

ATTACHMENT 2

SCALE FISH TAKE BY COMMERCIAL FISHERS WHO DO NOT GAIN ACCESS TO THE MANAGED WEST COAST DEMERSAL SCALEFISH FISHERY & GASCOYNE DEMERSAL SCALEFISH FISHERY- comparison of recommendations by the Commercial Access Panel, Management Planning Panel, Minister for Fisheries and WAFIC.

Commercial Access Panel	Management Planning Panel	Minister for Fisheries	WAFIC
<p>Recommendation 18 Commercial fishers without any access to the West Coast and Gascoyne Demersal Scalefish Fisheries should be able to land a specified limit of scalefish for personal consumption. Operators outside the managed scalefish fisheries should not be permitted to sell their catch of scalefish</p>		<p><u><i>Personal consumption limits</i></u> Commercial fishers operating in other commercial fisheries, but without any access to the West Coast Demersal Scalefish Fishery, West Coast Inshore Beach Net Fishery, Gascoyne Demersal Scalefish Fishery, or Gascoyne Inshore Net Fishery will be entitled to take a limited amount of scalefish for personal consumption (i.e. they will not be permitted to sell their personal consumption catch of scalefish). The personal consumption limit will initially be set to allow each person fishing in accordance with this arrangement to take fish for personal consumption up to the following limits and subject to the following requirements (including the boat limits noted below):</p>	<p>WAFIC makes the following points: -The proposed <i>non commercial use</i> (personal consumption limit) clearly meets the definition of recreational fishing in both the interpretation section of the <i>Fish Resources Management Act 1994</i> (“recreational fishing means fishing for a purpose other than a commercial purpose”) and the purpose adopted by the Government from a recommendation put forward by the Recreational Fishing Advisory Committee in 1990 (“To aim to catch a feed for oneself and family and, for a</p>

		<ul style="list-style-type: none"> • one fish of any species of category 1 fish relevant to that bioregion; and • the equivalent of the existing bag limit for category 2 or 3 fish relevant to that bioregion; • a boat limit of two category 1 fish (when the boat is being used for fishing by more than two persons); and • commercial fishers taking fish for personal consumption will be required to record all “personal consumption” scalefish catch taken during commercial fishing operations (utilising a specifically-designed catch logbook and process, similar to that currently employed for commercial fisheries, but to be developed following further advice in the coming 	<p>variety of personal reasons, to enjoy the experience on the way”).</p> <p>-Clearly the proposed <i>non commercial use</i> is a recreational fishing use. Given this if the Minister is of a mind to allow this use by commercial fishermen who are not engaged in the proposed wetline fisheries then logic would dictate that the rules that apply to recreational fishing should also apply including incorporating this level of take within the notional recreational total allowable catch under the Government’s IFM policies. WAFIC anticipates that criticism of this proposal may revolve around the potential for high recreational catches by commercial fishermen. The response to this is that the equity</p>
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		<p>months), and comply with any specific requirements relating to fish taken for “personal consumption” (to be developed further in coming months), but most probably including that those fish are;</p> <ul style="list-style-type: none"> ○ marked in some way (e.g. pectoral fins removed [or similar]) so that they can be recognised as being taken for this purpose, and ○ landed whole (but can be gutted and/or gilled). 	<p>of take of the available fish stocks to individual recreational fishers will be a matter that the recreational fishing community will need to address after the formal adoption of notional catch shares as a result of the application of IFM. WAFIC can not accept regulation that will impact on the future viability and sensible management of a commercial fishery for the sake of placating the recreational fishing lobby. and a perceived group of aggrieved commercial fishermen who do not meet the entry criteria for the proposed wetline fisheries. For WAFIC to accept this approach would mean conceding the same for other fisheries such as rock lobster and</p>
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			<p>abalone. That is a <i>non commercial use</i> by non endorsed commercial fishermen in these fisheries and the distinct possibility of the accompanying need to diminish these commercial fisheries resource shares in order to accommodate this <i>non commercial use</i></p> <p>One way of addressing this matter would be to generally allow all commercial fishermen in Western Australia to recreationally fish in fisheries that they are not endorsed in. Under this proposal commercial fishermen could recreationally fish from commercial boats provided they are not endorsed to commercially fish the species they are recreationally taking. Under this proposal</p>
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			commercial fishermen would be subject to the rules that apply to the recreational fishing community. There would thus be no need to create a nonsensical new category of fishing.
Recommendation 19 The 'personal consumption' limit should be set at the current recreational 'bag' and possession limits.			
Recommendation 20 Commercial fishers fishing for the 'personal consumption' limit should only be permitted to use approved recreational fishing methods (i.e. use of a handline or rod and line with no more than three hooks, or gangs of hooks, attached).			
Recommendation 21 Fisheries legislation be amended to permit holders of Commercial	Recommendation 32 Fisheries legislation be amended to permit holders of Commercial	<u><i>CFL holders permitted to hold Recreational Fishing Licences (RFL)</i></u>	
		Commercial Fishing Licence (CFL)	

<p>Fishing Licences to apply for a Recreational Fishing Licence for abalone and rock lobster provided they do not operate in the commercial managed fishery for that species. Fishing activity requiring a recreational licence should not be permitted to be undertaken from a commercial fishing boat.</p>	<p>Fishing Licences to apply for a Recreational Fishing Licence for abalone and rock lobster provided they do not operate in the respective commercial managed fishery. Fishing activity requiring a recreational licence should not be permitted to be undertaken from a commercial fishing boat.</p>	<p>holders will be permitted to apply for and be granted an RFL. However, CFL holders operating in the West Coast Rock Lobster and Abalone Managed Fisheries will not be permitted to hold an RFL to take rock lobster or abalone respectively (and therefore will not be able to hold an “umbrella” licence either). CFL holders who have been granted an RFL under this arrangement will be permitted to undertake the activities authorised by that RFL from recreational vessels or the shore (but not from a licensed fishing boat even if it has nominated to operate recreationally for the take of scalefish or other fish not the subject of an RFL in accordance with the arrangements described above). RFL holders fishing under these arrangements will be subject to the recreational bag, boat and possession limits and other recreational fishing rules relevant to the bioregion in which the activity is being undertaken. <i>Note, that this initiative will require that CFLs are modified to identify</i></p>	
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		<p><u>Recreational fishing from a Licensed Fishing Boat</u></p> <p>A person will be permitted to use a licensed fishing boat to fish solely for recreational purposes (except for any recreational fisheries which require a person to hold a Recreational Fishing Licence [RFL]) to take fish up to the existing recreational bag limit for that species, or category of fish relevant to the bioregion, and subject to the following;</p> <ul style="list-style-type: none"> • operators undertaking this activity will be required to nominate (with details of the nomination process to be provided during 2007) prior to commencing the trip and giving details of the period over which they will be conducting a 	

		<ul style="list-style-type: none">recreational fishing trip; commercial operators who have nominated to utilise their licensed fishing boat to recreationally fish will not be permitted to have (or transport) rock lobster pots or other specified commercial fishing gear on board the boat. <p><i>Note: I will review the arrangements described above regarding personal consumption limits and recreational fishing from a licensed fishing boat, after the first 24 months of operation, with a view to reducing permitted levels of take, if sustainability of the demersal scalefish resource is compromised.</i></p>	
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