



# **AN INPUT CONTROL MANAGEMENT SYSTEM FOR THE WESTERN ROCK LOBSTER FISHERY**

An independent report commissioned by the  
Rock Lobster Industry Advisory Committee (RLIAC)

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Department of Fisheries  
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Perth WA 6000

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Department of  
**Fisheries**

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## FORWARD

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There has been much debate over the past two decades on the most appropriate long-term management framework for Western Australia's Western Rock Lobster Fishery. More recently a debate over whether the fishery would be best managed under a Quota Management System (QMS) or the continuation of the current Input Control Management System (ICMS) culminated in an industry vote coordinated by the Western Rock Lobster Council (WRLC) in 2006<sup>1</sup>.

The outcome of this vote resulted in industry support to retain the existing management system based on input controls<sup>2</sup>, however, shortly after the vote there was a renewed level of interest in revisiting the QMS debate from sections of the industry. This renewed interest was partly attributed to industry facing significant economic pressure from a cost-price squeeze as well as declining catch predictions.

Proponents for quota argued that a QMS would provide the best management framework to optimise the fisheries economic performance. However, supporters of the existing management framework were of the view that an improved ICMS could achieve similar economic and biological objectives without the transitional costs of introducing a QMS.

While a comparative assessment of the bio-economic and sociological characteristics of an ICMS and a QMS has been comprehensively discussed with industry during the previous review process (Fisheries Management Paper 209, 210, 211 and 212), this review largely focused on the existing ICMS and a theoretical QMS.

To progress the debate the Minister for Fisheries has requested advice from the RLIAC on an actual QMS specifically designed for the Western Rock Lobster Fishery, rather than basing discussions around a theoretical QMS.

To assist in preparing its final advice to the Minister, the RLIAC commissioned a panel of independent fisheries management experts, with national and international experience, to develop an optimal QMS for the Western Rock Lobster Fishery.

The RLIAC also commissioned the Expert Panel to develop an optimal ICMS for the fishery to enable a rational comparison between the two types of management frameworks.

The Panel was comprised of: Dr Gary Morgan

Dr Caleb Gardner

Mr Roger Edwards, and

Mr Ian Cartwright

In the interests of keeping industry and the community informed on all developments relating to future management options for the Western Rock Lobster Fishery, the RLIAC has taken the view that the Expert Panel's documents should be released for industry discussion.

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<sup>1</sup> *Review of the Management System of the Western Rock Lobster Fishery – Industry Consultation Process.* Western Rock Lobster Council June 2006.

<sup>2</sup> *Review of the Management of the Western Rock Lobster Managed Fishery – Results of the Industry Poll: Input vs Output Controls.* Western Rock Lobster Council 2007.

This publication contains the Expert Panel's report on an optimised ***Input Control Management System*** for the Western Rock Lobster Fishery. The Expert Panel's report on an optimised QMS for the Western Rock Lobster Fishery is published separately (Fisheries Occasional Publication No. 63).

It should be noted that the Expert Panel's optimum ICMS represents just one possible option based on the principles and objectives developed by the RLIAC to guide the long-term management of the fishery.

In developing its final advice to the Minister on long term management options for the Western Rock Lobster Fishery, the RLIAC will be taking into account the recommendations of the Expert Panel, advice from the Department of Fisheries as well as the committee's own collective understanding of particular characteristics within the fishery.

A handwritten signature in black ink, appearing to read 'Ron Edwards', with a long horizontal flourish extending to the right.

**Dr Ron Edwards**  
**CHAIRPERSON**  
**ROCK LOBSTER INDUSTRY ADVISORY COMMITTEE**

**DISCLAIMER**

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The views and opinions expressed in this paper are not necessarily those of the Department of Fisheries, neither should they be seen as coinciding with any official policy of the Department unless clearly indicated as such.

## **EXPERT PANEL'S COVERING LETTER TO THE RLIAC**

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The Chairman  
RLIAC  
C/- Department of Fisheries  
3<sup>rd</sup> Floor, The Atruim  
168 St Georges Tce  
PERTH WA 6000

4 June 2009

Dear Mr. Edwards,

### **REPORT OF THE EXPERT PANEL EXAMINING AN OPTIMAL INPUT CONTROL MANAGEMENT SYSTEM (ICMS) FOR THE WESTERN ROCK LOBSTER FISHERY**

We have pleasure in attaching our report on the above issue that was prepared following a two-day workshop in Perth, which included extensive discussions with RLIAC members.

