***TORRES STRAIT PROTECTED ZONE JOINT AUTHORITY***

**REQUIREMENT FOR INFORMATION TO BE FURNISHED**

***Torres Strait Fisheries Act 1984***

Subsection 14(1)

**Torres Strait Fisheries Logbook Instrument 2015**

The **Protected Zone Joint Authority**, acting in accordance with the power granted under sub-section 14(1) to require information to be furnished relating to the taking of fish, which powers are conferred on the Authority by paragraph 35(1)(a) of the *Torres Strait Fisheries Act 1984*, (“the Act”) makes the following legislative instrument.

**DATED** this 4 day of August 2015

**Senator the Hon. Richard Colbeck**

Parliamentary Secretary to the Minister for Agriculture

on behalf of the Protected Zone Joint Authority

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**Citation**

1. This instrument may be cited as the *Torres Strait Fisheries Logbook Instrument 2015.*

**Commencement**

1. This instrument commences on the 35th day after it is registered on the Federal Register of Legislative Instruments.

**Cessation**

1. This instrument ceases as if it was revoked on 1st June 2018 unless earlier revoked.

Note: The duration of the application of the form of a logbook determined shall not be longer than 3 years - see Regulation 11(5)

**Revocation**

1. This instrument revokes the *Torres Strait Fisheries Logook Instrument No.1* dated 26th August 2011 (F2011L01810) and the *Torres Strait Fisheries Logbook Notice No. 8* dated 29 May 1997 (F2008B00624) with effect from the commencement of this Instrument.

**Requirement to Furnish Information**

1. The master of any boat licensed under section 19 of the Act or, a boat in respect of which an endorsement under section 20 of the Act is in force, who uses that boat in the course of commercial fishing (other than for community fishing) to take the fish, in any area of Australian jurisdiction under the Act, is required under s14(1) of the Act to furnish such information as is required by the respective paper or electronic logbooks published under Regulation 10 of the *Torres Strait Fisheries Regulations 1985* (“the Regulations”) as listed in Schedule 1 of this instrument.

Note: Community Fishing is specifically excluded under s14(1) of the Act

**Information to be furnished**

1. This instrument extends to requiring all information required by the instructions in the logbook in respect of fishing activities, the security requirements for the logbook, including storage of the completed records, and includes requirements for the transmission of data to the Australian Fisheries Management Authority (AFMA), relating to the taking, disposal or sale of fish.

**Which logbooks must be used?**

1. Schedule 1 to this instrument specifies kinds of fishing by the class of fish species, the nature of the fishing activity, the method of fishing, and the area of waters, for which a logbook must be used. The logbook specified by letter number or symbol in Schedule 1 of this instrument, under each kind of fishing, is the logbook that must be used for that fishing, for the period specified under Regulation 11(5) of the Regulations, of 3 years from the commencement of this instrument.

**When must the logbook be used?**

1. The specified paper or electronic logbook must be completed, in accordance with the instructions set out therein, on every day that the fishing licence is in force, regardless of whether or not fishing activity takes place on that day.

**Interpretation**

1. In this instrument, unless the contrary intention appears:

 **"boat"** means a boat used for fishing in one of the Torres Strait Fisheries;

**“HC01”** means the Hand Collection Daily Fishing Log HC01 and Hand Collection Catch Disposal Record HC02, as published in the Commonwealth of Australia Gazette No. GN 23, Wednesday, 15 June 2011 pages 1288 – 1301 inclusive.

**“NP16 Log”** means theNorthern 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

**“TRL04 Log”** means the Torres Strait Tropical Rock Lobster Daily Fishing Log; TRL04; as published in the Commonwealth of Australia Gazette No. C2015G00269 published on 24 February 2015.

**“TSF01 Log”** means the Torres Strait Finfish Daily Fishing Log; TSF01; as published in the Commonwealth of Australia Gazette No. C2015G00269 published on 24 February 2015.

Unless otherwise specified, a word used in this instrument that is used in the Act and the Regulations has the same meaning as in the Act or the Regulations.

**Where paper logbooks may be obtained**

1. For the purposes of paragraph 11(2)(b) of the Regulations non electronic logbooks noted in Schedule 1 to this instrument may be obtained from:
	* 1. Australian Fisheries Management Authority
		Thursday Island Office, Pearls Building,
		38 Victoria Parade,
		Thursday Island Queensland 4875
		Tel: (07) 4069 1990, during normal business hours; or
		2. Canberra Office, 6th Floor,
		73 Northbourne Avenue,
		Canberra City ACT 2601
		Tel: (02) 6225 5555, during normal business hours.

**Where electronic logbooks may be obtained**

1. For the purposes of paragraph 11(2)(b) of the Regulations an electronic logbook noted in Schedule 1 can be obtained through the supplier:

Catchlog Trading Pty Ltd

109 Tills Street

Westcourt, Cairns Queensland 4870

Tel: (07) 4033 1322, during normal business hours.

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**SCHEDULE 1**

The following logbooks are determined for use in Torres Strait Fisheries:

**Torres Strait Bêche-de-mer Fishery**

If Bêche-de-mer are taken using any fishing method in the area of the Torres Strait Bêche-de-mer Fishery, the **HC01** Log must be used to record information about the taking of Bêche-de-mer.

**Torres Strait Finfish Fishery (Spanish Mackerel and Reef Line Fisheries)**

If any species listed as mackerel or reef fish are taken by any method of trolling, handline or dropline in the area of the Torres Strait Spanish Mackerel and Reef Line Fisheries, the **TSF01** Log must be used to record information about the taking of the fish.

**Torres Strait Pearl Shell Fishery**

If Pearl Shell are taken in the area of the Torres Strait Pearl Shell Fishery by any method, the **HC01** Log must be used to record information about the taking of Pearl Shell.

**Torres Strait Prawn Fishery**

If prawns of any kind are taken by any method of trawling using a boat in the area of the Torres Strait Prawn Fishery, the **NP16** Log must be used to record information about the taking of the prawns.

Any electronic logbook that may have been approved from time to time by Legislative Instrument for use in the Northern Prawn Fishery under the *Fisheries Management Act 1991* may be used in the Torres Strait Prawn Fishery instead the **NP16** Log.

**Torres Strait Tropical Rock Lobster Fishery**

If Tropical Rock Lobster (*Panulirus* spp) are taken using a boat in the area of the Torres Strait Tropical Rock Lobster Fishery, the **TRL04** Log must be used to record information about the taking carrying of the lobsters, whether or not the lobsters are taken or transported live or frozen.