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*Fisheries Management Act 1998*

## NATIONAL TUNA FISHERY MANAGEMENT PLAN

THE NATIONAL FISHERIES AUTHORITY, by virtue of the powers conferred by Section 28 of the *Fisheries Management Act 1998*, and all other powers it enabling, hereby draws up the following Fisheries Management Plan to take effect on and from the date approved by the Minister.

### ABBREVIATIONS

- Cpue—Catch per unit of effort.  
 DWFN—Distant Water Fishing Nations.  
 EEZ—Exclusive Economic Zone.  
 FFA—Forum Fisheries Agency.  
 FSM—Federated States of Micronesia.  
 IPA—Investment Promotion Authority.  
 mt—metric tonne.  
 NFA—National Fisheries Authority.  
 OFP—Oceanic Fisheries Programme.  
 PNA—Parties to the Nauru Agreement.  
 PNG—Papua New Guinea.  
 PNGFZ—Papua New Guinea Fisheries Zone.  
 SPC—Secretariat of the Pacific Community (formerly South Pacific Commission).  
 TAC—Total Allowable Catch.  
 US—United State (of America).

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**PART I.—PRELIMINARY INFORMATION.****1. INTRODUCTION.**

- (1) The National Goals and Directive Principles require the Nation's Fisheries Resources to be managed in a manner, which maximises Papua New Guinean participation through the wise use and development of the Fisheries Resources as a renewable asset.
- (2) The *Fisheries Management Act* and this Plan, to the extent that it is applicable, must be capable of supporting this level of Resource Management.
- (3) This National Tuna Fishery Management Plan has been developed to be in accordance with Government policy and Papua New Guinea's international commitments.
- (4) This Plan is divided into Preliminary Information, Management Framework, and Application Framework sections.
- (5) Part I provides the Preliminary Information outlining the parts of the Plan;
- (6) Part II provides the Management Framework for the sustainable development of the tuna fishery. It acknowledges the sovereign rights of Papua New Guinea to manage highly migratory fish stocks, and develop its domestic tuna fishing industry, thus ensuring that the State and its people gain optimal benefit from the tuna resource. In considering the highly migratory nature of tuna, the Management Framework adopts the precautionary approach to management, taking into account the scientific information available for developing the resource; the need for Regional and International Cooperation in conserving and managing the tuna resource; taking into account the need to continue to carry out research; and consideration of the customary, artisanal, and other users of the tuna resource.
- (7) Part III provides the Application Framework in accordance with the management requirements provided for by the *Fisheries Management Act*. The Application Framework covers the principal fisheries, (1) Longline Fishery; (2) Purse Seine Fishery; and (3) Pole-and-line Fishery.

**2. CITATION.**

This plan shall be cited as the National Tuna Fishery Management Plan.

**3. APPLICATION OF PLAN.**

- (1) The Plan applies to all activities by way of "fishing," as defined in the *Fisheries Management Act*.
- (2) The species covered by this Plan include;
  - (a) all tuna species; and
  - (b) all other non-target, associated or dependent species taken in the course of fishing for tuna.
- (3) The area of waters covered by this Plan includes all Papua New Guinea fisheries water, including the
  - (a) internal waters;
  - (b) territorial sea;
  - (c) archipelagic waters; and
  - (d) offshore waters.
- (4) This Plan covers,
  - (a) all methods of fishing for tuna, including but not necessarily limited to;
    - (i) Surface Tuna Fisheries
      - (a) Purse seining
      - (b) Pole-and-line
      - (c) Trolling; and

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- (ii) Mid Water Tuna Fisheries
  - (a) longlining
  - (b) droplining
  - (c) handlining or single line fishing; and
- (b) all related activities, as specified in Part III, including but not necessarily limited to:—
  - (i) use of fish aggregation devices
  - (ii) transshipping
  - (iii) port calls
  - (iv) bunkering
  - (v) bait fishing
  - (vi) mothership operations
  - (vii) aircraft support operations; and
  - (viii) provisioning.

**4. REVIEW OF THE PLAN.**

The National Tuna Fishery Management Plan shall be kept under review and revised when necessary. Each review of the Plan shall be endorsed by the National Fisheries Board, submitted to the Minister for approval, and notified in the *National Gazette*.

