

No. 22485

**AUSTRALIA
and
JAPAN**

Subsidiary Agreement concerning Japanese tuna long-line fishing (with appendices, records of discussion and note verbale). Signed at Canberra on 29 October 1981

Authentic text: English.

Registered by Australia on 1 December 1983.

**AUSTRALIE
et
JAPON**

Accord subsidiaire concernant la pêche de thonidés par lignes de fond par des navires japonais (avec appendices, procès-verbaux des discussions et note verbale). Signé à Canberra le 29 octobre 1981

Texte authentique : anglais.

Enregistré par l'Australie le 1^{er} décembre 1983.

SUBSIDIARY AGREEMENT¹ BETWEEN THE GOVERNMENT OF AUSTRALIA AND THE GOVERNMENT OF JAPAN CONCERNING JAPANESE TUNA LONG-LINE FISHING

The Government of Australia and the Government of Japan,

Pursuant to the provisions of paragraph 2 of Article II of the Agreement on Fisheries between the Government of Australia and the Government of Japan, signed at Canberra on the seventeenth day of October, 1979² (hereinafter referred to as “the Head Agreement”), and

Wishing to establish the detailed procedures for the conduct of tuna long-line fishing operations by fishing vessels of Japan (hereinafter referred to as “the vessels”) within the Australian fishing zone hereinafter referred to as “the Zone”) and for the issuance of licences by the Government of Australia,

Have agreed as follows:

Article I. The Government of Australia shall, in accordance with the provisions of the Head Agreement, issue licences for the vessels, the number of which shall not exceed 350, subject to payment to the Government of Australia of a fee of one million, three hundred and seventy-seven thousand Australian dollars for all the vessels to be licensed and for the period of validity of this Subsidiary Agreement.

Article II. 1. The Government of Australia shall, by the licences issued for the vessels referred to in Article I of this Subsidiary Agreement, permit those vessels to take within the Zone all species of tuna and bill-fish, together with all other species of finfish including oceanic sharks which are incidentally caught:

- (a) By the use of floating long-lines, except in the areas and at the times for each of those areas specified in the Appendix I to this Subsidiary Agreement, and except in the area specified in the Appendix II to this Subsidiary Agreement, which form an integral part hereof; and
- (b) By the use of hand-lines, in the area of the Coral Sea bounded to the north by the parallel of Latitude 12° South, to the south by the parallel of Latitude 22° 21' 30" South and to the west by the line described in paragraph B of the Appendix I to this Subsidiary Agreement.

2. (1) The Government of Australia shall, by the licences issued for 22 vessels out of the vessels referred to in Article I of this Subsidiary Agreement, permit those vessels to take within the Zone all species of tuna and bill-fish, together with all other species of finfish including oceanic sharks which are incidentally caught, by the use of floating long-lines, in the area specified in the Appendix II to this Subsidiary Agreement, from 31 March at 1400 hours GMT until the completion of a cumulative total of 830 vessel-days or until 15 August at 1400 hours GMT, whichever occurs sooner.

(2) For the purposes of sub-paragraph (1) above a vessel-day shall be a period of one day or any part thereof during which time any one of the twenty-two

¹ Came into force on 1 November 1981, in accordance with article IX.

² United Nations, *Treaty Series*, vol. 1217, p. 3.

vessels referred to in the sub-paragraph is operating in the area specified in the Appendix II to this Subsidiary Agreement.

Article III. The Government of Australia and the Government of Japan recognise that it might not be possible for a vessel to prevent parts of its long-line from drifting into an area of the Zone at the time when that vessel is not permitted to take fish in that area in accordance with the provisions of Article II of this Subsidiary Agreement. Cases verified by the Government of Australia as cases in which the drifting of a part of a long-line into such an area cannot reasonably be avoided shall not be regarded as infringements of this Subsidiary Agreement.

Article IV. 1. The Government of Australia, subject to the relevant laws and regulations of Australia, undertakes to permit the vessels licensed under this Subsidiary Agreement to enter the ports of Brisbane, Sydney, Hobart, Fremantle and Albany.

2. The Government of Australia shall give due notice to the Government of Japan of the procedures relating to the entry of the vessels into those ports.

Article V. 1. The Government of Australia shall permit the lodgement of bulk applications for licences in respect of persons intending to engage in fishing on board each of the vessels licensed under this Subsidiary Agreement and shall, in accordance with the relevant laws and regulations of Australia, issue licences in respect of those persons.

2. If an application for a licence for a person intending to engage in fishing on board any of the vessels licensed under this Subsidiary Agreement has been accepted by the competent Australian authorities, the Government of Australia shall not require that person to have in his possession, or to produce, the licence until due procedures have been completed for passing the licence to that person.

Article VI. 1. The Government of Australia shall determine, after consultation between the two Governments, the methods of and the terms and conditions with respect to:

- (a) Applying for and issuing licences in respect of the vessels and persons;
- (b) Preparing and reporting of catch and effort data in respect of the vessels; and
- (c) Communicating between the vessels and the competent Australian authorities.

2. The Government of Australia shall notify the Government of Japan of determinations under paragraph 1 of this Article within a reasonable time.

Article VII. The Government of Japan shall, in accordance with the relevant laws and regulations of Japan, provide the Government of Australia with available current economic and marketing information relevant to the operations of the vessels within the Zone.

