

20 January 2023

Fact Sheet

Changes to commercial fishing rules – Business Efficiency Program

Overview

This Fact Sheet summarises the next round of changes to commercial fishing rules under the Commercial Fisheries Business Efficiency Program, following public consultation in 2021.

Minimum period for nomination of a fisher

The minimum nomination period has been reduced from 48 hours to 12 hours.

Use of nets in Budgewoi Lake – Munmorah Power Station outlet

The prohibition that applies to the use of nets in the outlet canal of the Munmorah Power Station from 1 May to 31 August has been removed.

Inland restricted fishery transfer rules modernised

New transfer rules

The transfer rules that apply to inland fishing businesses have been modernised, giving business owners greater flexibility.

Under the new rules, a person may:

- own more than one inland fishing business
- own an inland fishing business that includes a Class A, a Class B, and a Class D endorsement
- be nominated to hold the endorsements for more than one inland fishing business

Other new rules include:

- an inland fishing business cannot include two inland endorsements of the same kind
- a Class A (Yabby and Carp) endorsement or a Class B (Carp) endorsement may be split from a fishing business and transferred to any other person
- if the transferee (buyer) of a Class A or a Class B endorsement does not own a fishing business or already holds an endorsement of the same kind, a new inland fishing business will be created
- if an inland fishing business has no endorsements because the endorsements have been transferred separate to the business, the business will be cancelled.

New way of charging fees

A new approach to management fees in the Inland Restricted Fishery applies so that there is no change to the management charges payable or revenue raised because of the new inland transfer rules.

The new approach involves attributing fees to endorsements directly, instead of to the fishing business that the endorsements are a component of.

The current management fees (per endorsement) have not changed.

Real time quota reporting – line fishing (eastern zone)

Endorsement holders now have 6 hours to make a final catch report (from the catch estimate report).

Real time quota reporting – ocean haul garfish

Endorsement holders now have 6 hours to make a final catch report (from the catch estimate report).

Real time quota reporting – ocean trawl fishers returning interstate

New reporting requirements apply to endorsement holders moving quota species out of NSW by land or by sea.

The new arrangements give fishers more time to travel to a home port, weigh a catch and make an accurate final catch report. They also give Fisheries Officers more time to inspect a catch of quota species before the catch is moved interstate by sea or by land in a shipping container.

Moving quota species out of NSW by sea (any quota species)

Endorsement holders moving quota species out of NSW by sea must:

- make a catch estimate report at least 10 hours before the catch is moved out of NSW by sea, and
- make an accurate final catch report within 72 hours of the catch estimate report.

Moving trawl whiting out of NSW by land in a shipping container (trawl whiting only)

Endorsement holders moving trawl whiting out of NSW by land in a shipping container must:

- make a catch estimate report at least 10 hours before the catch is removed from the boat,
- make an accurate final catch report within 72 hours of the catch estimate report, and
- a photo of the weighbridge measurement ticket for the catch must be emailed to catch.records@dpi.nsw.gov.au within 72 hours of making the catch estimate report.

Standard (existing) reporting requirements

In all other cases:

- a catch estimate report must be made before the catch is removed from the boat, and
 - an accurate final catch report must be made within 6 hours of the catch estimate report or before the catch is taken out of New South Wales, whichever occurs first.
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New maximum shareholding for the Lobster Fishery

The maximum shareholding is now 3,848 lobster shares, consistent with the basis for the maximum shareholding that applies in each of the 5 multi-species share management fisheries.

Set pocket prawning crew arrangements

A prawning endorsement holder using a prawn set pocket net may be assisted by another prawning endorsement holder for the same region. In recent years, this has been authorised by an order.

If a prawning endorsement holder is assisted, only one prawn set pocket net may be used.

The endorsement holder giving the assistance may take possession of any fish taken and if so, must keep the fish in the endorsement holder's possession until the fish are lawfully disposed (sold).

These arrangements are separate or in addition to the provisions that provide for a shareholder with at least 250 prawning shares receiving assistance from an unlicensed person.

The abalone fishing period

The abalone fishing period is now recognised in regulation as commencing on the 1st of July and ending on the 30th of June in the following year.

Fish names

Common and scientific names for fish species in regulation have been updated consistent with the Australian Fish Names Standard (AS 5300).

For Share Management Fisheries, the regulation now clarifies that if there is any inconsistency between the common name and the scientific name of a species, the scientific name prevails.

Other rules and regulations

This Fact Sheet does not cover all rules that apply to commercial fishing in NSW.

For information on other rules that apply to commercial fishing in NSW, refer to the NSW DPI website or contact DPI.

More information

For more information, please call the Commercial Fisheries Hotline on 1300 726 488.

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