

CHARTER FISHING TOURISM

INDUSTRY CODE OF PRACTICE

Prepared by Ray Joyce
Australian Marinelifelife Institute
1/142 Greenacre Drive
Parkwood Qld 4216

Ph. 07 5574 4966
0402 317 612
email: info@marinelife.org.au

INDEX

INTRODUCTION

- What is a Code of Practice
- The purpose of the Code of Practice
- Implementation of the Code
- Monitoring of the Code

CHARTER FISHING TOURISM

SHIPS OPERATIONS

- Preparing before going to sea

FISHING ACTIVITIES

- Safety
- Fishing Practice
- Bag Limits
- Fishing and Dive Equipments supplies
- Fisheries Management and Research
- C-operation with Management Agencies
- Log books

PROTECTION OF THE AQUATIC ENVIRONMENT

- Hull maintenance
- Engine maintenance
- Record keeping
- Waste disposal
- Waste disposal in port
- Bunkering of fuel
- Pumping of bilges
- Report environmental damage
- Sewerage
- Boat maintenance and repairs
- Hull cleaning
- Protection of the atmosphere

FOOD LAWS (QUEENSLAND HEALTH)

- Definition of a food business
- Conducting a food business – vessels
- Food hygiene – Licensing and Registration
- Food safety standards – Legal application
- Food safety standards – Compliance
- Defense of Due Diligence
- Transporting food
- Food receipt
- Ready-to-eat potentially hazardous food – processing
- Food on display for service
- Health / hygiene obligations (Food businesses)
- Health / hygiene obligations (Food handlers)

SEAFOOD QUALITY ASSURANCE

- Risk communication
- Understanding food safety risk
- Ciguatera
- Symptoms
- Prohibited species
- Restrictions (Size)
- Restrictions (Area)
- Fish handling on deck
- Fish quality and deterioration
- Processing
- Establishing track record of product history
- Vessel cleaning
- Hygiene and health of crew

RESPECTING THE RIGHTS OF OTHERS

- Mooring
- Alcohol Restrictions in Indigenous Communities

MARINE OCCUPATIONAL HEALTH & SAFETY

- Master
- Deckhand
- Crew member responsibilities
- Wharves and pontoons
- Incident reporting
- Intoxication of clients

EMPLOYER / EMPLOYEE RELATIONSHIPS

LEGAL ASPECTS

INDUSTRY CODE OF PRACTICE

For

CHARTER FISHING TOURISM

INTRODUCTION

What is a Code of Practice?

Generically a Code of Practice sets out principles and standards of behavior for responsible practices, which encapsulate applicable legal obligations, for a specified common activity or vocation. This Code of Practice is a guide to existing and improving the Charter Fishing Tourism practices of members of the Queensland Charter Vessels Association (QCVA)

Members of the QCVA are committed to best fishing tourism practices, based on the principles of Ecological Sustainable Development. This Code of Practice demonstrates that the members of the QCVA have a long term commitment to ensuring that the fishery in which they operate is a well managed and sustainable resource.

The Purpose of the Code of Practice

The purpose of the Code of Practice is to:

1. Promote best practice in Charter Fishing Tourism taking into account relevant biological, technological, social, economic, environmental and commercial aspects relevant to Fishing Tourism:
2. Provide standards of conduct for members of the QCVA, both at sea and in port:
3. Serve as an instrument of reference to QCVA members, present and future:
4. Establish and/or improve industry practices, present and future:
5. Contribute to the sustainability of fishery affected species and the marine environment:
6. Provide a summary of legal requirements to operate within Charter Fishing Tourism and ensure compliance by raising awareness of relevant regulation and policy:
7. Encourage all QCVA members through education and training where appropriate, to follow this Code of Practice

IMPLEMENTATION MONITORING AND UPDATING

Implementation of the Code

Distribution of this Code of Practice will be distributed to and signed off by members of the Queensland Charter Vessels Association. The Code will also be distributed to tour operators to be used to confirm standards of operation by members of the QCVA and be available in a downloadable format on the QCVA web site.

All QCVA members will be required to fill out the enclosed form confirming that they have read this Code of Practice.