Article VIII. 1. The Government of Australia and the Government of Japan shall, in accordance with the provisions of Article IX of the Head Agreement, consult in Canberra not later than three months before the expiry of this Subsidiary Agreement for the purposes of:

- (a) Reviewing the operations of the vessels under this Subsidiary Agreement including any problems identified by either Government; and
- (b) Discussing the terms and conditions under which a subsidiary agreement might be concluded for the following period of one year.

2. Upon request by either Government, consultations shall be undertaken at any time during the period of validity of this Subsidiary Agreement on any aspect of the implementation of this Subsidiary Agreement.

Article IX. This Subsidiary Agreement shall enter into force on the first day of November, 1981 and shall remain in force for a period of one year.

IN WITNESS WHEREOF, the undersigned being duly authorised by their respective Governments, have signed this Subsidiary Agreement.

DONE in duplicate at Canberra, this twenty-ninth day of October, 1981, in the English language.

PETER NIXON

For the Government of Australia

MIZUO KURODA

For the Government of Japan

APPENDIX I

A. At all times, the areas of the Zone, other than the areas described in paragraph B and paragraph C of this Appendix, within twelve nautical miles seaward of the baselines from which the breadth of the territorial sea is measured.

B. At all times, the area landward of the line:

- (1) Commencing at the point of Latitude $9^{\circ} 39' 26''$ South, Longitude $144^{\circ} 28'$ East;
- (2) Thence south along the meridian of Longitude $144^{\circ} 28'$ East to its intersection by the parallel of Latitude $9^{\circ} 54'$ South;
- (3) Thence south-westerly along the rhumb line to the point of Latitude $10^{\circ} 15'$ South, Longitude $144^{\circ} 12'$ East;
- (4) Thence south-westerly along the rhumb line to the point of Latitude $10^{\circ} 28'$ South, Longitude $144^{\circ} 10'$ East;
- (5) Thence west along the parallel of Latitude $10^{\circ} 28'$ South to its intersection by the meridian of Longitude 144° East;
- (6) Thence south along that meridian to its intersection by the parallel of Latitude $10^{\circ} 41'$ South;
- (7) Thence east along that parallel to its intersection by the meridian of Longitude 145° East;
- (8) Thence south along that meridian to its intersection by the parallel of Latitude 13° South;
- (9) Thence south-easterly along the rhumb line to the point of Latitude 15° South, Longitude 146° East;
- (10) Thence southerly along the rhumb line to the point of Latitude $17^{\circ} 30'$ South, Longitude 147° East;
- (11) Thence south-easterly along the rhumb line to the point of Latitude 21° South, Longitude $152^{\circ} 55'$ East;
- (12) Thence southerly along the rhumb line to the point of Latitude $24^{\circ} 30'$ South, Longitude 154° East;
- (13) Thence west along the parallel of Latitude $24^{\circ} 30'$ South to its intersection by the 200-metre isobath (Aust. 4602);
- (14) Thence southerly along that isobath to its intersection by the parallel of Latitude $32^{\circ} 45'$ South;
- (15) Thence west along that parallel to its intersection by the line every point on which is 12 nautical miles seaward of the baseline from which the breadth of the territorial sea is measured;

- (16) Thence southerly along that line to its intersection by the parallel of Latitude 34° South;
- (17) Thence east along that parallel to its intersection by the meridian of Longitude 152° East;
- (18) Thence south along that meridian to its intersection by the parallel of Latitude 37° South;
- (19) Thence southerly along the rhumb line to the point of Latitude 39° South, Longitude 151° East;
- (20) Thence south along the meridian of Longitude 151° East to its intersection by the parallel of Latitude 40° South;
- (21) Thence west along that parallel to its intersection by the meridian of Longitude 140° East;
- (22) Thence south along that meridian to its intersection by the outer limit of the Zone;
- (23) Thence north-westerly, westerly and south-westerly along the outer limit of the Zone to its intersection by the meridian of Longitude 126° East;
- (24) Thence north along that meridian to its intersection by the parallel of Latitude 35° South;
- (25) Thence west along that parallel to the point 50 nautical miles easterly of Albany (Latitude 35° 01' 30" South, Longitude 117° 53' East);
- (26) Thence along the arc of the circle with centre Albany (Latitude 35° 01' 30" South, Longitude 117° 53' East) and radius 50 nautical miles, so as to pass successively to the east, south and west of Albany, to its intersection by the line every point on which is 12 nautical miles seaward of the baseline from which the breadth of the territorial sea is measured;
- (27) Thence westerly, north-westerly, northerly and north-easterly along that line to its intersection by the meridian of Longitude 127° East;
- (28) Thence easterly along the rhumb line to the point of Latitude 13° 21' South, Longitude 129° 40' East;
- (29) Thence north along the meridian of Longitude 129° 40' East to its intersection by the parallel of Latitude 10° 30' South;
- (30) Thence east along that parallel to its intersection by the meridian of Longitude 133° 16' East;
- (31) Thence south along that meridian to its intersection by the parallel of Latitude 11° South;
- (32) Thence south-easterly along the rhumb line to the point of Latitude 11° 25' South, Longitude 134° 15' East;
- (33) Thence east along the parallel of Latitude 11° 25' South to its intersection by the meridian of Longitude 135° 35' East;
- (34) Thence north-easterly along the rhumb line to the point of Latitude 11° 05' South, Longitude 136° 10' East;
- (35) Thence north-easterly along the rhumb line to the point of Latitude 10° 30' South, Longitude 136° 40' East;
- (36) Thence south-easterly along the rhumb line to the point of Latitude 11° South, Longitude 137° 05' East;
- (37) Thence south along the meridian of Longitude 137° 05' East to its intersection by the parallel of Latitude 11° 47' South;
- (38) Thence easterly along the rhumb line to the point of Latitude 11° 10' South, Longitude 141° East;
- (39) Thence north along the meridian of Longitude 141° East to its intersection by the parallel of Latitude 10° 22' 44" South;