**PART II.—MANAGEMENT FRAMEWORK.***Division 1—Description of the Tuna Resource.*

1. The PNG tuna resource and the fishery can best be described in the following manner;
  - (a) the PNG Fisheries Zone (FZ), located in the Western and Central Pacific, is highly productive compared to other tropical waters in the region as a result of its geographical and climate location. It is influenced by localised upwellings associated with the large number of islands, reefs and sea mounts, periodic extensions of the equatorial upwelling, seasonal monsoon upwellings and currents reversals along the New Guinea north coast, and nutrient run-off from the high-rainfall landmass;
  - (b) productivity in the PNGFZ is also strongly influenced by El Nino events, with lower productivity during such period (reduced equatorial upwelling, shallower mixed layer, and lower salinity);
  - (c) the tuna species of principal interest in the PNGFZ are the so called offshore tunas, which include skipjack *Katsuwonus pelamis*, yellowfin *Thunnus albacares*, bigeye tuna *Thunnus obesus*, and albacore *Thunnus alalunga*;
  - (d) world production of tuna on an annual basis is around 3.2 million mt, of which skipjack comprises some 1.48 million mt (47.3%), yellowfin 1.19 million mt (37.9%) bigeye 283,000 mt (9.0%), and albacore 193,000 mt (6.1%);
  - (e) some (1.2 million mt) of this world catch is taken in the Central and Western Pacific Ocean, with PNG supplying up to 30% of the regional tuna production in exceptional years and typically 20% in most years;
  - (f) the Oceanic Fisheries Programme (OFP) of the Secretariat of the South Pacific Community (SPC) maintains a Regional Tuna Database from which catches from member countries are analysed;
  - (g) during the last decade the estimated purse seine catch from PNG waters had exceeded 200,000 mt in three years with highest estimated catches of over 350,000 mt;
  - (h) in the longline fishery the highest estimated catch was 19,500 mt in 1978. Since the resurgence of the domestic longline fishery in 1995, between 800 mt and 1000 mt has been exported annually for the last two years;
  - (i) the catches from the Japanese and PNG pole-and-line vessels during the early 1970s reached 90,000 mt at its peak, of which nearly 50,000 had been landed by domestic vessels;
  - (j) the OFP has also estimated the monthly throughput of tuna into the zone to be 118,000 mt of skipjack and 30,000 mt of yellowfin, while the standing stock is said to be 411,000 and 141,000 respectively;

**National Tuna Fishery Management Plan—continued**

- (k) much of the tuna taken in the PNG zone has been by foreign operators and processed in foreign ports. The purse seine fishery has begun to be developed domestically, firstly with the establishment of the RD Cannery cannery, and lately by other private investors;
- (l) at the same time, domestication of the tuna longline fishery is being strongly encouraged. The small to medium scale of this fishery, in terms of investment, work force, work skills and infrastructure requirements, combined with its potential to generate product with a high market value, are characteristics which lend this fishery to domestication.

*Division 2—Objectives of the Plan.***5. OBJECTIVES OF THE NATIONAL TUNA FISHERY MANAGEMENT PLAN.**

The broad objective of the National Tuna Fishery Management Plan is to give effect to the fisheries management objectives and principles contained in the *Fisheries Management Act*, and specifically to:—

- (a) Maximise benefits to Papua New Guinea from sustainable use of its tuna resource; and
- (b) Satisfy Papua New Guinea's regional and international obligations in regard to the management and conservation of tuna resources, while holding the country's national interests paramount; and
- (c) Minimise any adverse impacts of tuna fishing and related activities on the marine environment; and
- (d) Minimise any adverse impacts of the non-industrial sectors, including the artisanal and traditional sectors; and
- (e) Improve decision-making in relation to the tuna fishery through effective communications; and
- (f) Ensure that the provisions of this Plan are developed, implemented, administered and monitored in an efficient and cost-effective manner.

