



Torres Strait Fisheries (Furnishing of Logbooks) Instrument 2024

The Protected Zone Joint Authority (PZJA) makes the following instrument.

Dated 8 October 2024.

Julie Collins MP
Chair of the Protected Zone Joint Authority
Minister for Agriculture, Fisheries and Forestry

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1 Name

This instrument is the *Torres Strait Fisheries (Furnishing of Logbooks) Instrument 2024*.

2 Commencement

The instrument commences one month after this instrument is registered.

3 Authority

This instrument is made under subsection 14(1) of the Act.

Note: The Authority may exercise the powers of the Minister under section 14 of the Act in respect of a Protected Zone Joint Authority fishery: see paragraph 35(1)(a) of the Act.

4 Cessation

This instrument ceases to have effect on **31 August 2027** unless earlier revoked.

5 Definitions

Note: A number of expressions used in this instrument are defined in section 3 of the Act, including the following:

- (a) boat;
- (b) commercial fishing;
- (c) community fishing;
- (d) fish;
- (e) traditional inhabitant.

In this instrument:

Act means the *Torres Strait Fisheries Act 1984*.

ADC EPRAWN means the electronic log (e-log) utilised for submission of information with the use of an Application Programming Interface (API) which complies with the content requirements specified in clause 1 of Appendix 1.

AFMA has the meaning given by subsection 4(1) of the *Fisheries Management Act 1991*.

Authority means the Protected Zone Joint Authority.

bêche-de-mer means fish of the families Holothuriidae and Stichopodidae.

bêche-de-mer fishery means the area of the bêche-de-mer fishery prescribed in item 1 of the table in Schedule 2 to the Regulations.

by-product species means a species listed in Part 2 of Schedule 3 of the *Torres Strait Prawn Fishery Management Plan 2009*.

e-log means a logbook kept in electronic form which has the form and content of an electronic schema.

electronic schema has the meaning given by section 7 of this instrument.

finfish means fish of the superclass Pisces other than:

- (a) mackerel; and
- (b) tuna (*Thunnus* spp.); and
- (c) skipjack tuna (*Katsuwonus pelamis*); and
- (d) fish of the family Bramidae (known as pomfrets); and
- (e) fish of the families Istiophoridae and Xiphiidae (known as billfish).

finfish fishery means the area of the finfish fishery prescribed in item 4 of the table in Schedule 2 to the Regulations.

HC01 Logbook means the Hand Collection Daily Fishing Log HC01 and Hand Collection Catch Disposal Record HC02 published in the Commonwealth of Australia Gazette No. GN 23, Wednesday, 15 June 2011 pages 1288 – 1301 inclusive. Pursuant to paragraph 14(1)(b) of the *Legislation Act 2003* this instrument incorporates the document titled “Hand Collection Daily Fishing Log HC01 and Hand Collection Catch Disposal Record HC02” as it applies on the date this legislative instrument commences. This document could in 2024 be viewed free of charge on the Commonwealth Government Federal Register of Legislation at <https://www.legislation.gov.au/files/gazettes/historic/2011/2011GN23.pdf>

licensed boat means a boat as referred to in subsection 9(1) of the Instrument.

logbook means the HC01 Logbook, the NP16 Logbook, the TRL04 Logbook and the TSF02 Logbook and includes an e-log.

mackerel means species of fish that are:

- (a) grey mackerel (*Scomberomorus semifasciatus*); and
- (b) school mackerel (*Scomberomorus queenslandicus*); and
- (c) shark mackerel (*Grammatocygnus bicarinatus*); and
- (d) Spanish mackerel (*Scomberomorus commerson*); and
- (e) spotted mackerel (*Scomberomorus munroi*).

mackerel fishery means the area of the Spanish mackerel fishery prescribed in item 7 of the table in Schedule 2 to the Regulations.

marine species means a species declared under section 248 of the *Environment Protection and Biodiversity Conservation Act 1999*.

NP16 Logbook means the Northern and Torres Strait Prawn Fisheries Daily Fishing Log NP16 published in the Commonwealth of Australia Gazette No. GN

23, Wednesday, 15 June 2011 pages 1312 – 1327 inclusive. Pursuant to paragraph 14(1)(b) of the *Legislation Act 2003* this instrument incorporates the document titled “Northern and Torres Strait Prawn Fisheries Daily Fishing Log NP16” as it applies on the date this legislative instrument commences. This document could in 2024 be viewed free of charge on the Federal Register of Legislation at <https://www.legislation.gov.au/files/gazettes/historic/2011/2011GN23.pdf>

pearl shell means fish of the genus *Pinctada* and *Pteria*.

pearl shell fishery means the area of the pearl shell fishery prescribed in item 5 of the table in Schedule 2 to the Regulations.

prawn has the same meaning given by section 1.3 of the *Torres Strait Prawn Fishery Management Plan 2009*.

prawn fishery means the area of the prawn fishery prescribed in item 6 of the table in Schedule 2 to the Regulations.