- (40) Thence north-easterly along the rhumb line to the point of Latitude 9° 46' South, Longitude 142° East;
- (41) Thence easterly along the rhumb line to the point of Latitude 9° 45' 24" South, Longitude 142° 03' 30" East;
- (42) Thence north along the meridian of Longitude 142° 03' 30" East to its intersection by the parallel of Latitude 9° 15' 43" South;
- (43) Thence north-easterly along the rhumb line to the point of Latitude 9° 12' 50" South, Longitude 142° 06' 25" East;
- (44) Thence north-easterly along the rhumb line to the point of Latitude 9° 11' 51" South, Longitude 142° 08' 33" East;
- (45) Thence easterly along the rhumb line to the point of Latitude 9° 11' 58" South, Longitude 142° 10' 18" East;
- (46) Thence easterly along the rhumb line to the point of Latitude 9° 11' 22" South, Longitude 142° 12' 54" East;
- (47) Thence easterly along the rhumb line to the point of Latitude 9° 11' 34" South, Longitude 142° 14' 08" East;
- (48) Thence south-easterly along the rhumb line to the point of Latitude 9° 13' 53" South, Longitude 142° 16' 26" East;
- (49) Thence south-easterly along the rhumb line to the point of Latitude 9° 16' 04" South, Longitude 142° 20' 41" East;
- (50) Thence south-easterly along the rhumb line to the point of Latitude 9° 22' 04" South, Longitude 142° 29' 41" East;
- (51) Thence easterly along the rhumb line to the point of Latitude 9° 21' 48" South, Longitude 142° 31' 29" East;
- (52) Thence south-easterly along the rhumb line to the point of Latitude 9° 22' 33" South, Longitude 142° 33' 28" East;
- (53) Thence north-easterly along the rhumb line to the point of Latitude 9° 21' 25" South, Longitude 142° 35' 29" East;
- (54) Thence easterly along the rhumb line to the point of Latitude 9° 20' 21" South, Longitude 142° 41' 43" East;
- (55) Thence easterly along the rhumb line to the point of Latitude 9° 20' 16" South, Longitude 142° 43' 53" East;
- (56) Thence easterly along the rhumb line to the point of Latitude 9° 19' 26" South, Longitude 142° 48' 18" East, on the line every point on which is 3 nautical miles seaward of the baseline from which the breadth of the territorial sea is measured;
- (57) Thence easterly, south-easterly and southerly along that line to the point of Latitude 9° 23' 40" South, Longitude 142° 51' East;
- (58) Thence south along the meridian of Longitude 142° 51' East to its intersection by the parallel of Latitude 9° 40' 30" South;
- (59) Thence easterly along the rhumb line to the point of Latitude 9° 40' South, Longitude 143° East;
- (60) Thence north-easterly along the rhumb line to the point of Latitude 9° 33' South, Longitude 143° 05' East;
- (61) Thence east along the parallel of Latitude 9° 33' South to its intersection by the meridian of Longitude 143° 20' East;
- (62) Thence north-easterly along the rhumb line to the point of Latitude 9° 24' South, Longitude 143° 30' East;
- (63) Thence easterly along the rhumb line to the point of Latitude 9° 22' South, Longitude 143° 48' East;

(64) Thence easterly along the rhumb line to the point of Latitude 9° 30' South, Longitude 144° 15' East; and

(65) Thence south-easterly along the rhumb line to the point of commencement.

C. At all times, the area bounded by the line:

(1) Commencing at the point of Latitude 12° South, Longitude 145° East;

(2) Thence south along the meridian of Longitude 145° East to its intersection by the parallel of Latitude 13° South;

(3) Thence south-easterly along the rhumb line to the point of Latitude 15° South, Longitude 146° East;

(4) Thence southerly along the rhumb line to the point of Latitude 17° 30' South, Longitude 147° East;

(5) Thence south-easterly along the rhumb line to the point of Latitude 18° 43' 16" South, Longitude 149° East;

(6) Thence north along the meridian of Longitude 149° East to its intersection by the parallel of Latitude 17° South;

(7) Thence north-westerly along the rhumb line to the point of Latitude 14° South, Longitude 147° East; and

(8) Thence north-westerly along the rhumb line to the point of commencement.

D. From 30 September to 31 March at 1600 hours GMT on each of those days (equivalent to midnight Australian Western Standard Time), the area bounded by the line:

(1) Commencing at the point of Latitude 35° South, Longitude 126° East;

(2) Thence west along the parallel of Latitude 35° South to its intersection by the meridian of Longitude 120° East;

(3) Thence south along that meridian to its intersection by the outer limit of the Zone;

(4) Thence easterly along the outer limit of the Zone to its intersection by the meridian of Longitude 126° East; and

(5) Thence north along that meridian to the point of commencement.

E. From 31 August to 30 April at 1400 hours GMT on each of those days (equivalent to midnight Australian Eastern Standard Time), the area bounded by the line:

(1) Commencing, east of Australia, at the intersection of the parallel of Latitude 32° 45' South by the 200-metre isobath (Aus. 4602);

(2) Thence west along that parallel to its intersection by the line every point on which is 12 nautical miles seaward of the baseline from which the breadth of the territorial sea is measured;

(3) Thence southerly along that line to its intersection by the parallel of Latitude 34° South;

(4) Thence east along that parallel to its intersection by the 200-metre isobath (Aus. 4602); and

(5) Thence northerly along that isobath to the point of commencement.