This work, which builds on the report prepared for RLIAC on a quota management system (QMS) for the Western Rock Lobster Fishery, includes a more extensive discussion and comparison of the two management systems for RLIAC's information.

It is important to recognise that in preparing both of these reports, we have been guided by the set of management principles and management objectives that RLIAC has set for the fishery. These principles and objectives will result in considerable economic and biological benefits flowing from management arrangements that effectively target them.

Therefore, in many ways, it is working towards these management objectives that are most important in ensuring a profitable and sustainable fishery for the future and not so much the precise details of **how** these management objectives are achieved. Despite this, there are of course various advantages and disadvantages to achieving the management objectives by either a QMS or an improved ICMS and, as part of the report, we have addressed these in detail.

I should stress that we have prepared this report based on our collective practical experience of in both Quota Management Systems and Input Control Management Systems in rock lobster and other fisheries, both in Australia and internationally, and not solely on the theoretical bases of these systems. It is therefore this collective experience of the Expert Panel that is reflected in the suggested ICMS and comparison with a QMS and not ideology although, of course, the outcomes of these systems are often in accordance with those expected from the theory of management.

After extensive discussions with RLIAC members and listening to their views (some of which we agreed with, some of which we did not) on both the QMS report and the ideas incorporated in to the present report on an optimal ICMS, we believe that the ICMS proposed is practical and implementable for the Western Rock Lobster Fishery and will assist in meeting the agreed management objectives of biological sustainability, improved economic performance and ecosystem protection.

One of the key building blocks of the proposed ICMS is the recommendation that the fishery moves from a focus of controlling pots to controlling pot lifts and that this new measure replace pots as the focus of management in the fishery. By keeping the number of pots at the current level, this new measure would allow significantly more flexibility in how and when operators choose to fish their pots. This would in turn result in not only a simplification of the management system but also in the ability to better capture economic efficiencies.

However, like any major change in management arrangements, including QMS, there will be transition issues in moving to the new ICMS that need to be carefully managed and, again, suggestions and comment have been provided on these.

During discussion with RLIAC members on both the previous QMS report and on the general features of an optimised ICMS, several RLIAC members requested that the Panel present their views on what administrative and other pre-requisites would be necessary to implement either a QMS or an improved ICMS. While this work was outside the Terms of Reference of the Panel's examination of the features of an optimised ICMS, the Panel has been happy to provide such advice and opinions, which is presented as an Appendix to this report.

The Expert Panel has now had the opportunity of examining both a QMS and an improved ICMS that are, in the Panel's view, both appropriate and implementable for the Western Rock Lobster Fishery.

Both systems have advantages over the current management system, particularly in their ability to better ensure biological sustainability while extracting maximum long-term economic benefit from the fishery. However, as noted above, transitional arrangements from the current management system to either an improved ICMS or a QMS will pose a number of challenges.

In considering the key features of an optimised ICMS and a Quota Management System (and notwithstanding the considerable transition issues), the Panel's consensus was that, on balance, a Quota Management System offers a more appropriate and effective way of achieving the defined management objectives in the medium to long term in a way that provides and promotes efficiency in the industry through greatly increased flexibility to respond to markets.

Thank you for the opportunity of examining this issue and we wish you the very best in your further deliberations on the management of this important fishery.

Yours sincerely



For:  
Dr. Gary Morgan  
Dr. Caleb Gardner  
Mr. Ian Cartwright  
Mr. Roger Edwards

## AN ICMS FOR THE WESTERN ROCK LOBSTER FISHERY

### SECTION 1 INTRODUCTION

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The Rock Lobster Industry Advisory Committee (RLIAC), the Hon. Minister for Fisheries and the Department of Fisheries, Western Australia have commenced a process of assessing the options for future management of the Western Rock Lobster Fishery. As part of this assessment, an expert Panel has previously prepared an analysis of an optimal quota management system (QMS) suitable for the fishery. As the next step in the assessment of management options, RLIAC requested that an expert panel also advise them on the design characteristics of an improved input control management system (ICMS) for the fishery and to provide advice on the relative merits of the two management systems in achieving the defined management objectives for the fishery.