Monitoring of the Code

In order to ensure that the Code of Practice is credible it should be monitored to determine the effectiveness of its application. The monitoring of the Code will be conducted under an agreed process and framework by industry and government authorities.

Updating of the Code

A Code of Practice is a 'living document' meaning that the standards and recommended good practices may be updated and altered as fishing and tourism practices and regulatory standards evolve in the industry.

To ensure the relevance of this Code of Practice is maintained, this edition will remain current until 2005 when there will be a review to evaluate its functioning and to consider appropriate changes. There after the Code will be reviewed every five years.

CHARTER FISHING TOURISM

Members of the QCVA recognize that the general public expects that the Charter Fishing Tourism Industry has adopted an industry Code of Conduct and a Code of Practice that will provide a realistic and relevant indication of the knowledge, experience, skills and training required by a person operating within the industry.

Members will undertake and demonstrate good customer skills and knowledge of the tourism industry. They will also promote an environmental awareness and a conservation ethic that could reflect the needs of agencies and the expectations of the wider community. The community has a right to confidently expect good and safe service that is competently delivered within an ethical business framework.

The QCVA Code of Practice will encourage the Charter Fishing Tourism Industry to promote environmental awareness and a conservation ethic beyond that which is legislatively required legislatively by the natural resource management agencies.

When operating within the Great Barrier Reef Marine Park (GBRMP), the Torres Strait Marine Zones and State Marine Parks, the QCVA member shall be in possession of a current Marine Park Permit, Marine Park Commercial Activity Permit or other necessary permit and shall abide by all rules and regulations in force within these areas. All activities, including anchoring, mooring, diving and snorkeling, shall be conducted in accordance with the guidelines and best practice recommendations by each relevant authority.

When in the proximity of whales and other mammals, observe the relevant Acts and Regulations in force and all best practice recommendations shall be followed. Particular care must be taken to avoid causing the mammals any undue stress. Should any mammal be observed stressed or injured, the Department of Environment shall be notified as soon as possible.

SHIP OPERATIONS

Preparing Before Going to Sea

THE MASTER SHALL ACCEPT THE RESPONSIBILITY FOR DECIDING IF PREVAILING ENVIRONMENTAL CONDITIONS ARE SAFE FOR THE SHIP TO PUT TO SEA.

Before putting to sea the master shall:

- Ensure that the ship is sufficiently supplied with stores, fuel, water and equipment required for the intended voyage. A reserve should be allowed for when calculating fuel and water requirements.
- Ensure that all members of the crew are familiar with location of all lifesaving equipment and are competent to use that equipment.
- Ensure that the ship's machinery is in working condition and is safe to operate and all equipment capable of being tested before departure is tested.

Departure Checks

The master of the ship shall ensure that the ship has been subject to a complete operational check of all machinery and radio equipment before first departure each day. Confirmation of such a check shall be noted in the ships logbook.

Watch Keeping Rounds at Sea

The master shall ensure that a navigation watch is maintained at all times. The master shall appoint only those persons considered competent and sufficiently rested to manage a watch. Prior to taking over a watch, watch keepers shall fully inform themselves of the following:

- The ships course and speed
- The number and position of hazards in close proximity of the ships intended course
- Be fully aware of any special conditions affecting the ships progress or operations
- Be fully aware of any mechanical defects, which may affect the performance of the ship

Machinery

The master/engineer shall visually inspect the machinery and check that all fluid levels are correct before starting and operating any machinery. Operating instructions and procedures employed shall be as specified in manufactures hand books. Manufactures operating instructions shall be adhered to except in those situations where safety considerations necessitates a change to those instructions.

FISHING ACTIVITIES

Safety

Vessel masters are ultimately responsible for the safe operation of the vessel, personnel and its equipment. Accordingly all personal on the charter vessel will be aware of the safety requirements of the excursion.

The fundamental rule is that personal safety is first, gear and catches second, therefore:

1. Operators, masters and crew must hold all relevant certificates of competency or be in training for their specific operations;
2. Each person on board should perform their duties in a safe prudent manner using all safeguards provided for the protection of others;
3. Ensure all loose deck equipment and gear is secured at all times to avoid loss and injury;
4. When fishing at night, the appropriate lights as per relevant Collision Regulations should be used and deck lights may be left on.