*Division 3—Management and Development of the Tuna Fishery.***6. STRATEGIES.**

A. The following management strategies are adopted from the fishery:

- (a) establish a national Total Allowable Catch (TAC) for either each relevant fishery, or by licence category;
- (b) implement limits on fishing effort for tuna species, consistent with national TAC levels;
- (c) encourage and facilitate the sustainable development of Papua New Guinea's domestic industry for tuna;
- (d) develop and apply criteria for licence consideration, which give preference to PNG operators;
- (e) regulate the deployment and utilisation of artificial fish attractants, including anchored fish aggregation devices (FAD or payao), that may cause gear conflict and fishery interaction, or have adverse biological impact on the tuna stocks;
- (f) support incentives to invest in the domestic tuna industry;
- (g) where necessary, implement zoning to prevent localized tuna stock depletion, or gear conflict, and assist in enhancing the longer term viability of locally-based industries;
- (h) collect and validate scientific data on the status of tuna stocks to contribute to national and regional assessment of stocks through the use of regional log books, port sampling, scientific observers, and other methods;
- (i) promote active industry involvement in research, including the use of industry vessels and knowledge to improve stock assessment processes as well as providing economic data on their operations for the purpose of reviewing the Plan;
- (j) develop and implement a policy to recover the costs of management;
- (k) monitor the impact of tuna fishing on associated or dependent species and, where necessary, adopt measures to ensure sustainable management;
- (l) monitor interactions between the licensed tuna fishery and other users of the resource, and where necessary, implement measures to address any adverse impacts;

**National Tuna Fishery Management Plan—continued**

- (m) monitor the economic performance of the tuna fishery, including information on catches, sales, processing and other relevant information from both the catching and processing sectors;
- (n) implement a strategy for responsible fishing, as required under international or regional conventions to which PNG is a party;
- (o) facilitate ongoing consultations on management arrangements.

Specific management and development measures applying to each sector of the fishery are outlined under Part III of this Plan.

**7. PRECAUTIONARY APPROACH TO FISHERIES MANAGEMENT.**

Papua New Guinea will apply a precautionary approach to the sustainable management of the tuna resource and non-target, associated or dependent species, taking into account the best scientific evidence available on the status of the stocks and the uncertainties inherent in that advice.

**8. TOTAL ALLOWABLE CATCH.**

- (1) A Total Allowable Catch (TAC) will be set for each fishery and licence category;
- (2) The NFA may review the TAC, taking into account results of scientific research, economic performance of the fishery, and any other factors that the NFA may consider as relevant to the development of an efficient and sustainable operation of the tuna fisheries, and advise the Minister through the National Fisheries Board. The Minister may announce a new TAC from time to time.
- (3) The TAC's for each fishery are as described in Part III of this Plan for each fishery, as follows:—
  - Division 2. Longline Fishery;
  - Division 3. Purse-Seine Fishery;
  - Division 4. Pole-and-Line Fishery;

**9. CONTROL OF BY-CATCH.**

By-catch of the tuna fisheries will be managed through fishing licence conditions and/or subject to the management planning process for other species or fisheries.

**10. CONTROL OF FISHING EFFORT.**

- (1) The NFA may, from time to time, review the level of catch of each tuna species and/or licensing arrangements, and recommend changes to the level of fishing effort, type or methods of fishing, or categories of licence available in one or more sectors of the tuna industry.
- (2) Such a review may be prompted by, but not be restricted to:—
  - (a) the TAC being approached generally, or by a respective fishery or by any licensing category;
  - (b) an opportunity to expand, or the need to reduce the level of fishing effort in line with new scientific evidence on the status of the stocks;
  - (c) a need to adjust fishing efforts in one sector because of adverse interaction with another, or localised depletion;
  - (d) management initiatives taken at the regional or multilateral level, particularly regarding sustainable levels of fishing on a stock-wide basis; and
  - (e) following any new Government Policy initiatives.

**11. CLOSED AREAS.**

- (1) The Minister may, from time to time, delineate specific areas to be closed to certain categories of fishing and other related operations for various reasons including conservation, preventing interaction between different categories of licensed fishing vessels, interaction between commercial fishing vessels and non-commercial fishing operations.
- (2) The closed areas applied to each fishery are specified under the respective Divisions 2, 3 and 4 of Part III of this Plan.

