(1) of the *Fisheries Management Act 1991*.

**Dated:** 26 March 2013

**James Findlay**

Chief Executive Officer

Australian Fisheries Management Authority

### Citation

1. This Determination may be cited as the *Logbook Determination (Northern Prawn Fishery) 2013*.

### Commencement

1. This Determination commences on the day after it is registered on the Federal Register of Legislative Instruments.

**Cessation**

1. This Determination ceases as if revoked on 31st December 2016 and unless further re-determined prior to that date any logbook herein, must not thereafter be used.

### Interpretation

1. Terms defined in the *Fisheries Management Act 1991* have the same meanings in this Determination.

### Determination

1. Holders of fishing concessions granted for the Northern Prawn Fishery must keep and maintain the logbook Northern and Torres Strait Prawn Fisheries Daily Fishing Log NP16, containing information in respect of their activities in accordance with the instructions in that logbook.

**Form and Content**

1. The form and content of the logbook for the fishery to be kept by the concession holder is:

 Northern and Torres Strait Prawn Fisheries Daily Fishing Log NP16; as published in the Commonwealth of Australia Gazette No. GN 23, Wednesday, 15 June 2011 pages 1312 – 1327 inclusive.

1. A person will be taken to have complied with clause 5 and 6 provided:

(i) the person submits by electronic transmission a record to AFMA containing information in respect of all their fishing activities detailing relevant species taken for the period stated in the data submitted in accordance with the instructions at Schedule 1;

(ii) the electronic transmission is in a form compatible with being received by AFMA; and

(iii) the person can subsequently produce a written acknowledgement from AFMA confirming that each record transmitted has been received and otherwise satisfactorily meets the obligations as to form and content requirements of a logbook determined in clauses 5 and 6.

1. Transmissions of data must cover the whole period of each fishing trip or a paper copy of the logbook must be provided where transmissions are not provided. All information so transmitted will be taken to be warranted by the sender to be accurate as if the concession holder had signed the logbook page. Information may only be corrected by the concession holder by a written notice to AFMA within 7 days following the acknowledgement referred to in clause 7(iii) being sent to the concession holder.

**Revocation**

1. This Determination revokes the *Logbook Determination (Northern Prawn Fishery) 2011* from the date of commencement of this Determination.

**Schedule 1**

**Instruction for holders of Fishing Concession and Licences using electronic logbooks in the Northern Prawn Fishery and Torres Strait Prawn Fishery**

**Introduction**

Paper & Electronic logbooks are designed to provide a continuous record of prawn trawling operations undertaken in the fisheries by Commonwealth fishing concession and licence holders. Accurate data collected in logbooks is essential to provide information for research into and management of Australian prawn fisheries.

**Interpretation**

In these Instructions, a reference to “you” or “your” means the fishing concession holder or licence holder (as appropriate) and includes any authorised agent who completes electronic logbook returns on the concession holder or license holders behalf.

In these Instructions, a reference to "electronic logbook" means the computer software and associated data that the fishing concession holder licence holder or authorised agent will use to record the details of their fishing operations and which will be used to send an electronic logbook to AFMA.

**Registration for e-Log lodgement service**

You will need to register with AFMA before you will be able to use an electronic logbook. For information on how to register please contact Data Processing at AFMA on 1300 723 621 or email DataEntry@afma.gov.au.

**Completing the electronic logbook**

* Each applicable item in the electronic logbook system will need to be completed fully and accurately, and submitted to AFMA in accordance with these instructions.
* You will need to record and electronically submit your boat's activity on a daily basis, regardless of whether or not fishing takes place on that day. AFMA will need a record from you to cover every day that the fishing concession or licence is in force.
* All catch will need to be recorded in the log book, within 24 hours of being taken.
* Fishing activity for the last day of the trip is to be recorded before the boat docks at the end of each trip.
* **Non-Fishing**

During extended periods of non-fishing activity, you may make a single record of that activity which covers that period in your electronic logbook.

* **Non-Fishing Activity**

Record the reason you were not fishing during the non-fishing period you have indicated.

* + **Ports**

Record the port you departed from and the port you returned to for that fishing trip. If you unloaded to a mothership at sea, then report “at sea”.

* **Trip Dates**

Record the date of departure and the date returned for that fishing trip. A fishing trip is to and from a port of unload and/or mother ship into which you unloaded catch.

* **Date**

Record the date of operation or when searching was conducted.

* **Location of Operation**

The location of operation must be recorded, which is the position of the largest catch of the day. The location of operation is to be provided as a latitude and longitude.

If you searched for prawns without catch you are required to record the latitude and longitude of the middle point of the search area.

* **Effort Details**

**Nets** – Enter the number of nets towed.

- Record the net type.