Fishing Practice

ACVA members will:

- Encourage where possible, 'catch and release' fishing. All tagging projects shall be fully supported by tagging, releasing and notifying the relevant authority accordingly. Where previously tagged fish are caught all possible details shall be obtained and the fish returned to the water in as healthy a condition as possible.
- Cooperate with, and adhere to the rules and requirements of the various Fishery Services and Fishery Regulations as in force at the time. All closed areas, closed seasons, bag limits, and minimum sizes shall be strictly followed.
- Obtain and hold all necessary permits etc. from QFS, GBRMPA, QDEH, and other relevant authorities prior to entering or allowing passenger or crew to access any island or National Park, or other controlled places or areas.

Bag Limits

The QCVA accepts the bag limits established by Queensland Fishery Service regulation for many species as the maximum that any fisher can retain. However, the QCVA has taken a proactive approach to improving the sustainability of various species by introducing a recommended bag limit for a number of species below that of regulated maximums. These recommendations have been established to reflect true requirements of individual fishers.

Recommendations Bag and Boat Limits:

- Tailor - five (5) per person
- Yellowtail Kingfish - two (2) per person
- Amberjack/Samson - two (2) per person
- Dolphinfish – two (2) per person
- Cobia – one (1) per three persons per boat
- Mulloway – one (1) per three persons per boat

Cairns Region Managed Fishery

- Reef species – five (5) fish per person (In total)

Fishing and Dive Equipment Supplies

Where the operator supplies fishing equipment, scuba equipment, snorkels etc. every effort is to be taken to ensure the equipment meets all relevant standards and is capable of performing to the reasonable expectations of the clients, and all equipment on board shall be of a high standard and in full working condition. Worn or faulty equipment shall be replaced immediately.

Fisheries Management and Research

Researches and managers need to know the level of release, and the true catch rates of all components of the stock for stock assessment. Operators should:

1. Establish and maintain a spirit of cooperation with management and research agencies;
2. Participate with researches and managers in the collection of timely and reliable research and assessment data on fishing activities needed for the conservation and management of primary fish stocks and related species.

Co-operation with Management Agencies

QCVA members will at all times cooperate with and adhere to the rules and requirements of the relevant Fishery Services and Fishery Regulations as in force from time to time. All closed areas, closed seasons, bag limits, and minimum sizes shall be strictly followed and enforced.

QCVA members through industry representation should assist in the development of fisheries policies, in full consultation with management and other regulatory agencies to ensure the conservation of fish resources and the protection of the environment.

Logbooks

It is a requirement that QCVA members maintain and complete all required log books, passenger records, catch records and any other record or count required or requested by any authority as accurately as possible. QCVA members shall ensure that a returnable record or log is returned to the relevant authority by its due date and otherwise, that all records and logs are kept and maintained as required by the applicable regulatory agency.

The Ship's Master or vessel operator must be able to produce, for inspection, all log books and records when requested to do so by an authorized person or officer of the appropriate regulatory agency.

PROTECTION of the AQUATIC ENVIRONMENT

Hull Maintenance

Estimates indicate that fouling can contribute to an increase in fuel consumption, but can be reduced through the use of antifouling paints. Self-polishing antifouling paints can result in fuel savings of up to 10 percent.

Operators should maintain:

- The vessels hull and propeller is maintained to a high standard;
- Cathodic protection systems are checked and sacrificial anodes and anticorrosive paint are regularly replaced;
- Good quality paints are used. The hull should be cleaned before application and paint applied properly;
- Antifouling paints are applied and replaced when required.
- Antifouls are not used in small freshwater bodies and only organotin-free antifouls are used in marine environments.
- Vessel maintenance (spray painting, anti-fouling, abrasive blasting etc) is conducted in appropriately designed and managed facilities.
- Vessels are not scrubbed to remove fouling organisms in sensitive environments if they are coated with antifouls that contain heavy metals or biocides.

Engine Maintenance

Operators should ensure:

- The maintenance program and service intervals recommended by engine manufactures are adhered to rigorously, especially for basic services such as oil changes and filter and separator replacement;
- Careful initial running-in and regular maintenance are undertaken to ensure the reliability as well as the performance (including fuel consumption) of any engine occurs;
- Fuel conditioners are used to reduce fuel consumption where recommended by manufactures.