**National Tuna Fishery Management Plan—continued****12. ALLOCATION OF LICENCES.**

Allocation of licences will be guided by the Domestication Policy set out in this Plan and in accordance with the Application Framework set out for each fishery under the respective Divisions 2, 3 and 4 of Part III of this Plan.

**13. SCIENTIFIC RESEARCH.**

- (1) Scientific research programmes shall be drawn up to coordinate research priorities that ensure the sustainability of the tuna resource. This may include the biology and ecology of the tuna stocks, stock assessment and economic operation of the tuna fishery.
- (2) In accordance with the *Fisheries Management Act*, licensed operators are obliged to submit data on catch and effort and marketing for the purpose of this Plan. Data will be collected through approved forms, which may be amended from time to time.
- (3) The NFA may place observers on fishing and related vessels for the purpose of research and compliance. Fishing operators are obliged to cooperate with observers in accordance with the provisions of the *Fisheries Management Act*.

*Division 4—Policy on Tuna Fishery Development.***14. DOMESTICATION POLICY.**

- (1) The Minister may, from time to time,
  - (a) announce major initiatives designed to boost the development of the domestic tuna industry, and to maximise benefits to Papua New Guinea from the management and development of PNG's tuna stocks.
  - (b) announce policies setting out conditions of operation for domestic charter vessels, including fees and charges to be paid, provided that an increase in this category reduces foreign access.
- (2) Notwithstanding the overall objective of the National Tuna Fishery Management Plan, which is aimed at sustainable exploitation of the tuna resource, the principle objective of this policy is to promote an increased rate of participation by Papua New Guineans in the tuna industry
- (3) Guidelines and conditions, which support the policy, are therefore required for licensing and operation of all vessels in the tuna fishery, so that potential investors are aware of the Government's requirements. Guidelines and conditions for allocating licences are set out in Part III of this Plan.

**15. CUSTOMARY AND ARTISANAL FISHERS.**

Special consideration should be given to avoiding any adverse impacts on customary resource owners in accordance with Section 26 of the *Fisheries Management Act*, which directs that the rights of customary owners of fisheries resources and fishing rights shall be fully recognized and respected in all transactions affecting the resource or the area in which the right operates.

**16. GAMEFISH FISHERY.**

- (1) The gamefish fishery is in its infancy in Papua New Guinea. The scope for expansion in this fishery is great. Tuna longline, tuna purse seine and tuna pole-and-line fisheries also catch species that are targeted by gamefish fishermen. To be able to better understand the degree of interaction, scientific quality data and comprehensive information on catch and effort from licensed operators are required.
- (2) Invocation of Section 29 of the *Fisheries Management Act* will be necessary, which requires licensed operators in the tuna fisheries, including the game fish fisheries, to supply records, returns and other information deemed necessary for the management, development and conservation of the fishery resources in PNG waters.

*Division 5—Monitoring of the Plan.***17. NATIONAL AND REGIONAL TUNA RESEARCH AND MONITORING.**

- (1) The NFA will carry out a programme of research on PNG's tuna stocks including monitoring of the fisheries with a view to developing an information base and capability to quantify the magnitude of tuna catches in PNG waters including inter-annual variability and catch per unit effort (cpue), the species breakdown of catches, and size structure by species in the catches.

**National Tuna Fishery Management Plan—continued**

- (2) PNG will continue to work with regional management bodies in research and monitoring of the tuna fishery including production of annual reports for publication.

**18. MONITORING, COMPLIANCE AND SURVEILLANCE.**

- (1) The NFA will, through the application of its surveillance programme, strive to protect the tuna stocks from illegal exploitation. The programme will apply the strategic use of observers and fishery officers on licensed fishing vessels.
- (2) The NFA will also maintain close liaison and consultation with regional organizations on all matters relating to vessel register and regional cooperation on surveillance and harmonised minimum terms and conditions for licensing fishing vessels, including participation in satellite monitoring systems for both foreign and domestic licensed vessels.