The Expert Panel was convened in Perth on 20<sup>th</sup> and 21<sup>st</sup> May and comprised Dr. Gary Morgan, Mr. Roger Edwards, Mr. Ian Cartwright and Dr. Caleb Gardner. The Panel was assisted in its deliberations through written submissions from RLIAC members and through having discussions, as part of the 2 day workshop, with RLIAC members on both the previous QMS paper and issues surrounding current and possible future management arrangements under an ICMS. The expert panel was also assisted by administrative support provided by the WA Fisheries Department and by having access to WA Fisheries Department technical and scientific expertise, for both of which the Panel expresses its sincere thanks. Members of the Expert Panel worked to address the following Terms of Reference:

- Participate, as part of a small expert team, in a 2 day workshop, to be held in Perth, aimed at defining the characteristics of an optimised Input Control Management System (ICMS) to meet specified management objectives for the Western Australian rock lobster industry.
- As part of this work, to also generally address the issue of whether an optimised ICMS is the most appropriate and effective way of achieving the defined management objectives or whether the defined objectives can be better achieved under a Quota Management System (QMS).
- To consider what five and ten year targets would be appropriate to ensure the management principles and management objectives are achieved.
- To undertake, as part of the work of the team, analysis that contribute to the development of the optimised ICMS in accordance with the Panels' specific expertise.
- The Panel will be required to collectively prepare:
  - (a) a brief report to the Rock Lobster Industry Advisory Committee (RLIAC) of the activities and analysis undertaken as part of the workshop, including an assessment of the efficacy of an optimised ICMS; and
  - (b) A draft optimum ICMS paper for the Western Rock Lobster Fishery. It is envisaged that this draft ICMS, along with the previously developed QMS, would form the basis of a discussion paper to assist further consultation between RLIAC, the Department and the rock lobster industry.

This report is the paper referred to in (b) above.

## **SECTION 2      PRINCIPLES AND OBJECTIVES**

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In developing the ICMS, the same management principles and objectives, previously endorsed by RLIAC, the Department of Fisheries and the Hon. Minister were used to guide the ICMS. These Principles and Objectives are:

### **Management Principles**

- To maintain rock lobster stocks at or above biologically sustainable levels.
- To create a management environment that encourages and supports a profitable commercial sector within the constraints of its allocated share of the resource.
- To encourage fishing practices that minimize damage to marine habitats and to non-targeted species.
- To achieve the management objectives through regulations that are targeted, non-discriminatory and cost-effective.

### **Management Objectives**

To address the above management principles, the following management objectives will guide the management arrangements for the fishery:

1. To regulate the commercial production sector where necessary to achieve maximum economic yield from the fishery.
2. To maintain the breeding stock geographical distribution and abundance at a minimum of those levels present in the early 1980s.
3. To ensure that fishing practices are regulated to minimise damage to marine habitats, non-targeted species and lobsters that are returned to the sea.

## **SECTION 3 THE DESIGN ELEMENTS OF A ICMS TO ACHIEVE THE MANAGEMENT OBJECTIVES**

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The Western Rock Lobster Fishery is currently managed through an ICMS that has evolved since it was developed in the late 1960s to a system that is essentially an individual transferable effort (ITE) system. The management arrangements inherent in the ICMS have, in the past, been regarded as world's best practice, with the fishery and its management system being accredited as resulting in a 'sustainable' fishery by the Marine Stewardship Council. The management arrangements have also been assessed as meeting the requirements of ecological sustainable development through the process defined under the Commonwealth's *Environmental Protection and Biodiversity Conservation Act (1998)*.

However, the Expert Panel was conscious, and RLIAC members emphasised, that the management system had evolved to a point where there were now clear failures in the current input-control system although some aspects, such as controlling pot usage, were seen as positive elements.

The Expert Panel also emphasised that an ICMS, like a QMS, cannot directly address the current major biological issue of low puerulus numbers. However, by addressing the management objectives of more conservative harvest levels (through a target of MEY) and maintaining an appropriate geographic distribution and abundance of the breeding stock, both an ICMS and a QMS can produce a management outcome where there is the maximum likelihood of achieving the stock-related conditions that could result in adequate future puerulus settlement.

The question in comparing the two management approaches is how efficiently and effectively each can achieve the targeted management objectives.

### **3.1 Design Principles of the ICMS**

The Expert Panel, in considering an improved ICMS for the Western Rock Lobster Fishery first examined the current management arrangements and investigated whether and how these arrangements addressed the management principles and objectives.

In examining these current arrangements, the Panel formed the view that the current system was deficient in a number of areas and, while the underlying principle of regulating the total number of pot lifts in a season is appropriate for any ICMS, input controls in this fishery have evolved into an overly complicated and inefficient system of management. Specifically the current system:

- Retains elements of the 'race to fish'.
- Reduces operational efficiency for all vessels through periodic pot reductions. Capital and labour of both the fishing and processing sector are also used inefficiently due to the need to cater to extremes of large peaks in catch and extended closed periods.
- Distorts supply through catch being forced into set open seasons and also through depletion within the open season.
- Places over reliance on government/collective decision-making on where and when to fish.