Record Keeping

Records should be kept to monitor the performance and efficiency of the vessels operation. It is assumed proper business record keeping is in place which will ensure an efficient operation.

Waste Disposal

The actions listed below will minimize the impact on the environment:

- Minimize the taking aboard of potential garbage. Stores packaged in or made of materials other than disposable plastic should be selected to replenish ship supplies, unless reusable plastic alternative is available;
- Display placards which provide information about garbage laws. The placards should be visible in areas where garbage may be generated in full view of the crew and customers;
- Cut bait strapping or ties as a precaution before defrosting of bait or if it properly. If it finds its way into the marine environment it can be entangled or eaten and eventually kill animals;
- Do not dispose into the sea any non-biodegradable material and plastics such as monofilament line, cigarette butts and plastic bags. Non biodegradable material causes the death of many sea creatures;
- Do not dispose into the sea packing materials such as cardboard;
- Do not dispose into the sea unprocessed food waste and all other unprocessed garbage;
- Do not dispose offal into enclosed water areas such as harbors. Any offal disposal should be further than 10 miles from shore;
- Ensure crews and clients on charter vessels are instructed and understand proper shipboard procedure in order to minimize garbage discharge;
- Store all rubbish retained in suitable containers for return to port.

Waste disposal in port

- All waste products must be disposed of at port waste disposal facilities;
- Where specific facilities are provided for disposal of particular waste products (eg waste oil, monofilament) operators will ensure that these facilities are utilized;
- If port or shore facilities are not adequate for the disposal of vessel waste, advise those responsible such as the marina manager, port authority, or QCVA port representative. Additionally notify state and local authorities of the inadequate facilities. If enough people express concern the facilities are likely to be upgraded.

Oil and Chemical Pollution

Bunkering of Fuel

The master shall take adequate precautions are undertaken to prevent spillage of fuel or oil at sea. The master/engineer shall ensure that any fuel or oil spilled on deck is immediately cleaned away in an efficient, environmentally safe way.

Dispersants shall not be used without the express permission of the relevant authorities

Pumping of Bilges

All bilges shall be maintained dry. All bilge spaces should be inspected where practical on a daily bases. Every effort shall be made to prevent the ingress of oil to the bilges.

The discharge of oil or of oily water from a ship to the sea is strictly prohibited. Fuel or oil in the bilges shall be immediately removed and contained in leak proof storage tanks, until proper disposal can be effected on shore.

Ships will not proceed to sea with fuel or oil in the bilges.

Reporting environmental damage

Reports of pollution incidents beyond 3km can be made to the nearest port authority, as soon as possible. If the incident is within a port or harbour, to the relevant state environmental agency or port authority.

Operators must;

- Upon discovery of any discharge of oil or noxious liquid substance on the vessel, take actions to stop and minimize the spill. Vessels will avoid prosecution where an accident occurred and everything has been done to minimize the pollution;
- Report any pollution (including freight and fishing gear). If an incident is not reported then the vessel can be prosecuted for not reporting as well as polluting.

Sewage

(In the initial stages of this document it is recognized the new Vessel-sourced sewage legislative requirements will be introduced. Specific-sourced sewage legislation takes effect on 1 January2004)

The first phase has been to identify nil-discharge waters. These areas are:

- Marinas
- boat harbors
- canals
- the Noosa River system
- Designated areas of state marine parks.

From 1January 2004 vessel owners and crews will need to ensure that no sewage is discharged in these waters. Sewage management measures can include, always using onshore toilets when docked, encouraging passengers to use onshore facilities before heading out, containing sewage in a sewage holding device, and being aware of the designated areas in marine parks where discharge is prohibited.

From 1 July, boaters will not be permitted to discharge untreated sewage in rivers, creeks and designated smooth waters. Discharge of treated sewage in these waters is permitted for:

- Grade C, treated sewage beyond 926 meters (.5 nautical miles) of sensitive areas such as reefs, aquaculture fisheries resources, and people in the water.
- Grade B, treated sewage a discharge distance of more than 700 meters applies.
- Grade A, discharge distances do not apply.