F. From 31 December to 31 March at 1400 hours GMT on each of those days (equivalent to midnight Australian Eastern Standard Time), the area bounded by the line:

(1) Commencing, east of Australia, at the point of intersection of the parallel of Latitude 30° South by the 200-metre isobath (Aus. 4602);

(2) Thence southerly along that isobath to its intersection by the parallel of Latitude 34° South;

(3) Thence east along that parallel to its intersection by the line every point on which is 50 nautical miles seaward of the baseline from which the breadth of the territorial sea is measured;

(4) Thence northerly along that line to its intersection by the parallel of Latitude 30° South; and

- (5) Thence west along that parallel to the point of commencement.

APPENDIX II

The area bounded by the line:

- (1) Commencing at the point of Latitude 34° South, Longitude 152° East;
- (2) Thence south along the meridian of Longitude 152° East to its intersection by the parallel of Latitude 37° South;
- (3) Thence southerly along the rhumb line to the point of Latitude 39° South, Longitude 151° East;
- (4) Thence east along that parallel to its intersection by the outer limit of the Zone;
- (5) Thence northerly along the outer limit of the Zone to its intersection by the parallel of Latitude 34° South; and
- (6) Thence west along that parallel to the point of commencement.

The following documents relating to the Subsidiary Agreement are included here for ease of reference. They are not of Treaty Status.

Canberra, 29 October 1981

RECORD OF DISCUSSION

The Representatives of the Government of Australia and the Government of Japan, with respect to the Subsidiary Agreement between the Government of Australia and the Government of Japan concerning Japanese Tuna Long-line Fishing signed today, wish to record the following:

The limitation of catch in respect of Japanese tuna long-line fishing shall be determined through the number of its vessels, and through the periods and the areas in which that fishing shall be conducted.

Canberra, October 1981

RECORD OF DISCUSSION

In connection with the discussions between officials of the Government of Australia and the Government of Japan at the time of negotiations concerning tuna long-line fishing which discussions were held pursuant to sub-paragraph (3) of the Exchange of Notes concerning the examination of the possibility of further co-operation in the field of fisheries dated 17 October 1979,¹ both sides wish to record the following:

1. Landings of non-sashimi quality fish from Japanese tuna long-line vessels in Australian ports for sale to Australian commercial interests will be agreed

¹ United Nations, *Treaty Series*, vol. 1217, p. 3.

- between the commercial interests of both countries concerned based on contracts to be agreed between them on a commercial basis.
2. It is expected that necessary administrative measures will be taken to the maximum extent possible to enable fishing vessels of Japan licensed under the Subsidiary Agreement between the Government of Australia and the Government of Japan concerning Japanese Tuna Long-line Fishing, signed today, to land such fish at Australian ports designated in the Subsidiary Agreement.
 3. It is the expectation of Australian authorities that the owners of fishing vessels of Japan licensed under the Subsidiary Agreement will be encouraged to offer for sale non-sashimi quality fish to Australian commercial interests at Australian ports and Australian commercial interests will be encouraged to offer to purchase non-sashimi quality fish from the owners of fishing vessels of Japan licensed under the Subsidiary Agreement.
 4. It is recognised that such landings will only be permitted by Australian authorities to maintain sufficient stocks for Australian processors to provide adequate production when sufficient supplies from Australian sources are not available.
 5. Australian authorities will give advance notice of shortfalls in stocks held by Australian processors to ensure that advice is available to Japanese commercial interests.
 6. The prices for any fish landed will be agreed between Australian and Japanese commercial interests. It was noted that the Yaizu landed price may be used as a bench mark for this purpose, with an appropriate discount for freight not incurred.
 7. Establishment of joint ventures in tuna long-line fishing in which risks and profits are shared in accordance with the rights and responsibilities of each side is recognised as a matter for the commercial interests of both countries to pursue.
 8. It is expected that administrative measures will be facilitated to the maximum extent possible to enable respective fishing interests to enter into such joint ventures in so far as such joint ventures provide mutual benefits.

Canberra, October 1981

NOTE VERBALE

The Department of Foreign Affairs presents its compliments to the Embassy of Japan and has the honour to refer to consultations between representatives of the Government of Australia and the Government of Japan pursuant to the Subsidiary Agreement between the Government of Australia and the Government of Japan concerning Japanese Tuna Long-line Fishing done at Canberra on XX October, 1981.¹

In accordance with that Subsidiary Agreement the Department wishes to notify the Embassy of the following determinations of the Government of Australia.

A. Applying for and issuing licences

1. The following arrangements will operate in respect of applying for and issuing licences, permitting fishing vessels of Japan and persons on those vessels to engage in fishing in

¹ Should read "XXIX October 1981".

the area of the Zone in which fishing is permitted in accordance with Article II of the Subsidiary Agreement (the "Japanese tuna long-line fishing area"):