**PART III.—APPLICATION FRAMEWORK.***Division 1—Interpretation.***19. INTERPRETATION.**

In this Plan, unless the contrary appears, each word or group of words has the same meaning, if any, as it has in the *Fisheries Management Act*, except where this differs as provided below:—

"Act" means the *Fisheries Management Act* and the Fisheries Management Regulations or as amended from time to time;

"Archipelagic Waters" means the area of water defined in the *National Seas Act*;

"Bunkering" means taking on fuel;

"By-Catch" means all other species of fish caught in the course of fishing where tuna is the target species;

"Fishery Management Area" means the specified area to which the fishery plan relates;

"Fresh Chilled Operation" means a fishing operation which stores tuna in ice or chilled water at not lower than minus 4 degrees celsius and where the tuna are fresh chilled and not frozen;

"Freezer Operation" means a fishing operation that stores tuna below minus 4 degrees celsius and where the tuna are frozen;

"Locally Based Foreign Fishing Vessels" means a foreign fishing vessel which operates from Papua New Guinea during its licensing period and lands or transships an approved portion of its catch in Papua New Guinea as an export of Papua New Guinea;

"Mothership" means a marine vessel, which has the capability to carry and store tuna, to supply catcher vessels with the requisites for fishing, and to transport catches to port of operation;

"Territorial Sea" means that sea area within twelve (12) miles from the archipelagic baseline;

"Tuna Stock" means a discrete breeding population of a particular tuna species;

"Twelve - Mile Limit" means that sea area within twelve (12) miles of any land, island or declared reef.

*Division 2—Longline Fishery.***20. PREAMBLE.**

In line with the objectives of the National Tuna Fishery Management Plan, the following management and development measures shall be imposed for the longline fishery.

**21. LIMITS ON FISHING LICENCES.**

Only longline fishing vessels licensed to fish under the *Fisheries Management Act* may operate in Papua New Guinea fisheries waters. Fishing licences in respect to tuna longline fishing shall be issued only to Papua New Guinea registered and flagged vessels and locally based foreign fishing vessels operated by Papua New Guinea companies. The total number of longline tuna fishing vessels to be licensed shall be 100, based on a calculation of the catching capacity of longline vessels setting 1,200 hooks per day.

**22. TYPE OF OPERATIONS.**

- (1) Fresh chilled vessels, along with a limited number of freezer vessels, will be the principal type of operation licensed to operate in the tuna longline fishery. Fresh chilled vessel operators will be allowed to retain a percentage of frozen products as part of their operation. This percentage will be imposed by conditions on their licence.
- (2) National companies may charter foreign registered vessels to be based in PNG to operate only as fresh chilled vessels. National companies may only operate foreign registered longline vessels if they already own longline vessels registered in PNG. Upon advice by the National Fisheries Board, the Minister may, from time to time, announce the number of foreign vessels that a national company may charter.
- (3) Locally Based Foreign longline vessels will not be granted licences to operate as freezer vessels.



**National Tuna Fishery Management Plan—continued****23. ALLOCATION OF LICENCES.**

- (1) Only longline vessels licensed to fish under the *Fisheries Management Act* may operate in the fisheries waters of PNG.
- (2) In allocating licences, preference will be given to national fishing companies with PNG registered and flagged vessels. The number to be allocated to each licence category and type of operation shall be in accordance with Schedule 1.

**24. TOTAL ALLOWABLE CATCH FOR THE TUNA LONGLINE FISHERY.**

The total allowable catch (TAC) for the tuna longline fishery in the fisheries waters of Papua New Guinea shall be 10,000 metric tonnes per annum.

