

20th January 2023

Fact Sheet

Changes to Charter Fishing Licensing Arrangements

Changes to the NSW charter fishing industry. Charter fishing licence holders need to be aware of the changes to licencing and administrative processes associated with charter fishing in NSW.

Background

The Charter fishing industry provides quality boat based fishing opportunities for recreational fishers in NSW. The industry is an important economic contributor to coastal regional communities with the total economic output estimated at over \$50 million per year.

Licencing for Charter fishing in NSW commenced in 2000, following extensive consultation with industry. The licencing scheme was introduced to ensure the sustainable harvest of the fisheries resource from this sector by capping fishing effort and monitoring take. In 2021, following discussion with the NSW Charter Fishing Working Group, NSW DPI consulted all NSW charter fishing licence holders on proposed changes to licensing and management arrangements that would affect charter boat operations. The proposed changes received strong industry and community support and have now been adopted and implemented. Please see the below changes impacting the operation of your charter fishing business.



Key Changes include

- Charter fishing licences are no longer linked to a specific boat. The new charter fishing licence arrangements will authorise declared charter fishing activities on any suitable boat (see 'what boat can be used' heading).
- Charter Fishing Businesses are now formally determined under the *Fisheries Management Act 1994*
- Declared charter fishing activities replace endorsements on a licence. The declared charter fishing activities authorised by the licence will remain the same as your previous licence endorsements and will be listed on a charter fishing licence card.
- Improved licencing administrative processes making it easier to renew your charter fishing licence or transfer your licence
- No requirement to complete a 'Boat replacement form' to change vessels, improving efficiency and reducing costs

Charter fishing licences are no longer linked to a specific boat

The removal of the linkage between the licence and a specific boat will free up charter fishing operations.



What boats can be used?

A charter fishing licence holder can undertake authorised declared charter fishing activities on any suitable domestic commercial vessel authorised by the Australia Maritime Safety Authority (AMSA), including non-motorised vessels (kayaks and canoes). That is, the boat must be in survey for that class of operation or unless otherwise exempt from survey.

A single motorised vessel can be used at any one time per licence.

For non-motorised vessels (kayak/canoe), the number of vessels or clientele must not exceed the number of 'seats' available on the licence against that declared charter fishing activity, with the licence holder guiding the clientele.

Checking your vessel complies

If you want to be sure that a boat complies with the survey requirements under AMSA legislation you can check the AMSA website (www.amsa.gov.au) or consult an authorised marine surveyor.

Boat marking requirements

The vessel used for the charter fishing operation authorised by your charter fishing licence must now be marked with the **Charter Fishing Business (CFB) Number** (e.g., CFB 4XXX), as shown on your licence card. The previous 5-digit Charter Fishing Boat number is now redundant.

For powered vessels, the CFB number must be clearly visible and displayed on both sides of the bow or wheelhouse in a colour that is contrasting to the colour of the vessel. The markings must not be less than 200mm in height and 100mm in width.

For non-powered vessels, the markings must be clearly visible and not be less than 150mm in height and 75mm in width.

These requirements are in addition to any AMSA boat marking requirements.



Existing licence cards and continued operation

Your existing charter fishing licence card will continue to be your authority to charter fish until it expires. A new charter fishing licence card will be issued when your current licence expires. You may use any suitable boat, however, if you change boats for your charter fishing operation, you must ensure that your new boat of operation is marked with your **Charter Fishing Business** number, being (CFB4XXX).

Note: You (the licence holder), or the responsible person (master/skipper or guide), must have the physical charter fishing licence card in possession when undertaking charter fishing operations. This card must be available to a fisheries officer upon request.

Note: Commercial fishing gear **MUST NOT** be on the vessel whilst undertaking Charter fishing operations.

New administrative processes

Removal of voluntary suspension of licence (abeyance provision)

As charter fishing licences are no longer linked to a specific vessel, the abeyance provision is no longer required and has been removed. A licence previously in abeyance will simply become an 'active' licence and the fishing business owner will be issued a licence card when renewed. If a charter licence holder chooses not to go charter fishing, the owner must submit Nil Fishing Activity Report(s) using either the logbook or FishOnline-FisherDirect. A Nil fishing activity report can be submitted one year in advance.

Removal of boat replacement transfer fees

The previous requirement to lodge an application for a boat replacement and to pay the transfer fees has been removed.

What do I need to do?

Current licences

From 20/1/2023, the changes listed in this document will come into effect. Your current licence card will authorise the above changes. Your current charter fishing licence will expire on the 14 July 2023.

Licence renewal process

Charter fishing businesses will automatically have their licence renewed annually provided that no outstanding fees are associated with the licence. Licence cards will be issued prior to the new charter fishing period commencing on the 15 July 2023.



Operators with **outstanding fees will not have their charter fishing business licence renewed** until all outstanding debts have been paid and the fee for reissue the licence is paid, which is consistent with current policy.

Licence fees

There have been no changes made to annual charter fishing business licence fees.

Licence fees will continue to be able to be paid in full or in instalments. An invoice will be sent in late August, with the first instalment due and payable on the 30 September, and the 2nd and 3rd instalments due and payable by 28 February and 31 May respectively.

Exemption Certificates

Exemption certificates will continue as per normal process, that is for marine charter, being issued to a person and an identified charter fishing vessel. Note that charter fishing boat marking rules apply.

What if I don't want my charter fishing licence?

If you no longer wish to hold a charter fishing licence, you may sell and transfer it to someone else (if the licence is a transferable licence), or complete a written application form to surrender the licence. If a licence is surrendered, it will result in the cancellation of the licence and charter fishing business. A surrendered licence is permanently surrendered and cannot be renewed as eligibility for the licence ceases.

Catch records

As per the current process, you must continue to submit records of catch and effort or nil fishing activity for each calendar month for each charter fishing business held. Records may be submitted using either the logbook or using FishOnline-FisherDirect. You, or your responsible person (Master/skipper) may submit the record. Applications forms for FisherDirect are available online at www.dpi.nsw.gov.au/fishing/fishonline/fishonline-commercial/register-for-fishonline

More Information

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Fisheries management legislation can be found at www.legislation.nsw.gov.au

Other information on the charter fishing, recreational fishing rules and fishing closures can be found at www.dpi.nsw.gov.au

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