- (a) The competent Japanese authorities will notify the Australian Department of Primary Industry, Canberra, of the appropriate organisations representing the vessels (called "the Organisations").
- (b) The Australian Department of Primary Industry, Canberra, will provide the Organisations with Australian licence application forms for distribution to the operators of the vessels.
- (c) The Organisations will deliver to the Australian Department of Primary Industry, Canberra, completed Australian licence application forms for each vessel and its crew.
- (d) At the time of applying for licences, the Organisations will submit a fishing plan for each vessel to the Australian Department of Primary Industry, Canberra, specifying, where appropriate, the calendar months in which that vessel expects to operate in the Japanese tuna long-line fishing area.
- (e) Upon the granting of a licence the Government of Australia will notify the Organisations within a reasonable time of the names of the vessels in respect of which licences have been granted and the serial number of each such licence.
- (f) The Australian Department of Primary Industry will forward the licences direct to the Organisations or through an agent nominated by the Organisations.
- (g) The Organisations will make appropriate arrangements for the delivery of the licence to each such vessel.
- (h) During the first two months after entry into force of the Subsidiary Agreement, a vessel may enter and fish in the Zone without having the licence on board, provided it is not possible to arrange for delivery of the licence to the vessel before it commences fishing in the Zone. The Organisations will advise the Australian Department of Primary Industry of the name and radio call sign of each such vessel before it enters the Zone.
- (i) The fee of one million, three hundred and seventy-seven thousand Australian dollars payable in accordance with Article I of the Subsidiary Agreement is to be paid in advance of the issue of licences as follows:
 - (i) Six hundred and eighty-eight thousand five hundred Australian dollars paid in one amount to the Department of Primary Industry, Canberra, in freely disposable Australian currency free of exchange and service charges, and
 - (ii) An irrevocable letter of credit established by telex by a first-class Japanese bank through the Commonwealth Trading Bank, Canberra, in favour of the Department of Primary Industry, Canberra, for an amount of six hundred and eighty-eight thousand five hundred Australian dollars, in freely disposable Australian currency free of exchange, negotiating, credit, service and other charges, with provision for drawings at sight to be made 180 days from the letter of credit date and for a period of 30 days thereafter.

*B. Communicating by Japanese tuna long-line fishing vessels
with the Australian authorities*

2. The Government of Australia will provide to the Government of Japan and to the Master of each vessel a copy, in Japanese, of the relevant procedures for reporting to the Australian Coastal Surveillance Centre (ACSC) and will require the Master of each such vessel to comply with the reporting procedures and messages formats specified therein.

3. The relevant procedures are set out in a document titled "Notes for the Guidance of Masters and Radio Operators on Licensed Foreign Fishing Vessels", a copy of which, in English, is attached to this Note as Annex A.

4. Notwithstanding the requirement in paragraph 15 of "Notes for the Guidance of Masters and Radio Operators on Licensed Foreign Fishing Vessels" that the equipment of the vessels for taking fish be stowed below deck in the circumstances described in that paragraph, the other provisions of that paragraph will also apply to vessels proceeding in

accordance with that paragraph provided the equipment of the vessels for taking fish is stowed and secured on the deck.

5. The Australian Department of Primary Industry is to be notified at least seven days before an intended port entry. This requirement is additional to the reporting requirements set out in the attached "Notes for the Guidance of Masters and Radio Operators on Licensed Foreign Fishing Vessels".

6. Where the Australian authorities wish to communicate with a vessel the appropriate message will be transmitted by the Australian Coastal radio network. The vessels will be required to monitor at least once a day the coastal radio broadcasts which are set out in Annex B.

C. Communication procedures for vessels operating in seasonally closed area off New South Wales

7. Prior to entering the area specified in the Appendix II to the Subsidiary Agreement for the purpose of operating in it, all vessels licensed to fish in this area are required to notify the ACSC 36 hours in advance of their intention to enter the area, the proposed position and estimated time of entry using the message indicator — AFEN.

8. Upon arrival in the area vessels are required to transmit to the ACSC a daily position report (AFZP). Vessels intending to leave the area are required, 24 hours in advance of their departure, to signify their exit to the ACSC by the exit indicator — AFXW.

9. Days in the area are deemed to commence and conclude at 1400 hours GMT (equivalent to midnight Australian Eastern Standard Time).

10. Vessels licensed to operate in the area are only required to send the above messages (including daily position reports) when operating in the area. In all other cases normal reporting requirements prevail.

11. A vessel will be considered as operating in the area when it is fishing, moving from one point to another within the area, or is not fishing due to rough weather.

12. Time lost due to vessel breakdown or other emergency will not be counted as days operating in the area. However, such breakdowns or other emergencies must be reported immediately to the ACSC, including the position of the vessel and the time at which the breakdown or the emergency occurred. The ACSC should also be notified of the time and position at which the vessel resumed normal operations.

D. Preparing and reporting of catch and effort data

13. Each vessel will provide catch and effort reports in accordance with the relevant procedures set out in "Notes for the Guidance of Masters and Radio Operators on Licensed Foreign Fishing Vessels", indicating:

- (a) The catch in the Zone for each six-day period in number and estimated total weight of southern bluefin tuna, albacore tuna, bigeye tuna, yellowfin tuna, black marlin and other species; and
- (b) The effort in the Zone in each six-day period in total number of hooks set by the vessel.

14. To assist Australian authorities to carry out inspection of a vessel and to assist interpretation of six-day radio catch reports, the vessel will, from the date of delivery of the licence, maintain a catch record while operating within the Zone. The Australian Department of Primary Industry will forward a supply of the Australian log books to the Organisations and/or to the agent nominated by the Organisations prior to the issue of licences. Original pages will be collected from time to time by Australian inspectors or forwarded by post by the vessel at the first port of call following operations in the Zone. A copy of the forms will remain on the vessel. The Australian authorities will forward copies of the originals to the appropriate Organisation (Federation of Japan Tuna Fisheries Co-operative Associations) within 30 days of their receipt.