Protected Zone Joint Authority fishery has same meaning given by subsection 28(1) of the Act.

Regulations means the *Torres Strait Fisheries Regulations 1985*.

TRL04 Logbook means the Torres Strait Tropical Rock Lobster Daily Fishing Log TRL04 published in the Commonwealth of Australia Gazette No. C2015G00269. Pursuant to paragraph 14(1)(b) of the *Legislation Act 2003* this instrument incorporates the document titled “Australian Fisheries Management Authority - specific fishing logbooks” as it applies on the date this legislative instrument commences. This document could in 2024 be viewed free of charge on the Federal Register of Legislation at <https://www.legislation.gov.au/C2015G00269/asmade/text>

target species means a species listed in Part 1 of Schedule 3 of the *Torres Strait Prawn Fishery Management Plan 2009*.

threatened species means a species declared under section 178 of the *Environment Protection and Biodiversity Conservation Act 1999*.

tropical rock lobster means fish of the species *Panulirus* spp.

tropical rock lobster fishery means the area of the tropical rock lobster fishery prescribed in item 9 of the table in Schedule 2 to the Regulations.

TSF02 Logbook means the Torres Strait Finfish Daily Fishing Log TSF02 published in the Commonwealth of Australia Gazette No. C2024G00630. Pursuant to paragraph 14(1)(b) of the *Legislation Act 2003* this instrument incorporates the document titled “Torres Strait Finfish Daily Fishing Log- TSF02” as it applies on the date this legislative instrument commences. This document could in 2024 be viewed free of charge on the Federal Register of Legislation at <https://www.legislation.gov.au/C2024G00630/asmade/text>.

6 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

7 E-logs and electronic schema

- (1) If a logbook is required by this instrument to be kept and maintained in electronic form (*e-log*) it must have a particular form and content (the *electronic schema*).
- (2) The electronic schema for the purposes of this instrument is **ADC EPRAWN**.
- (3) The content required to be kept and maintained for **ADC EPRAWN** is prescribed in Appendix -1 to this instrument.
- (4) In Appendix -1, subject to contrary intention:
 - (a) length is to be recorded in metres;
 - (b) depth is to be recorded in metres;
 - (c) temperature is to be recorded in degrees centigrade;
 - (d) weight is to be recorded in kilograms;
 - (e) time is to be recorded in 24 hour format;
 - (f) latitude and longitude is to be recorded in decimal degrees.
- (5) Where a person is required to keep and maintain an e-log that complies with an electronic schema, the person must furnish to AFMA the e-log with the use of an e-log program that conforms with the detailed specifications available through the AFMA e-log developer portal available on the AFMA website page titled: E-logs Information.

Note : Pursuant to paragraph 14(1)(b) of the *Legislation Act 2003* this instrument incorporates the documents contained in an online portal titled E-logs Information as it applies on the date this legislative instrument commences. This document could in 2024 be viewed free of charge on the AFMA Website at- <https://www.afma.gov.au/monitoring-tools/logbooks-and-logs/e-logs-information>.

8 Application

This instrument does not apply to a person who is a traditional inhabitant engaged in community fishing.

9 Master required to keep and maintain a logbook and furnish information to AFMA

- (1) This section applies to the master of a boat:
 - (a) in respect of which a licence under section 19 of the Act or an endorsement under section 20 of the Act is in force; and
 - (b) that is being used to take fish in the Protected Zone Joint Authority fishery in the course of commercial fishing.

- (2) In accordance with subsection 14(1) of the Act, a master must keep and maintain a logbook in the form of:
- (a) the HC01 Logbook if the master is using the licensed boat to take bêche-de-mer in the bêche-de-mer fishery;
 - (b) the HC01 Logbook if the master is using the licensed boat to take pearl shell in the pearl shell fishery;
 - (c) the NP16 Logbook; or an e-log that meets the requirements of the electronic schema ADC EPRAWN; if the master is using the licensed boat to take prawns in the prawn fishery;
 - (d) the TRL04 Logbook if the master is using the licensed boat to take tropical rock lobster in the tropical rock lobster fishery;
 - (e) the TSF02 Logbook if the master is using the licensed boat to take finfish or mackerel in the area of the finfish and mackerel fishery.
- (3) In meeting the requirements of subsection (2), the master must:
- (a) provide all information required relating to the taking, disposal or sale of fish by the logbook; and
 - (b) secure the logbook; and
 - (c) store the logbook
- in accordance with the instructions provided in the relevant logbook.
- (4) A master is required to provide information in the logbook for each calendar day upon which commercial fishing activities occur.
- (5) A master is required to furnish information kept and maintained in accordance with subsections 9(2) and 9(3) of this instrument to AFMA in the manner prescribed by section 10 of this instrument.

