

<b>TORRES STRAIT PRAWN MANAGEMENT ADVISORY COMMITTEE</b>	<b>Meeting No. 4 14-15 June 2007</b>
<b>Update on Australian industry access to the PNG jurisdiction of the Torres Strait Protected Zone</b>	Agenda Item No. 8.1

## **RECOMMENDATION**

THE TSPMAC NOTES that:

1. Many regulations have been put in place by Australian and PNG authorities to regulate illegal cross-border activity and address potential biosecurity issues between Australia and PNG. These regulations also apply to Australian operators wishing to conduct legal cross-border activities, such as commercial fishing.
2. That negotiation to enable Australian operators to access fishing entitlements within the PNG jurisdiction of the TSPZ have been slow but that revised PNG conditions have now been provided.

THE TSPMAC RECOMMENDS that:

1. In considering both the advice of the PNG conditions of access and the advice on the Australian Quarantine and Customs issues associated with Australian operators harvesting prawns in the PNG jurisdiction (Agenda item 8.2), Australian industry provide the TSPMAC members with a decision on whether they intend to pursue access to the PNG jurisdiction of the TSPZ for the 2008 fishing season.

## **BACKGROUND**

On 20 September 2006 an Australia and PNG fisheries working group meeting was held in Cairns to further develop catch sharing arrangements agreed to at the Australia and PNG Bilateral Fisheries discussion on 23 -24 August 2006.

At the working group meeting PNG acknowledged that Australia's 50 tonnes of catch would equate to 253 days of fishing effort in the 2007 season in the PNG jurisdiction. It was also suggested that seven Australian vessels would be an appropriate number with a maximum of two to three vessels entering the PNG jurisdiction at any one time.

## **DISCUSSION**

DAFF conducted an expression of interest to determine which Australian licence holders wanted to access fishing concessions in the PNG jurisdiction and received 19 applications. These were ranked using a ballot process. The first seven operators drawn getting first preference to the entitlements.

QDPI&F and the PNG NFA also determined specifications for Australian Vessels within the PNG VMS network.

To assist with the tracking of Australian vessels, PNG NFA advised that they would require the following advice from the Australian Government before they were willing to endorse Australian licences to operate in the PNG jurisdiction:

- Vessel name
- Call sign
- IMN number
- ALC type
- ALC model

- ALC serial number.

On 9 February 2007, DAFF received a “Conditions of Endorsement” from PNG NFA setting out condition Australian operators would need to undertake when entering and while conducting fishing operations in the PNG jurisdiction of the TSPZ. On 20 March 2007, DAFF replied to PNG NFA with proposed changes to the Conditions after consultations with Australian Government and Industry. PNG NFA accepted the changes together with proposed further amendments.

The current amendments include:

**Condition 13 (24 hours notice)**

A 24 hour notice be given to PNG Authorities when vessels entering PNG jurisdiction on the first occasion. Any entry by that vessel after the first occasion will **not** require any 24 notification.

**Condition 17 (PNG Observers)**

Due to logistical difficulties

- a. Placement of three PNG observers stationed in Yorke Island
- b. One observer will be placed for only one trip per vessel per season for a minimum of 14 days coverage. Any entries after that will **not** take onboard any observers.
- c. Australia can place their own observers using PNG Observer forms, if logistic arrangements for PNG become difficult.

**Condition 20 (PNG jurisdiction prohibited trawling areas)**

Recommend Condition 20 be deleted from the Endorsement Conditions as it will have limited biological significance and further prohibition of the three mile restricted access will only narrow the fishing ground, making it too small for trawl fishing.

DAFF received advice stating that as long as the vessel is appropriately licensed and endorsed to fish in the PNG jurisdiction:

- An Australian National fishing within the PNG jurisdiction of the TSPZ, who did not make landfall on a non-Australian asset, would not need to go through the standard Immigration process upon return to an Australian port.
- If landfall was anticipated, all Australian Nationals would need to comply with standard Australian Immigration, Customs and AQIS processes, with the **addition** of registering at a specific location designated by Customs.

<b>TORRES STRAIT PRAWN MANAGEMENT ADVISORY COMMITTEE</b>	<b>Meeting No. 4 14-15 June 2007</b>
<b>Update on issues in regard to Australian vessels fishing in PNG waters.</b>	Agenda Item No. 8.2

## **RECOMMENDATION**

THE TSPMAC NOTES that:

1. On advice from the Australian Quarantine and Inspection Service (AQIS), prawns caught in the PNG jurisdiction of the TSPZ will have to be separately documented and physically identifiable from all other product caught in the Australian jurisdiction and labelled "Product of PNG", regardless of disposal method..
2. On advice from the AQIS and Biosecurity Australia, the disposal (domestic or export market) of the prawns caught in the PNG jurisdiction of the TSPZ may be the critical factor affecting economic feasibility of the proposal for Australian fishers to harvest prawns in the PNG jurisdiction of the Torres Strait Protected Zone.

THE TSPMAC AGREES that:

1. Australian industry should provide the TSPMAC members with a decision on whether they intend to pursue access to the PNG jurisdiction of the TSPZ for the 2008 fishing season, and that this position should be incorporated into the bilateral discussions with PNG in September 2007.
2. Australian industry, if they decide to access the fishery in the PNG jurisdiction of the TSPZ, provide TSPMAC members with a decision on the disposal method of the product caught in the PNG jurisdiction of the TSPZ for the 2008 fishing season.

## **BACKGROUND**

At the TSPMAC 3 on 9 February 2007, DAFF provided a paper titled, *Update on Australian Quarantine and Inspection Service issues in regard to Australian vessels fishing in PNG waters* for Agenda Item 7.2.

## **DISCUSSION**

On advice from AQIS and Biosecurity Australia (BA), prawns caught in the PNG jurisdiction of the TSPZ will be classified as an imported product and will have to be labelled as "product of PNG" if brought back into Australia. Disposal of the product on the domestic or export market will be one of the major factors in terms of associated costs and benefits to be considered by fishers wanting to land (import) prawns harvested in the PNG jurisdiction back into Australia.

DAFF and QDPI&F are currently finalising a submission to BA made on behalf of Australian industry, to provide scientific justification for a request to review the quarantine conditions for imported prawns from the PNG jurisdiction of the Torres Strait Protected Zone. The submission argues that these prawns come from the same stock as those prawns caught in the Australian jurisdiction. If successful, DAFF expect that the quarantine conditions placed on the imported product from this zone would be reduced but product will still be classed as imported.

If the submission to BA is successful there will still be food safety standards conditions applied to the product. If the product is destined for the domestic market, sample testing would be randomly done for five per cent of consignments, for sulphur dioxide in accordance to food safety standards (the same as Australian product). This cost will be via a “fee-for-service charge”, with costs to be met by industry. The average cost per sample is \$110.00.

If the product is to be exported from Australia, it would then be subject to the importation requirements of the particular country it is imported into. According to the *Export Control Act 1982* for the product to be labelled “Product of (country of origin)”, two rigorous criteria must be met:

- each significant component (or ingredient) of the goods must originate from the country of the claim
- all, or virtually all, of the production of manufacturing process must take place in that country.

Regardless of how the product is disposed, the product caught in the PNG jurisdiction will have to be labelled, physically identifiable and documented accordingly from all other product (PNG caught Vs Australian caught) on every vessel including mother ships.