15. The competent Japanese authorities will arrange for the provision of details of the main "target species" of each vessel and a description of the dimensions of its long-line gear including details of any changes that occur during a fishing campaign to the Australian

Department of Primary Industry in respect of the vessels not later than 90 days after the vessels return to their home ports.

16. The competent Japanese authorities will provide from time to time to the Australian Department of Primary Industry an up-to-date table of average fish weights, by species, for each major fishing area to enable conversion of the catch by number to catch by weight.

The Department of Foreign Affairs avails itself of this opportunity to renew to the Embassy of Japan the assurances of its highest consideration.

ANNEX A

AUSTRALIAN FISHING ZONE

Approved message formats to be used by foreign fishing vessels reporting in accordance with requirements in the Fisheries Act and Regulations

NOTES FOR THE GUIDANCE OF MASTERS AND RADIO OPERATORS ON LICENSED FOREIGN FISHING VESSELS

WHAT YOU ARE REQUIRED TO REPORT TO THE AUSTRALIAN AUTHORITIES

1. Foreign fishing boats licensed to fish in the 200 mile Australian fishing zone (AFZ) are required to:

- * (a) Notify, 36 hours in advance, intention to enter the AFZ.
 - Advise proposed position and estimated time of entry, destination in authorised fishing area.
 - Message indicator — AFZE. See paragraphs 16, 17 of these notes.
- * (b) Report, at the hour and on the days specified in the licence, the position of the boat in the AFZ.
 - This message should include catch reports where these are required.
 - Message indicator — AFZP. See paragraph 18 of these notes.
- * (c) Notify, 24 hours in advance, the sailing plan for travel in the AFZ outside the authorised fishing area (not required while the boat is in its authorised fishing area).
 - Advise proposed courses and times of course change, destination in authorised fishing area.
 - Message indicator — AFZT. See paragraph 19 of these notes.
- * (d) Notify, 24 hours in advance, intention to depart from the zone.
 - Advise proposed position and estimated time of departure.
 - Message indicator — AFZX. See paragraph 20 of these notes.
- * (e) Report, 36 hours in advance, intention to enter an Australian port in accordance with an endorsed licence, or for pre-fishing or post-fishing inspection.
 - Advise proposed courses and times of course change en route to the port.
 - Name of port and estimated time of arrival.
 - Message indicator — AFZH. See paragraph 21 of these notes.
- † (f) Report, 24 hours in advance, intention to depart from an Australian port.
 - Advise proposed time of departure, destination and sailing plan in the zone outside authorised fishing area.
 - See paragraph 22 of these notes.

- * (g) Report, within 12 hours, the time the boat starts and stops fishing in authorised fishing area.

See paragraph 23 of these notes.

* These messages, if sent in the format shown [below], will be accepted by Australian coast radio stations without charge to the boat.

† If the boat is in port at the time of sending this message, see paragraph 22. If the boat is at sea at the time of sending this message, it may be sent by radio in the same way as the other messages.

WHO TO REPORT TO

2. Address all messages to the Australian Coastal Surveillance Centre (ACSC) which is manned 24 hours of every day.

GENERAL PRINCIPLES

3. The address for all messages is to be transmitted ACSC.
 4. The message indicator (see para. 1 of these notes and the attachment) follows the address.
 5. The international radio call sign of the boat follows the message indicator.
 6. In giving the co-ordinates of a position, always give the latitude first, the longitude second.
 7. Latitude is given by 4 digits:

1	2	3	4	Example: 2436	24° 36' S
<i>Degrees South</i>		<i>Minutes</i>			

8. Longitude is given by 5 digits:

1	2	3	4	5	Example: 09823	98° 23' E
<i>Degrees East</i>			<i>Minutes</i>			

9. As a general rule, since latitudes in the messages will be South and longitudes will be East, there is no need to transmit indicators such as "S" and "E".

10. Whenever a pair of co-ordinates is given, the date and time the ship was, or expects to arrive, at that position (ETA) must follow immediately after the longitude.

11. Date/time groups (DTG) are to be transmitted in the standard form, that is, 6 digits followed by 4 letters, as follows:

1	2	3	4	5	6	Z	A	B	C
<i>Day number</i>		<i>Hour (24 hr clock)</i>		<i>Minutes</i>		<i>GMT indicator</i>	<i>First 3 letters of the name of the month</i>		

From the 1st to the 9th of the month, the day number is preceded by a zero (0). Example: 061930Z Oct. 1930 hours GMT on 6 October.

12. All AFZE, AFZT or AFZH messages must include a sailing plan of the boat's intended movements while travelling in the zone outside the authorised fishing area specified in the licence. The information required is each position at which the boat expects to change course (waypoint) and the ETA at that waypoint. A message may include as many waypoints as are necessary to allow ACSC to calculate the approximate position of the boat at any time during the travel. The boat may signal a change to a sailing plan (use same message indicator as original request) if weather or sea conditions should make this necessary at any time and may adopt the changed sailing plan immediately the Australian coast radio station acknowledges receipt of the signal. ACSC may approve a sailing plan subject to variations signalled to the boat. The boat is required to adopt a sailing plan varied by ACSC. *While the boat is in its authorised fishing area, it is free to travel anywhere without lodging a sailing plan but must report position AFZP.*

13. All AFZE and AFZT messages must conclude with a position in the authorised fishing area for the boat and an ETA at that position. When the boat is travelling through the AFZ to an Australian port, the AFZH format should be used, regardless of the point at which the travel commenced.