Note 1: Failure to provide information as required by this instrument is a strict liability offence: see subsections 14(12) and (12A) of the Act.

10 Manner of furnishing information to AFMA

- (1) Information in the form of a logbook (other than an e-log) required to be furnished to AFMA under section 9 must be furnished in one of the following manners:
- (a) sent by email to:
licensing@afma.gov.au
 - (b) sent by post to:
Australian Fisheries Management Authority
PO Box 376
Thursday Island QLD 4875
 - (c) sent by post to:
Australian Fisheries Management Authority
PO Box 7051
Canberra BC ACT 2610

(d) submitted in person to:

Australian Fisheries Management Authority
Pearls Building
38 Victoria Parade
Thursday Island QLD 4875

The logbook must be furnished in accordance with subsection (1) in the time period specific within the instructions of the logbook.

- (2) The holder must furnish any e-log kept and maintained under section 7 to AFMA before the boat docks at the end of each trip, or when rendezvousing with a mothership, whichever is sooner.

Schedule 1 – Repeals

Torres Strait Fisheries (Furnishing of Logbooks) Instrument 2023

1 The whole of the instrument

Repeal the instrument.

Appendix -1– Content of e-logs

(1) Content required for the electronic schema ADC EPRAWN

For the purpose of sub-section 7(3) the schema must contain the following content.

Item	Column 1
	Content required to be kept and maintained
1	For each trip: <ul style="list-style-type: none">a) vendor name;b) application name;c) application version;d) concession holder identification;e) start date and time of trip;f) the port departed from;g) end date and time of trip; andh) the destination port.
2	While at sea for longer than 24 hours, with respect to any day(s) during which no fishing occurs: <ul style="list-style-type: none">a) the non-fishing period activity identification number;b) the reason for not fishing;c) the date and time that the non-fishing period started; andd) the date and time that the non-fishing period ended.
3	For each fishing activity undertaken during a trip: <ul style="list-style-type: none">a) the trip activity number;b) for each shot during a trip:<ul style="list-style-type: none">i. the shot number (starting at 1 and continuing in sequence for each trip);ii. the fishing method used;iii. the type of fishing being undertaken (either for commercial or research purposes);iv. the species of fish being targeted before setting gear; andc) for any non-fishing activity:<ul style="list-style-type: none">i. the fishery;ii. the date and time that the activity started;iii. the date and time that the activity ended; and

- iv. the reason for not fishing.
- d) for any listed marine species and threatened species interactions:
 - i. the species of animal;
 - ii. the date and time the interaction occurred;
 - iii. the latitude of the position of the boat when the interaction occurred;
 - iv. the longitude of the position of the boat when the interaction occurred;
 - v. the activity being undertaken at the time the interaction occurred;
 - vi. the total number of interactions with animals of the same species interacted with within the same date, time and location;
 - vii. if the interaction occurred during a shot, the shot number;
 - viii. the life status of the animal, or animals, interacted with;
 - ix. the number of individual animals, of the same species and life status, interacted with during the same interaction event;
 - x. to the extent possible in the circumstances, if the animal has a band or tag record, the details of the record including any numbers or colours; and
 - xi. any further information considered by the holder of the fishing concession to be relevant.

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| 4 | a) For each prawn trawl shot during the trip: <ul style="list-style-type: none">i. the date and time at the start of the shot;ii. the type of net being used;iii. the number of nets towed;iv. the average bottom depth;v. the average temperature at the average bottom depth;vi. the fishing ground in which the prawn trawl shot occurred;vii. the number of hours spent trawling in each 24-hour period;viii. the number of shots completed in each 24-hour period;ix. the latitude for the location where the most fish were caught;x. the longitude for the location where the most fish were caught;xi. if undertaking research, a description of the research being undertaken;xii. the length of head rope; andxiii. any further information considered by the holder of the fishing concession to be relevant. |
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- b) The species name for all target species, and the species group name for all by-product species and mackerel retained or discarded.
 - c) For fish caught and retained:
 - i. the estimated processed weight of retained fish must be specified by the species name for the target species, and the species group name for by-product species and mackerel;
 - ii. the number of finfish and mackerel, if any, retained;
 - iii. the form code; and
 - iv. the grade for fish, expressed as a count per pound.
 - d) For fish caught and discarded:
 - i. the reason for discarding the fish;
 - ii. the estimated total weight of each discarded fish must be specified by the species name for the target species, and the species group name for by-product species and mackerel;
 - iii. the estimated total combined weight of all remaining discarded species, excluding those reported under Item 4(d)(ii);
 - iv. the number of mackerel (if any) discarded.
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