

## ATTACHMENT A

Section	Title	Description
5	Objectives of this Plan	The objectives have been aligned with those of the <i>Torres Strait Fisheries Act 1984</i> and the measures and performance criteria are used to assess the performance of the quota management system set out in the plan, in meeting the plans objectives.
6	Assessing objectives of this Plan	
7	Who may fish in the TRL fishery	A person may fish in the fishery if they hold a fishing licence and either: <ol style="list-style-type: none"> <li>a. hold uncaught quota (note this could be a Traditional Inhabitant or non-Traditional Inhabitant); or</li> <li>b. if they are a Traditional Inhabitant fishing under quota units held by the Torres Strait Regional Authority(TSRA).</li> </ol>
9	Taking tropical rock lobster—processed tropical rock lobster	The amount of tropical rock lobster that may be taken at a particular time during a fishing season is worked out as the total number kilograms a person is entitled to (determined by the value of a quota unit for that season multiplied by the person’s total number of quota units) less the kilograms caught. Where relevant, the conversion factor is applied to any ‘tailed’ product landed to work out the total amount (kilogram) taken.
10	Taking tropical rock lobster—both processed and unprocessed tropical rock lobster	
11	Weight conversion of processed tropical rock lobster	The Minister determines the weight conversion factor for converting tail weight to whole weight. The current conversion factor for tailed to whole tropical rock lobster is 2.677 to 1.
12	Allocation of quota units—traditional inhabitant and non-traditional inhabitant sectors	The sectoral share of quota units between the Traditional Inhabitant Boat (TIB) and Transferrable Vessel holder (TVH) sectors is: 56.2% or 562 000 quota units (TIB) and 43.8% or 438 000 quota units (TVH) respectively.
13	Defeasibility	Quota units allocated under the plan are defeasible rights. Quota units may be cancelled, revoked, terminated or varied by or under later legislation. In the case that a quota unit is cancelled, revoked, terminated or varied, no compensation is payable
14	Review of allocation	The Plan stipulates that the Protected Zone Joint Authority (PZJA) will review the TIB sector allocation within two years of the Plan commencing. The PZJA may consider the following options: <ul style="list-style-type: none"> <li>• allocating to a non-government legal entity;</li> <li>• allocating to individuals;</li> <li>• a combination of the options above.</li> </ul>
15	Minister to notify primary boat licence holders of catch histories	The Minister must complete the provisional allocation within 28 days of the commencement of the plan (as evidence by a noticed issue to all eligible persons).
16	Objection to catch histories—requirements for making objection	A person then has 14 days in which to object to the provisional catch history. In doing so a person must provide evidence to support any claims of why the provisional catch history should be altered.

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17	Minister to consider objections to catch histories	<p>The Minister must consider an objection to a catch history notice in accordance with the PZJA catch verification policy (enclosed).</p> <p>The Minister must make a final allocation decision within 3 months of the catch history notices being given to the relevant persons.</p>
18	Provisional allocation of quota units	In accordance with the allocation model recommended by the Independent Allocation Advisory Panel and agreed by the PZJA, the draft plan allocates 20 percent of available units (20% of 438 000 unit is 87 600 units) to the sector based on the number of tender boat licences held and the remaining 80 percent based on catch history (80% of 438 000 unit is 350 400 units)
19	Review of provisional allocation of quota units by the AAT	<p>If a person is dissatisfied with the outcome of the final allocation that person may then apply to the Administrative Appeals Tribunal (AAT) for review of the Minister's final allocation decision.</p> <p>The AAT conducts independent review of administrative decisions made under Commonwealth laws.</p>
20	Minister to be notified of application for review	<p>If an application for review has been lodged with the Administrative Appeals Tribunal (AAT), written notice must be given to the Minister and each person provisionally allocated quota units under the plan.</p> <p>If an application for review has been lodged, the Minister must provide those details to the Registrar of the AAT within 14 days.</p>
21	Value of quota units	The value or kilogram amount of a quota unit varies according to the total allowable catch (TAC) for a season. The value is calculated by dividing the TAC by the total number of quota units in the fishery (i.e. 1 000 000). The value will increase and decrease according to the TAC.
22	Determining the total allowable catch for a fishing season	<p>The Minister will determine a TAC for the fishing season before the start of a fishing season. The Minister will consult with the Tropical Rock Lobster Resource Assessment group (TRLRAG), the Tropical Rock Lobster Working Group (TRLWG) and other persons with interests in the area of the fishery.</p> <p>The Minister will take into account the harvest strategy for the TRL Fishery and have regard to Australia's obligations under the Torres Strait Treaty.</p>
23	Increasing the total allowable catch for a fishing season	The Minister may increase the TAC it has determined for a season.
24	Transfer of quota units	<p>Quota units may be transferred and leased. The only restrictions on trading are that a person may not:</p> <ol style="list-style-type: none"> <li>a. transfer or lease quota units to a trust;</li> <li>b. lease caught quota units. Provision is only</li> </ol>
25	Leasing of quota units	

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26	Effect of licence suspension on leased quota units	provided for leasing 'available' quota units (section 22(1)); and c. transfer or lease quota units if the fishing licence to which the quota units relate is suspended (sections 21(2) & 22(2)).
27	Cancellation of quota units	If a fishing licence is cancelled, the quota units attached to the licence are also cancelled.
28	AFMA to notify persons of catch entitlements each fishing season	AFMA will notify each relevant person detailing the number of quota units held by that person, the value of a quota unit and the number of kilograms of TRL the person may take.
29	AFMA to notify persons of catch entitlements if quota units are leased	AFMA will issue notices to each relevant person under a lease arrangement number of quota units held by that person, the value of a quota unit and the number of kilograms of TRL the person may take.
30	Register—establishment	AFMA will maintain a public register of quota unit ownership.
31	Register—required information	The register includes a person's name, licence number for each licence held, total number of quota units held by that person, number of quota units relating to each licence. The register records the transfer and lease of quota units.
32	Priority between quota unit interests and PPSA security interests	This section describes the priority between quota units and a security within the meaning of the <i>Personal Property Security Act 2009</i> . For example, the section establishes the priority of a transfer or lease in circumstances where there is a security interest in the fishing concessions as provided for under the Personal Properties Security Act 2009.
33	Right to fish until quota units are allocated	Licence holders may continue to operate in the fishery under the current management arrangements, until the allocation of quota units under the Plan.