For Hervey Bay, northern Moreton Bay and open waters a discharge distance of 1852m (1 nautical mile) will apply for treated sewage from sensitive areas, such as reefs, aquaculture fisheries resources, people in the water, and the mean low water mark of the mainland.

In addition to the above requirements vessels with more 16 or more persons onboard cannot discharge within 1852m (1 nautical mile) of the mean low water mark of an island.

The treated sewage discharge requirements for Grade A, B and C treated sewage also apply in Hervey Bay, northern Moreton Bay and open waters.

In those waters where discharge is permitted sewage discharge from all vessels with a fixed toilet must pass through a macerator to assist in the dispersion and improve the visual amenity for all waterway users.

Documents to be kept onboard ship fitted with treatment system

This applies if a ship is operating in coastal waters, and is fitted with a treatment system.

The owner or master of the ship must, when operating the ship, ensure the system documentation and the system service manual for the treatment system are kept onboard the ship.

Boat Maintenance and Repair

Boat maintenance and repair are potential sources of pollution. Where possible operators should ensure:

- Maintenance and repairs are carried out in facilities which minimize impacts on the marine environment.
- Designed work areas are provided for boat repairs and maintenance, with all maintenance work that can generate pollutants performed in the designated area;
- Maintenance work is performed inside buildings or undercover to reduce contamination to storm water;
- All maintenance activities are performed over impenetrable surfaces that are properly drained to a collection pit to prevent entering the water;
- Materials such as rubbish, sandings, paint chips and paint cans are cleaned up immediately after use and placed in the appropriate bins for disposal;
- Abrasive blast cleaning is performed within spray booths or suitable enclosures so all residues can be contained, collected and properly disposed of;
- Vacuum sanders and grinders are used to minimise potentially polluting dust when possible;
- Brushes and rollers are used in preference to spray painting equipment.

Hull Cleaning

Contaminated wash-waters and the importation of exotic marine organisms can impact on the marine environment.

Operators should:

- Perform all cleaning in a way to ensure no marine organisms or debris fall into marine waters;
- Minimise carriage of waterborne contaminants by washing hulls on land by mechanical scraping in preference to using pressure washers;
- Only use high pressure guns where proper collection, treatment and disposal facilities are provided as they produce a wastewater contaminated with marine organisms, hull paint and fragments of hull material;

- Contain solid waste from boat maintenance and cleaning areas in watertight covered bins for disposal into licensed waste disposal facilities;
- Minimise the use of cleaning compounds and avoid discharges into the sea. Bio-degradable cleaning products are preferred.

Protection of the Atmosphere

Persons responsible for fishing vessels should ensure:

- Their vessels are fitted with equipment to reduce emissions of ozone depleting substances;
- The crew members responsible for charter vessels operations are conversant with the proper running and maintenance of machinery on board;
- That when vessels are designed or refitted, it is with equipment that reduces the omissions of dangerous substances to the atmosphere.
- Only a qualified person install, commission, service or decommission the device and guidelines are followed fir the disposal of CFCs, HCFCs and Halons;
- All engines are operated and maintained to the highest possible standard.

FOOD LAWS (QUEENSLAND HEALTH)

This Code of Practice includes important guiding extracts from 'A Guide to Queensland Food Laws for Commercial Vessel Operators' (Queensland Health). A copy of this document will be included for reference in the Code of Practice document.

Definition of a Food Business

A food business is a business, enterprise or activity, other than primary production, that sell food or handles food intended for sale.

The meaning of "Sell", is quite broad and in addition to its usual meaning, includes food provided or supplied under a contract, hiring agreement or an employment arrangement and a food business giving away food.

The handling, supply or provision of food to a person or other entity, in exchange for money or a benefit, is deemed to be selling food ie conducting a food business, regardless of the type of foods involved eg raw, ready- to- eat, pre-prepared, packaged or unpackaged food whether a full meal or a simple snack is provided. This includes providing food inclusive of a fare or charter arrangement and transporting food, which is intended for sale eg island resort food supplies.

Conducting a Food Business – Vessels

A commercial vessel business, operating in Queensland waters, is conducting a food business when it handles for sale, sells food or offers food for sale.