**25. GUIDELINES FOR THE OPERATION OF COMPANIES AND OPERATORS OF CHILLED AND FROZEN TUNA LONGLINE VESSELS.**

- (1) To assist the progressive growth of a domestic tuna longline fishery and to promote PNG citizen and national companies participating in the industry, a set of guidelines has been approved by the Minister. These guidelines are as follows:—
  - (a) In the interest of meaningful Papua New Guinea participation in this developing industry, tuna longline ventures will be restricted to citizens and national companies. Ventures with more than 49 per cent foreign share holding shall not be permitted.
  - (b) No domestic licensed boat shall be permitted to land catch or product directly to an overseas port.
  - (c) Wet charters will not be permitted. However, dry charter of foreign vessels will be permitted in the short term. All charters will be on a quota arrangement whereby each company must have in operation one (1) PNG owned boat to one (1) chartered boat. Charters will only be permitted where domestic capacity is insufficient.
  - (d) Chartered boats will be subject to meeting PNG safety and survey standards under the *Merchant Shipping Act*, administered by the Department of Transport, as well as Customs Clearance, before licensing.
  - (e) To avoid a monopoly situation in this limited fishery, no single fleet will be allowed to exceed either twenty (20) boats total (owned and chartered) or have a combined capacity to fish (set) greater than 24,000 hooks per day.
  - (f) Lease-purchase agreements will be encouraged but shall be regarded in the same way as dry charter boats under this guideline.
  - (g) In applying for tuna longline licences, the gear must be specific to tuna longline gear specification. To be inspected and certified by NFA or an independent expert, before issuance of licences.
  - (h) National fisheries observers will be placed on board from time to time to monitor the operations and to ensure that the operations set to target tuna.
  - (i) Fishing using longline gear is prohibited within 12 miles from any land or island or declared reef.
  - (j) The use of satellite monitoring should be made compulsory as soon as the capability is in place.
  - (k) Freezer vessels (below 4 degrees celsius) will be allowed under the following conditions:—
    - (i) Boats to be registered and owned by PNG citizen companies.
    - (ii) Transshipment at sea to be strictly prohibited.
    - (iii) Boats must land and export their product through a PNG port.

**26. AREAS OF OPERATION.**

The licence conditions shall set out areas of operation and shall be in accordance with the following:—

PNG Registered and Flagged Vessels and Locally Based Foreign Vessels  
Territorial Seas\*  
Offshore Waters  
Archipelagic Waters\*  
\*Except within twelve (12) miles from any land, island or declared reef.

**National Tuna Fishery Management Plan—continued****27. PROHIBITED AREAS.**

Areas where access is strictly prohibited, unless stated otherwise in the terms of the licence, include:—  
Twelve (12) miles from any land, island or declared reef.

**28. TRANSFER AT SEA.**

Transfer of longline tuna catch at sea shall be permitted only for fresh chilled vessels subject to landing of the product at a PNG Port.

**29. RELATED ACTIVITIES.**

- (1) Management of the longline fishery shall take into account all related activities, including but not necessarily limited to:—
  - (a) use of fish aggregation devices;
  - (b) transshipping;
  - (c) port calls;
  - (d) bunkering;
  - (e) bait fishing;
  - (f) mothership operations;
  - (g) aircraft support operations; and
  - (h) provisioning.
- (2) Preference will be given to fishing operators using PNG based suppliers and groups or companies providing related services.

*Division 3—Purse Seine Fishery.***30. PREAMBLE.**

In line with the objectives of the National Tuna Fishery Management Plan, the following management and development measures shall be imposed for the purse seine tuna fishery.

**31. LIMITS ON FISHING LICENCES.**

- (1) Only purse seine vessels licensed to fish under the *Fisheries Management Act* may operate in the fisheries waters of PNG.
- (2) In allocation of Licences, the National Fisheries Board shall give first priority to purse seine vessels registered and flagged in PNG and second priority shall be given to locally based foreign vessels operated by Papua New Guinea fishing companies. The total number of purse seine fishing vessels to be licensed shall be 100.

**32. TOTAL ALLOWABLE CATCH.**

The total allowable catch (TAC) for the tuna purse seine fishery in the fisheries waters of Papua New Guinea shall be 300,000 mt per annum. The TAC is inclusive of skipjack, yellowfin and bigeye.

**33. ALLOCATION OF LICENCES.**

- (1) In allocation of purse seine fishing licences, consideration will be given to current and future regional and international arrangements that PNG is a party to. This includes:—
  - (a) Palau Arrangement for the Management of the Western Pacific Tuna Purse Seine Fishery.
  - (b) Federated States of Micronesia Multilateral Arrangements for Regional Fisheries Access (FSM Arrangement).
  - (c) Treaty on Fisheries between the Governments of Certain Pacific Island States and the Government of the United State of America (US Treaty).
  - (d) Bilateral Arrangements between fishing companies, fishing associations or Governments of distant water fishing nations (DWFN).
- (2) The TAC shall be allocated to licensed purse seiners in accordance with Schedule 2 and in accordance with the number of licensed vessels in the different licence categories set out in Schedule 2.