14. Where the arrangements under which a foreign boat is licensed require that boat to report its catch and fishing effort by radio, the Australian authorities will provide a 2 letter species code and a unit for reporting the effort in each fishing method, to be used in AFZP messages. Each species in the code will have a quantity unit allocated to it. See the format for AFZP.

15. Masters should note that provided the boat proceeds in the AFZ outside its authorised fishing area at cruising speed within 5 nautical miles on either side of the straight line joining any pair of waypoints approved by ACSC, and provided its equipment for taking fish is stowed below deck and secured, the Australian authorities will not interfere with approved passage of the boat concerned in the AFZ outside its authorised fishing area.

THE FIVE BASIC MESSAGE FORMATS

16. Notification of intention to enter the authorised fishing area of the boat in the zone AFZE must be transmitted to reach ACSC not less than 36 hours before ETA at the point of entry to the AFZ.

17. Boats required to call at an Australian port for pre-fishing inspection and delivery of licence do not use the AFZE message. See paragraph 21 below.

18. Periodic position (and, if specified, catch and fishing effort) reports AFZP are to be sent in respect of the nominated hour on the first day the foreign boat enters the AFZ and thereafter on every (n)th day as specified in Schedule 4, Item (c) of the Australian licence for the boat. For example, a boat required to report on every second day will send its reports on days 1, 3, 5, 7, 9, etc. throughout the period the boat remains in the AFZ, until the boat sends and receives approval in respect of an AFZX message. Unless the boat is in port AFZP messages must be transmitted in time to reach ACSC within 12 hours of the specified report hour on a reporting day. The effort report comprises the indicator FF, followed by the number of effort units expended since the last report, transmitted at the end of an AFZP message.

19. Notification of intention to travel in an area of the AFZ outside the boat's authorised fishing area AFZT must be transmitted to reach ACSC not less than 24 hours before the travel starts. The boat must not move into an area of the AFZ that is not specified in its licence as an authorised fishing area until ACSC has signalled approval to travel, via an Australian coast radio station.

20. Boats not required to call at an Australian port for post-fishing inspection are required to report intention to travel to a point outside the zone AFZX not less than 24 hours before the expected time of clearing outward from the zone. Failure to meet this requirement may result in refusal of future licences.

21. Notification of intention AFZH to bring into an Australian port a foreign fishing boat, for which the licence is endorsed to authorise entry to that port, or to undergo pre-fishing or post-fishing inspection, should be made not less than 36 hours before ETA at the port.

Notification of intention AFZH for a foreign fishing boat, without an endorsed licence, to enter an Australian port to overcome a genuine emergency, for the purpose of securing the safety of human life or the vessel, may be made at any time and the boat may proceed immediately to safety in anticipation of approval from ACSC. If, after appropriate enquiries, the Australian authorities consider that some doubt exists as to the genuine nature of the claimed emergency, the master of the vessel may be charged under the Australian fisheries law.

DEPARTURE FROM AUSTRALIAN PORTS

22. A foreign fishing boat in an Australian port:

(a) For pre-fishing inspection (after entering the AFZ but before commencing to fish in the zone); or

- (b) For post-fishing inspection (prior to final departure from the AFZ at the end of the fishing campaign or on expiry of the Australian licence); or
 (c) Under the authority of a licence endorsement; or
 (d) In emergency circumstances;

is required to notify its intention to depart from the port and travel through the AFZ either to the high seas beyond the AFZ or to the authorised fishing area. Notifications must be transmitted to ACSC, by telegram or telex not less than 24 hours before the boat is scheduled to depart from the port, at the expense of the sender. The message must include:

- Appropriate message indicator (either AFZX or AFZT, depending on the destination);
- Radio call sign of the vessel;
- Port of departure;
- Sailing plan within the zone outside authorised fishing area (see message formats [below]).

Messages lodged in a port are to be addressed to:

Telegram — COSURCEN CANBERRA

Telex — ACSC AA62349

Australian law prohibits the transmission of radio messages from a boat in port. The assistance of the shipping agent for the boat in the port should be sought.

REPORT OF STARTING/STOPPING FISHING

23. When a licensed foreign boat in the AFZ starts fishing (on commencement of the fishing campaign or after having stopped fishing for any reason) or stops fishing to begin another activity, a report is to be made, within 12 hours:

- (a) By inserting in an AFZP, AFZT, AFZX or AFZH message at the point marked Δ in the format, the appropriate one of either:

(i) "Start fishing" indicator	Time of starting fishing	or (ii) "Stopped fishing" indicator	Time of stopping fishing
AFZB	(6 digits) Z (3 letters)	AFZS	(6 digits) Z (3 letters)

- or (b) By a separate message consisting of:
- Address (ACSC);
 - Message Indicator (AFZB/AFZS);
 - Radio call sign;
 - Time of starting/stopping fishing.