Food business means a business, enterprise or activity that involves the handling of food intended for sale; or the sale of food, regardless of whether the business, enterprise or activity concerned is of a commercial, charitable or community nature and whether it involves the handling or sale of food on one occasion only.

Handling of food includes the making, manufacturing, producing, collecting, extracting, processing, storing, transporting, delivering, preparing, treating, preserving, packing, cooking, thawing, serving and displaying of food: or Of an article other than food – the manufacturing, producing, processing, storing, transporting, delivering, preparing, treating, packing and displaying of the article.

Food Hygiene - Licensing and Registration

A food business must be licensed and its food premises must be registered by the local government responsible for the area, in which the business is carried out.

If a food business is conducted in more than one local government area, which includes coastal and inland waters, licences and registration approval is required from each local government responsible for the area, in which the food business is conducted.

Where a Master of a vessel is uncertain as to which local government is responsible for a location at sea, where food is provided to clients or otherwise sold, they should contact the local government that is nearest to their home port for clarification or assistance in determining the authority responsible.

Food Safety Standards – Legal Application

The Food Safety Standards apply to all businesses in Australia that sell food or handle food for sale.

This includes private, commercial vessel operations that transport, sell, and handle for sale or supply food as part of a fare, contract or hire arrangement or to employees, even if this activity occurs on only one occasion.

Vessels are generally deemed to be mobile food businesses, but pontoons and other fixed floating structures, on which a food business is operated, are considered to be food premises.

Food Safety Standards – Compliance

Whilst the Food Safety Standards allow some flexibility for a food business to comply with their requirements, food business proprietors must be able to demonstrate their compliance with these Standards, to local government responsible for the area, in which they are conducting their business.

To enable this to occur, a commercial vessel food business must have:

- Suitably designed and constructed food storage, preparation and display areas, fitted out with all necessary equipment and facilities, which are connected to an adequate supply of potable water and electricity or gas, as applicable.
- A sufficient number of designated hand washing facilities and toilets, which are supplied with soap and an adequate supply of warm, potable water and hand towels
- Suitable garbage, waste water and recyclable matter facilities and storage areas; and
- Provide adequate ventilation and lighting to food premises areas
- Employ food handlers who have appropriate, demonstrable skills and knowledge in food safety matters, ie someone who has recognized, relevant experience and/or qualifications
- Implement and supervise all required food safety practices and management procedures, which can be demonstrated and verified at every stage food is handled.

All commercial vessel operators, who conduct a food business, should consult with their Councils environmental health officer, in regard to the specific impact of the Food Safety Standards upon their business.

Defense of Due Diligence

The Food Act 1981 prescribes that a defense may be used in COURT by a food business proprietor, if he/she can demonstrate that their food business undertook all reasonable measures and safeguards to ensure it complied with the provision(s) of the Act, which it has been alleged the food business contravened.

Transporting Food

Major food safety issues linked with transporting food include protection from contamination and keeping potentially hazardous food under temperature control.

Food must be protected from chemical, physical and biological contamination:

- Using only clean and sanitized areas of a vehicle to store food during transit. If a private vehicle is used, the food storage area should be thoroughly cleaned and/or lined before food supplies are placed inside, to minimize the likelihood of any cross- contamination from previous use.
- Storing food in sealed containers, which are clean and sanitized between use, used only for the purpose and kept away from contaminants, eg chemicals, pets.
- Ensuring all food containers/packages is properly secured during transit, to avoid accidental contamination or spillage.
- Ensuring unpackaged food is fully contained or wrapped, using materials that are clean and suitable for food contact eg lidded food grade containers, aluminum foil, plastic film and clean paper. Never reuse covering materials or interchange food covers and never use newspaper or other printed paper to wrap unpackaged food.
- Ensure smoking tobacco/other substances is prohibited in all food storage areas. This ban should extend to areas in close proximity to food storage areas, as well.

Food Safety and Hygiene

Food Receipt

A food business must take all practical measures to ensure it only accepts food that is safe and suitable. Food should be assessed upon delivery or at the place of purchase, if buying directly from a supplier, in relation to:

- All food packaging is intact
- Signs of contamination or any possible contamination
- Identification of food – product description, name and address of manufacturer, date marking and batch codes
- Temperature of potentially hazardous food is 5 C and below or 60 C and above
- Frozen food is delivered in a hard frozen state.