**Target Species** – Specify the main target species for the day.

**Hours Searched** - Record the total number of hours spent searching.

**Hours Trawled** – Record the total number of hours spent trawling for the entire day (For the period 00:00 to 23:59 hours).

**Total Number of Shots** – Record the total number of shots completed for the entire day.

**Depth** – Record the average bottom depth for each day.

* **Catch Details**

**Species** – Specify the species caught. All retained species must be recorded in the electronic logbook.

 **Species Details** - Specify the grade and form code for each species recorded.

**Total Weight** – For each grade of the retained species you must record the estimated total weight (kg).

**Discard** – Record the estimated total weight (kg) of all species discarded.

 - Record the reason for discarding.

**Number of cartons**

**Average weigh of cartons**

* **BRD & TED description**

If you have used BRD’s/TED’s, report the details for each operation. Include any modifications.

* **Listed Marine and Threatened Species**

Please enter **YES** or **NO** to indicate if your gear came into contact with or caught a listed marine or threatened species. You must provide the details as directed by the Protected Species Interaction section.

**Who should use the electronic logbook?**

Only the concession holder or their registered authorised representative may use the electronic logbook lodgement service. If you wish to authorise a person to complete and submit an electronic logbook on your behalf, you may do so by completing and submitting the approved agent notification form to AFMA .

AFMA’s Licensing and Data Services section will be able to provide you with details on how to obtain this form and the full requirements for authorising another person. They can be contacted on 1300 723 621.

If you have already nominated an authorised person under the paper logbook system, that nomination is also valid for electronic logbooks. However, the authorised person will need to register for their user Id and password otherwise the electronic lodgement service will not be accessible.

The authority to act on the concession holder’s behalf stays in force until the concession holder or license holder cancels the authority. As such the concession holder or license holders should immediately notify AFMA in writing if a person ceases to be authorised to act on their behalf.

The fishing concession holder or licence holder is ultimately responsible for ensuring that electronic logbooks are fully and accurately completed. The fishing concession holder or licence holder must ensure that these Instructions are available to each authorised agent at the time they are completing electronic logbooks.

**Storing and Submitting electronic logbook returns**

The data for each fishing and non-fishing day is required to be stored in your electronic logbook system prior to transmission. This is to allow inspection by fisheries officers.

You are required to complete and **submit** the electronic logbook returns on a daily basis.

To show you have complied with the requirement to submit a completed a logbook, you will need to keep the acknowledgement from AFMA confirming that each record transmitted has been received and is in a satisfactory form.

**Inspection of electronic logbooks**

Please note that you are required to give reasonable assistance on request by AFMA officers to access and operate any computer systems for the purpose of inspecting electronic logbooks.

**Paper logbook must be kept as back-up**

In case your system fails you will need to keep a copy of the paper-based logbook determined for your fishery on board your boat at all times during fishing operations.

You will need to complete and send paper logsheets in accordance with the instructions contained in the logbook whenever you have not received from AFMA an acknowledgement of satisfactory transmission during the following 24 hours of transmitting any report.

You must write on each paper logsheet that it is being sent in place of an electronic logbook returns.

**Listed Marine and Threatened Species**

A list of Listed Marine and Threatened Species is provided on the inside of the fold-out flap in the paper-based to assist operators.

For all the listed Marine and Threatened species you will need to record the following:

**Species Name** – Record the common name of the animal encountered, with one line for each individual. **Please take care** when recoding Marine and Threatened species i.e: when recording a sea snake using a pick list or code, check that you have entered the species as a sea snake and not a bird.

**Time** – Record the estimated time at which the interaction occurred.

**Position** – Specify the location of the interaction by latitude and longitude in degrees and minutes.

**Caught During Fishing Operation** – tick the estimated stage of the fishing operation at which the

interaction occurred. If ‘other’ is ticked please provide details as comments.

**Band or Tag#** - Record the band or tag number if a band or tag was found.

**Life Status** – Tick the condition or life status of the animal at the time of release.

The total number of each species caught must be recorded as well as their condition (**D**ead, **A**live or in**J**ured).

**Turtle Exclusion Devices and Bycatch Reduction Devices**

You will still be required to submit paper logbook forms for Turtle Exclusion Devices (TED’s) and Bycatch Reduction Devices (BRD’s). Gear details will be collected by a paper based survey form.

**Changes to these Instructions**

AFMA may vary any of the requirements of these Instructions (including attachments) from time to time. You will be notified in writing of any changes, and the date on which the change takes effect.

**Contact information**

If you require further information, or wish to register for the e-Log lodgement service,

please contact Data Processing 1300 723 621 or email DataEntry@afma.gov.au

Information on electronic logbook software vendors can be found on the AFMA website at www.afma.gov.au