AUSTRALIAN FISHING ZONE

*Approved message formats to be used by foreign fishing vessels reporting
in accordance with requirements in the Fisheries Act and Regulations*

RADIO TRANSMISSION VIA AUSTRALIAN COASTAL RADIO STATION

(i) *Report of entry to authorised fishing area from high seas — fishing campaign begins*

	Address	Message indicator	Call sign	Enter at latitude	Enter at longitude	Estimated entry time	Destination latitude	Destination longitude	ETA destination
Example:	ACSC	AFZE	(letters/ digits)	(4 digits)	(5 digits)	(6 digits) Z (month)	(4 digits)	(5 digits)	(6 digits) Z (month)

(ii) *Position and catch report*

	Address	Message indicator	Call sign	Position latitude	Position longitude	Date/time of position	First species (coded)	Catch	Second species (coded)	Catch	Fishing effort indicator	Fishing effort quantity
Example:	ACSC	AFZP	(letters/ digits)	(4 digits)	(5 digits)	(6 digits) Z (month)	(2 letters)	(digits)	(2 letters)	(digits)	FF	(digits)

(iii) *Travel in AFZ outside authorised fishing area — requesting approval — includes an example of a waypoint*

	Address	Message indicator	Call sign	Start latitude	Start longitude	Date/time of start	Waypoint latitude	Waypoint longitude	ETA waypoint	Destination latitude	Destination longitude	ETA destination
Example:	ACSC	AFZT	(letters/ digits)	(4 digits)	(5 digits)	(6 digits) Z (month)	(4 digits)	(5 digits)	(6 digits) Z (month)	(4 digits)	(5 digits)	(6 digits) Z (month)

(iv) *Report of exit from AFZ to high seas — end of fishing campaign*

FORMAT:	Address	Message indicator	[△] Call sign	Start latitude	Start longitude	Start time	[∅] Exit point latitude	Exit point longitude	ETA exit point
Example:	ACSC	AFZX	(letters/digits)	(4 digits)	(5 digits)	(6 digits) Z (month)	(4 digits)	(5 digits)	(6 digits) Z (month)

(v) *Entry to an Australian port — reporting intention*

FORMAT:	Address	Message indicator	[△] Call sign	Start latitude	Start longitude	Start time	[∅] Port of destination	ETA at the port
Example:	ACSC	AFZH	(letters/digits)	(4 digits)	(5 digits)	(6 digits) Z (month)	(letters)	(6 digits) Z (month)

* Report of position only, terminates at this point.

△ Insert AFZB or AFZS report (see para. 23) at this point in the format.

∅ Any waypoints necessary to describe the proposed sailing plan of the boat should be inserted at this point in the message in the specified format.

ANNEX B

TRAFFIC LISTS

Traffic Lists are broadcast on the frequencies indicated "x" below between the times shown by Sydney Radio at 50 minutes past each even hour and by Perth Radio at 20 minutes past each even hour.

COAST STATION WORKING SCHEDULES

<i>Station</i>	<i>Call sign</i>	<i>Freq. kHz</i>	<i>Hours GMT</i>	<i>Remarks</i>	
Perth Radio	VIP	500	Continuous	Watch, calls and replies	
		484	Continuous	Primary working frequency	
		512	Continuous	Secondary working frequency	
		* VIP1	4229	Hx	As required
		* VIP2	6407.5	Hx	As required
		VIP3	8597 x	Continuous	Guards 8MHz (CH 5-6 and 16)
		VIP4	12994 x	Continuous	Guards 12MHz (CH 5-6 and 16)
		VIP5	16947.6 x	0000-0600	Guards 16MHz (CH 5-6 and 16)
		VIP6	22315.5 x	0600-1000	Guards 22MHz (CH 3-4 and 10)
		* Presently not in use.			
Sydney Radio	VIS	500	Continuous	Watch, calls and replies	
		476 x	Continuous	Primary working frequency	
		512	Continuous	Secondary working frequency	
		440	Continuous	Tertiary working frequency	
		VIS53	4245 x	1300-2100	Guards 4MHz (CH 5-6 and 17)
		VIS3	6464 x	0800-2200	Guards 6MHz (CH 5-6 and 17)
		VIS35	8452	Hx	As required
		VIS26	8521 x	Continuous	Guards 8MHz (CH 5-6 and 17)
		VIS5	12952.5 x	Continuous	Guards 12MHz (CH 5-6 and 17)
		VIS49	12979.5	Hx	As required
		VIS6	17161.3 x	2100-1300	Guards 16MHz (CH 5-6 and 17)
	VIS64	17194.4	Hx	As required	
	VIS42	22474 x	2200-0800	Guards 22MHz (CH 3-4 and 9)	

Traffic lists are also broadcast as an adjunct to navigation warnings and routine weather forecasts by the stations shown on the indicated frequencies and times.

<i>Station</i>	<i>Call sign</i>	<i>Frequency</i>	<i>Hours GMT from 1/10/76</i>	
Adelaide Radio	VIA	472 4272.5+ 6463.5	0018, 1018	
Brisbane Radio	VIB	435 4230.5+ 6351.5	2318, 0948	
Broome Radio	VIO	440 4323.6+ 6407.5	0118, 1230	
Carnarvon Radio	VIC	476 4323+ 6407.5	0220, 1130	
Darwin Radio	VID	445 4272.5+ 6463.5	0048, 1048	
Esperance Radio	VIE	435 4323.6+ 6407.5	0048, 1118	
Melbourne Radio	VIM	430 6333.5 430	2318 0948	
Perth Radio	VIP	484 12994 8597	0100, 1200	
Rockhampton Radio	VIR	4255.6+ 6333.5	0048	
Sydney Radio	VIS	440 8452	2248, 0918	
Longrange (ocean and highseas) broadcasts	VIS	4286 6428.5 8478 12907.5 16918.6 22485	0100, 0500, 0900 } 1300, 1700, 2100 }	Navigation warnings only
	VIX	4286 6428.5 8478 12907.5 16918.6 22485		
Thursday Is. Radio	VII	488.5 4228.5+ 6333.5	0018, 0918 (N/W-gale/storm warnings only)	
Townsville Radio	VIT	420.5 4229.5+ 6463.5	0930, 2348	