

# Guideline: Vessel monitoring system in Northern Territory fisheries

<b>Document title</b>	Guideline: Vessel monitoring system in Northern Territory fisheries
<b>Contact details</b>	Department of Primary Industry and Resources, Fisheries Division (NT Fisheries) 08 8999 2144, <a href="mailto:fisheries@nt.gov.au">fisheries@nt.gov.au</a>
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1.0	21 June 2017	Will Bowman	Created
1.1	28 May 2020	Will Bowman	Revision to include AFMA as a contact

Acronyms and initialisms	
AFMA	Australian Fisheries Management Authority
NT	Northern Territory
VMS	Vessel monitoring system

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## Introduction

The vessel monitoring system (VMS) has three components:

- the VMS unit fitted to the vessel responsible for tracking
- a transmission medium (the satellite system that relays information)
- a base station.

Three agencies have oversight of the system:

- the Department of Primary Industry and Fisheries, Fisheries Division (NT Fisheries), as the agency responsible for the administration of the *Fisheries Act 1988* (the Act)
- the Water Police, as the agency responsible for enforcement of the Act
- Australian Fisheries Management Authority (AFMA), the Australian Government agency providing, maintaining, and monitoring the service on a fee-for-service arrangement.

Vessel location information is provided in real-time through the system to NT Fisheries, the Water Police and AFMA. Defined within the system are the fisheries management arrangements, such as permitted areas of operation for a particular fishery. If the system detects a breach of these arrangements, an alert is generated and transmitted to the relevant agencies.

## Guideline

### VMS purpose

NT Fisheries will use VMS to:

- encourage and monitor compliance with fisheries management arrangements
- increase the range of management options available
- improve the flexibility of fishery management arrangements
- facilitate collection of data for management purposes.

### Access to VMS data

Access to VMS data is restricted to NT Fisheries staff with a genuine business requirement to see it, AFMA officers responsible for VMS monitoring, compliance, and system management, and the Water Police officers responsible for enforcement of fisheries management arrangements. Third-party access is governed by the following policy principles.

- NT Fisheries is the owner of the data.
- NT Fisheries and the Water Police treat VMS data as commercially sensitive, and any release of data will require appropriate authorisation.
- NT Fisheries will make industry and other stakeholders with an interest in the release of VMS data aware of its policy, and any changes to its policy, on access to VMS data.

## Disclosure of VMS information

VMS data is considered confidential information. Section 36 of the Act does not allow the unauthorised disclosure of confidential information. The functions and powers in Section 36(3)(a) (i-iv) of the Act authorise the disclosure of information under the following conditions:

- for administration of the Act
- for legal proceedings arising out of the operation of the Act
- with the consent of the person to whom the information relates
- in a statistical form that does not identify the person to whom the information relates.

All other requests for VMS data must be in accordance with the *Information Act 2002*. In cases where information is requested, NT Fisheries will take into account whether:

- use of the data is consistent with NT Fisheries objectives
- the data can be released in a statistical form that does not identify the person to whom the information relates
- release of data is consistent with the enforcement of other legislation
- undertakings have been made to affected fishers about intended use of the VMS data.

## VMS operation

In Territory commercial fisheries where VMS has been implemented, the VMS unit must operate on a permanent and continuous basis when the vessel operator undertakes any fishing activity. In some cases, operators will not require monitoring all year round due to fishing season closures, exceptional circumstances (such as repairs) or failure of a VMS unit. In these cases, permission **may** be granted to switch off a unit or continue operating with a non-reporting VMS unit.

Where a vessel operator has a genuine requirement, they can apply for permission to switch a unit off or manually report, following the relevant guidelines:

- Guideline – VMS Temporary Switch Off
- Guideline – VMS Manual Reporting

## Related legislation

- *Fisheries Act 1988*

## Further information

For further information in relation to this guideline, please contact NT Fisheries at [fisheries@nt.gov.au](mailto:fisheries@nt.gov.au) or on 08 8999 2144.