A food business must do everything practicable to ensure it only accepts food that is safe and suitable. The obligations are on the food business to identify and check foods upon receipt regarding evidence of contamination and temperature control for potentially hazardous food, so that only safe and suitable food is accepted.

Food Storage – Environmental Conditions

Ready-to-eat Potentially Hazardous Food – Processing

If potentially hazardous food is intended to be consumed without undergoing a process to make it microbiologically safe, eg raw oysters, the following provisos apply:

- There must be a reasonable level of assurance that the food is safe, when received from the supplier, eg supplier guarantees quality in writing and necessary food receipt checks are carried out by the accepting food business.
- Temperature control requirements must be strictly followed and the time food remains between 5 C and 60 C must be minimized eg during transportation and preparation.
- Personal hygiene and contamination protection requirements must be strictly enforced and food handlers must be closely supervised, until the food business is confident that their relevant practices are consistently safe.

An assurance of quality that all ready-to-eat food, to be received by your business is safe should be obtained from the food supplier, preferably in writing.

Food on Display for Service

Food on display for service must be:

- Protected from the likelihood of contamination.
- If potentially hazardous food, be either stored under temperature control or only displayed for a time that does not allow pathogens to multiply to dangerous levels.

Unpackaged ready-to-eat food for self service must be:

- Effectively supervised to ensure that any food which is contaminated or likely to have been contaminated by a customer is removed from the display immediately.
- Provided with separate and clean serving utensils for each food.
- Provided with protective barriers that minimize customer contact and/or the likelihood of contamination by customers.

Health/Hygiene Obligations – Food Business

A food business must:

- Inform their food handlers of their health and hygiene obligations. Food handlers may be verbally informed of these obligations, but it is diligent to provide them with a written copy of these requirements. Food handlers from non-English-speaking backgrounds should be given this information written in their first language.
- Ensure a person who is:
 - (a) known to be suffering from a food-borne disease; or
 - (b) reasonably suspected to have a symptom of a food-borne disease; or
 - (c) a carrier of a food-borne disease,Does not engage in handling food for the food business, where there is a reasonable likelihood of food being contaminated, ie. Exclude these people from handling food.
- Ensure a person known or reasonably suspected to be suffering from a condition and continues to engage in the handling of food for the business, takes all practical measures to prevent food contamination.
“Condition” means an infected skin lesion, or discharge from the ear, nose or eye.
- Maintain easily assessable hand washing facilities and at or near each facility, provide;
 - (a) an adequate quantity of warm running water; and
 - (b) sufficient soap or other items that may be used to thoroughly clean hands; and
 - (c) single use towels or other means of effectively drying hands; and
 - (d) Used towel containers must be supplied, where needed.
- Ensure hand washing facilities are only used by food handlers to wash their hands, arms and face. These facilities should be clearly designated or signed to that effect.

A food business must not:

- Permit a person, who has been excluded from handling food, due to being known or suspected to be a carrier or suffering from symptoms of a food borne illness, to resume handling food, until advice from a medical practitioner is received, to the effect that the person is no longer a carrier of or suffering from a food borne illness.

This means a food business must receive appropriate advice from a medical doctor, eg. A doctor's certificate, before it may allow person, who has been excluded from handling food, for these ill health reasons, to resume handling food for the business.

General Duties of a food business

A food business must:

- Only disclose information provided to the business by food handlers about their health or hygiene to certain persons and do not use this information for any purposes other than addressing the risk of food contamination; and
- Take all reasonable measures to ensure persons on the premises:
 - (a) do not contaminate food; and
 - (b) do not have unnecessary contact with ready-to-eat food; and
 - (c) Spit, smoke or use tobacco or similar preparations where there is unprotected food or surfaces likely to come into contact with food.

Health/Hygiene Obligations – Food Handlers

Specific obligations are placed on individual food handlers to ensure their actions do not result in food becoming unsafe or unsuitable.