- Results in a short open season which diminishes capacity to respond to market signals.
- Prevents efficient spatial distribution of effort through zone restrictions, which otherwise would be expected to vary from year to year; and
- Possibly increases safety at sea risks because of the incentive to fish each available day, regardless of weather.

The Panel therefore investigated alternatives for managing the number of pot lifts in a more direct and efficient manner and, as part of this investigation, the Panel also addressed the issue of transition arrangements to any new system. Some of the general features of, and the principles underlying an improved ICMS were that if the number of pot lifts were being regulated efficiently, the need for some other existing input controls appeared unnecessary. The details of these are presented below.

In addition, and importantly, the current management system contains no arrangements to address the issue of increasing effectiveness of fishing effort on an ongoing basis. As a result, large adjustments (e.g. reductions in pot entitlements) are needed periodically causing major unplanned business disruptions. The Panel's view was that a better option was to incorporate into the management arrangements a system of continuous adjustment so that large, disruptive changes to pot entitlements and usage would not be needed.

The Panel agreed that, to address the issue of increasing efficiency within an ICMS for the Western Rock Lobster Fishery, a target of 1-2% annual reduction (the precise figure to be agreed upon by RLIAC) in total fishing effort (pot lifts) should be aimed for by way of an ongoing unit buyback. This allowance could be reviewed on a regular basis, say, every three years.

On the positive side, the view of RLIAC and others, as well as the Panel members, was that the recent changes in the management system has enabled fishing effort to be moved away from the peak catching times of late November/December and March at the Abrolhos with probable benefits to the processing and marketing sector. However, the Panel agreed that other measures, detailed below, could address the issue of 'flattening' the peak catch periods more efficiently.

As a result of these general observations and strategies, the Panel recommends that the following changes might be considered to the current input control management arrangements. In the Panel's views, such changes would result in a more efficient and effective management system that would (a) address the management principles and management objectives of the fishery and (b) do so in a way that is significantly more efficient and effective and is also less disruptive to operators than the current management system, while building in flexibility to respond to market signals.

## **SECTION 4 AN IMPROVED ICMS FOR THE WESTERN ROCK LOBSTER FISHERY**

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### **4.1 Summary and rationale of suggested major changes to management arrangements**

The proposed system in summary and the rationale for each proposed management measure is as follows:

| <b>New Management measure</b>                                                                                                                                                                                                                                                                                                                                                 | <b>Rationale</b>                                                                                                                                                                                                                                                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Restrict pot lifts through adjustments of total available fishing days per annum while keeping the current unit pot entitlements.</p> <p>Allocation of fishing days: allocated fishing days to be used at operator discretion within a 12 months season.</p> <p>Maintain current restrictions on pot hauling times and the number of times per day pots can be hauled.</p> | <p>Consolidation and better utilisation of capital and labour through more extended, less peaked activity. Increased ability of individual operators to manage harvesting in response to markets. Removes incentive to fish in bad weather. Reduced capacity to fish during peaks.</p> |
| <p>Season to commence in late January.</p>                                                                                                                                                                                                                                                                                                                                    | <p>Reduced capacity to fish during December peak for better utilisation of labour and capital. Promotes fishing to market.</p>                                                                                                                                                         |
| <p>Pots attached to units as per the current arrangements with units being fully transferable.</p>                                                                                                                                                                                                                                                                            | <p>Facilitates consolidation of fleet – and thus more efficient use of capital and labour.</p>                                                                                                                                                                                         |
| <p>Current rules on pot numbers per WRL MFL maintained.</p>                                                                                                                                                                                                                                                                                                                   | <p>Maintains ability of vessels to optimise pot numbers to their operation. Minimum limit creates efficiency for enforcement.</p>                                                                                                                                                      |
| <p>Zones removed with an initial adjustment in units to deal with equity considerations.</p>                                                                                                                                                                                                                                                                                  | <p>Promotes efficient spatial distribution of effort and ability of fleet to respond to regional declines/increases in recruitment.</p>                                                                                                                                                |

|                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Built in ongoing annual reduction in pot lifts (1-2% per annum is suggested) to address effort ‘creep’ and increased efficiency, to be achieved by an annual unit buyback funded by a charge across all units as part of the license fee.</p> | <p>This is a tax effective method to maintain effective fishing effort at stable levels without the need for large periodic, mandated reductions in pot entitlements or additional temporal closures. The annual buy-back is expected to be cost-neutral since the asset value of units remaining in the fishery would increase, off-setting the after-tax cost of the buy-back. However, additional financial modelling is recommended to further clarify this relationship.</p> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