National Tuna Fishery Management Plan—*continued***34. MOTHERSHIP OPERATIONS.**

Only vessels with carrying capacity of 600 mt or less may operate with motherships within the PNG FZ. Each mothership shall be subject to compulsory observership, compulsory port clearance, and must comply with the same reporting requirements as for purse seine vessels.

**35. OPERATION OF LOCALLY BASED FOREIGN VESSELS IN THE TUNA PURSE SEINE FISHERY.**

- (1) To assist and develop the PNG domestic purse seine fishery a set of guidelines to operate locally based foreign purse seine vessels has been approved by the Minister. These Guidelines are as follows:—
- (a) Approval to operate locally based foreign fishing vessels will only be given to companies that are defined by the IPA as, Citizen companies; and National companies
  - (b) Approval to continue operating will only be given if IPA requirements are observed;
  - (c) Locally based foreign vessels must be based at a PNG port;
  - (d) All fish taken by locally based foreign vessels within the EEZ and on the High Seas must be landed in PNG for processing or transhipped as PNG export from a designated port;
  - (e) Transshipment at sea shall not be permitted for locally based foreign vessels;
  - (f) Locally based foreign vessels shall only be allowed to operate in Offshore Waters;
  - (g) Locally based foreign vessels will be granted licences for one (1) year, subject to annual renewal, with a review of the licence conditions after a five (5) year period;
  - (h) The Five yearly review will consider the extent of domestic involvement in the catching, processing and marketing of tuna taken under such licences, and allow the NFA to determine conditions appropriate for the further issuance of a licence;
  - (i) Locally based foreign vessels will be required to fully comply with all reporting requirements of the Act, Regulations, Tuna Fishery Management Plan, or licence conditions;
  - (j) Observers will be required, by the NFA, to be placed on vessels on the conditions, and at the expense of the operation, as provided for in the Act and Regulation;
  - (k) In addition to the licence fee prescribed in the Regulations, there shall be a charge for locally based foreign vessels for access to the tuna resource. The National Fisheries Board will consider the appropriate level of access fee which will be assessed in a like manner to vessels licensed under the FSM Arrangement as follows:—
 

Access Fee = average regional catch per vessel x average price of tuna x 5%.
  - (l) Licensing procedures will be in accordance with the *Fisheries Management Act* and Sections 31(2) and 33(2) to allow for licensing decisions to be made in a timely fashion.
- (2) These guidelines will allow the expansion of a locally based fleet in the purse seine fishery, up to the limit stated in the Plan. If there is demand for licensing such vessels in excess of this number, this may be accommodated by further reducing the number of vessels licensed under Bilateral Access Agreements.

**36. AREAS OF OPERATION.**

The licence conditions shall set out areas of operation and shall be as follows:—

- (i) PNG registered and flagged purse seine fishing vessels
  - (a) Territorial Seas\*
  - (b) Archipelagic Waters
  - (c) Offshore Waters

\*Except within twelve (12) miles from any land, island or declared reef.
- (ii) Locally based foreign purse seine fishing vessels on charter
  - (a) Offshore Waters
- (iii) Bilateral access agreement, multilateral arrangement or treaties licensed purse seine fishing vessels
  - (a) Offshore Waters

**37. PROHIBITED AREAS.**

Areas where access is strictly prohibited, unless stated otherwise in the terms of the licence, include:—

Twelve (12) miles from any land, island or declared reef.

National Tuna Fishery Management Plan—*continued***38. RELATED ACTIVITIES.**

- (1) Management of the purse seine fishery shall take into account all related activities, including but not necessarily limited to:—
- (a) use of fish aggregation devices;
  - (b) transshipping
  - (c) port calls
  - (d) bunkering
  - (e) mothership operations
  - (f) aircraft support operations; and
  - (g) provisioning.
- (2) Preference will be given to fishing operators using PNG based suppliers and groups or companies providing related services.

*Division 4—Pole-and-line Tuna Fishery.***39. PREAMBLE.**

Pursuant to the objectives of the National Tuna Fishery Management Plan, the following management and development measures shall be imposed for the pole-and-line fishery.