#### 4.2 Detailed recommended management arrangements

Additional details in terms of how existing management arrangements should be addressed in transitioning to an improved ICMS are provided in the table below.

| <b>Current management arrangements</b>                                                      | <b>Expert Panel’s Views, Recommendations and Rationale</b> |
|---------------------------------------------------------------------------------------------|------------------------------------------------------------|
| <p>The current defined boundary of the fishery is from Cape Leeuwin to North West Cape.</p> | <p>Retain</p>                                              |

|                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>The fishery is currently divided into, and managed in 3 Zones, Zones A, B and C.</p>                                                                                                                                                                                                                                                                       | <p>Abolish zones although spatial/temporal controls for some areas might be retained or introduced for biological reasons (e.g. Abrolhos). To deal with equity considerations, an equalisation of units between zones will be required.</p> <p>Such issues of differences in unit values between zones may be mitigated though (a) implementation of the change over several seasons, for example by announcing the change well in advance and allowing businesses to make their own adjustment over a period of years, and/or (b) differential allocation of fishing units (i.e. more units allocated to licences in zones where value of units is greater).</p> <p>The latter approach would require an independent valuation of units in each zone, perhaps by the Valuer-General. Following discussions with RLIAC, the Panel agrees that the implementation of removing zones might be considered as a two-step process with zones A and B first being merged and, depending on the outcome of that merger, the combined zone being merged with zone C at a later date.</p> |
| <p>The season at Big Bank was closed for the 2008/09 season. When open provided for restricted early access to the Big Bank area (for the migratory run) commenced on 10 February and ceased on the last day of February. Big Bank then opened to all A and B Zone fishers on 1 March (noting that Zone A fishers can only fish in Zone A from 15 March).</p> | <p>Temporary spatial closures around Big Bank and the northern area of the Abrolhos should be retained and considered as a precautionary measure until the relative importance of these areas to breeding stock is evaluated (CSIRO oceanographic modelling project). Ongoing monitoring of egg production should also continue.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <p>A 20 fathom line (36.6m) or 9 nautical miles from the HWM of the mainland rule restricts the area of operation of holders of Zone A units in B Zone between 1 March and 14 March.</p>                                                                                                                                                                      | <p>Remove. If zones A and B are merged, there is no need for this measure.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

|                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>The season in Zones B commences on 15 November, C commences on 25 November and a Zone on 15 March each year. The season in all Zones closes on 30 June each year.</p>                                 | <p>Remove. Season for the entire fishery to begin and end in January, subject to a review of the need for maintaining a closure at the Abrolhos Islands (see above). Further discussion would be required on the appropriate opening date to reduce the peaks in Abrolhos area (i.e. season commencing in March for this area). After a few years of experience with no formal closed season, it would be prudent to impose a formal closed season in periods where there is little or no activity (probably winter months because of weather issues) to save on compliance costs</p>                                           |
| <p>Zone A licence holders are entitled to fish in Zone B from 15 November up to and including 14 March.</p>                                                                                              | <p>Redundant without zones – remove.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p>There are weekly temporal closures in all zones of the Fishery e.g. Saturdays, Sundays and Mondays off during catch peaks (Dec and Mar) and Saturday and Sundays off for remainder of the season.</p> | <p>Remove. It is proposed that catch be managed via pot lifts, which includes a fishing day allocation that can be used in a flexible manner. Such a flexible system, together with merging Zones A and B and a January start should address catch peaks by enabling a better response to market signals.</p> <p>However, if concerns persist about catch peaks during the transition to the new ICMS, then further action to flatten these peaks can be achieved through restricting the number of allocated days in each ‘peak catch’ period that each vessel can operate as part of the flexible fishing day allocation.</p> |
| <p>There are Christmas and New Year Closures in the Fishery.</p>                                                                                                                                         | <p>Remove.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p>There is a closure from 15 January to 9 February in Zone B of the Fishery.</p>                                                                                                                        | <p>Remove.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p>A person must hold a West Coast Rock Lobster Managed Fishery Licence (WRL MFL) attached to a Fishing Boat Licence (FBL) to operate in the fishery.</p>                                                | <p>Retain. While license holders should not need to hold a WCRL fishery license. This should be retained for operators who use their (or others) pot entitlement.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                           |









