**40. LIMITS ON FISHING LICENCES.**

- (1) Access to this fishery shall be given to all licence categories on application, but may be restricted in the future.
- (2) The total number of pole-and-line tuna vessels that will be licensed to operate in the fishery will be 30. This may be increased as demand arises through reduction of Bilateral access for purse seine licences.

**41. TOTAL ALLOWABLE CATCH FOR POLE-AND-LINE TUNA FISHERY.**

- (1) The Total Allowable Catch (TAC) for the pole-and-line tuna fishery in the fisheries waters of Papua New Guinea shall be 20,000 mt, but may be increased as demand arises, or if not taken, will be transferred to the purse seine fishery.
- (2) This figure has been declared as the most suitable sustainable harvest target with an acceptable level of risk, given the present state of knowledge of the tuna resource and catch levels, and given that there is currently no pole-and-line fishing operation in PNG fisheries waters.

**42. AREAS OF OPERATION.**

The licence conditions shall set out areas of operation and shall be as follows:—

- (a) PNG Registered and Flagged Vessels
  - (i) Territorial Seas\*
  - (ii) Offshore Waters
  - (iii) Archipelagic Waters

*\*Except within twelve (12) miles from any land, island or declared reef.*
- (b) Locally Based Foreign Vessels
  - (i) Territorial Seas\* Ψ
  - (ii) Archipelagic Waters Ψ
  - (iii) Offshore Waters

*\*Except within twelve (12) miles from any land, island or declared reef.*

Ψ Provided that they land their catch to PNG shore-based facilities, Locally Based Foreign Fishing Vessels may operate in the Archipelagic Waters, and the Territorial Sea for a period of five (5) years from first issue of licence then must be licensed as a PNG registered and flagged fishing vessels to qualify for such access.

**43. PROHIBITED AREAS.**

Areas where access is strictly prohibited, unless stated otherwise in the terms of the licence, include:—

Twelve (12) miles from any land, island or declared reef.

National Tuna Fishery Management Plan—*continued*

## 44. RELATED ACTIVITIES.

- (1) Management of the pole-and-line fishery shall take into account all related activities, including but not necessarily limited to:—
- (a) use of fish aggregation devices;
  - (b) transshipping
  - (c) port calls
  - (d) bunkering
  - (e) mothership operations
  - (f) aircraft support operations; and
  - (g) provisioning.
- (2) Preference will be given to fishing operators using PNG based suppliers and groups or companies providing related services.

## SCHEDULE 1

The number of licence to be allocated to each category and type of operation of Tuna Longline Fishing Vessels.

Licence Type	No. Licences
PNG registered and flagged fresh chilled vessels	80 licences
Locally based foreign vessels (only for fresh chilled operation)-provided that this category will be the first category reduced as PNG registered and flagged vessel capacity increases	10 licences
Freezer Vessels (only 100% national owned companies)	10 licences

## SCHEDULE 2

The number of licences and catch level to be allocated to each category of operation of Tuna Purse Seine Fishery vessels.

Licence Type	No. Licences	Allocated Catch Level
A. PNG Registered and Flagged Vessels and Locally Based Foreign Fishing Vessels Licences	The overall TAC shall be a rolling average taken over a three year period to take into account the possibility of the TAC being exceeding in any one year as a result of additional operation of PNG fishing vessels brought into this fishery in excess of the estimated number. Such an increase will also result in a corresponding subsequent reduction in the number of licences allocated to bilateral licensed vessels. No limit on number of vessels or level of catch, provided that the tonnage to be taken shall be estimated as follows, based on the number of vessels expected to be operating.	
	30 licences	132,000 mt
B. FSM Arrangement Licences, and US Treaty Licences	40 licences	40,000 mt
C. Bilateral Agreement Licences	30 licences	128,000 mt
Total Allowable Catch from PNG Fisheries Waters and number of licences	100 licences	300,000 mt

Endorsed this 4th day of March, 1999.

D. RENTON,  
National Fisheries Authority,

Approved this 4th day of March, 1999.

M. MORAUTA,  
Minister for Fisheries.