Health of Food Handlers

Food Handlers must:

- Notify their supervisors if they:
 - (a) know they are suffering from a food borne illness, have a symptom of a food borne illness or know they are a carrier of such an illness; or
 - (b) are suffering from a condition reasonably likely to contaminate food; or
 - (c) know of any contamination of food occurring on the food premises; and

Must not:

- Handle food where it is likely that food may be contaminated due to a known or suspected food borne illness or a condition. **“Condition”** means an infected skin lesion or discharges from the ear, nose or eye; and
- If engaged in other work on the premises, take all reasonable measures to prevent food, food contact surfaces and equipment from being contaminated.

Hygiene of Food Handlers

A food handler must:

- Take all reasonable measures to ensure their body, anything from their body or anything they are wearing does not contaminate a food or food contact surfaces or otherwise compromise the safety and suitability of food; and
- Take all practical measures to prevent unnecessary contact with ready-to-eat food, and
- Ensure their outer clothing is clean and appropriate for the type of food handling they engage in; and
- Only use on exposed parts of their body, bandages and dressing that are completely covered with a waterproofed covering; and
- Wash their hands whenever they are likely to become a source of contamination for food.

A food handler must not:

- Eat over unprotected food or surfaces likely to come into contact with food;
- Sneeze, blow or cough over unprotected food or surfaces likely to come into contact with food;
- Spit, smoke or use tobacco/similar preparations in areas where food is handled; and
- Urinate or defecate except in a toilet.

SEAFOOD QUALITY ASSURANCE

RISK COMMUNICATION

Critical elements of risk communication are advising clients about any inherent food safety hazards beyond the control of the vessel operators.

- A list of no take species and any size restriction recommendations relevant to food safety should be on display on board the vessel.
- Staff should be informed about food safety risk and able to advise customers accordingly.

Understanding Food Safety Risk

Vessels operating in Queensland waters may have the potential to land and prepare species for human consumption that could have a medium food safety risk.

The degree to which food safety risks need to be managed is influenced by an extensive range of factors. Primary to these is the nature of the product and the inherent hazards that exist toward the product. The level of product risk usually changes in relation to the amount of processing undertaken. Cooked product, by design is 'ready-to-eat' and the level of risk may increase as re-contamination is possible after cooking. Live product is considered very low risk. Fresh chilled or frozen product is generally regarded as a much lower risk as the intention is to undergo a later cooking step.

However a number of seafood hazards will not be minimized by later cooking, namely

- **Ciguatera**
- **Mercury**
- **Histamine**

Ciguatera is a form of illness caused by eating warm water ocean fish that can carry a group of toxins that have accumulated from the marine environment. These neurotoxins can accumulate more in large fish and also accumulate in people when they are eaten. It is impossible to test for toxin presence in the fish on board and freezing or cooking does not remove the toxin.

The **symptoms** of illness can have rapid onset or take up to 24hrs to develop and can range from slight to severe and may last for months. Symptoms can include tingling and numbness around the mouth, reverse heat sensation of hot and cold, muscular aches, nausea vomiting and diarrhoea, headache, fatigue, shortness of breath.

Prohibited species

Species currently prohibited under the Queensland Fisheries Act 1994 include:

- Chinaman Fish (*Symphoricarion nematophorus*)
- Paddle Tail (*Lutjanus gibbus*)
- Red Bass (*Lutjanus bohar*)
- Marori Wrasse (*Cheilinus* & *Oxycheilinus* spp)

Restrictions due to size

The Queensland Seafood Marketers Association (QSMA) considers that the following size limits should be imposed to minimize the risk of Ciguatera toxin to consumers:

- Coral Trout (*Plectropomus* & *Variola* spp) over 6kg
- Rockcod or Estuary Cod (*Epinephelus coioides* and *E. tauvona*) over 10kg
- Flowery Cod (*Epinephelus fuscoguttatus*) over 10kg
- Kingfish (*Rachycentron canadum* & *Seriola lalandi*) over 10kg
- Queensland Groper (*Epinephelus lanceolatus*) over 10kg
- Red Emperor (*Lutjanus sebae*) over 10kg
- Trevally (*Carangoides* spp) over 10kg
- Other Wrasse (*Scaridae*, *Choerodon* and *Labridae* spp) over 10kg
- Other Reef Cods (*Aethaloperca*, *Anypserodon* & *Epinephelus* spp) over 10kg
- Spanish Mackerel (*Scomberomorus commerson*) over 15kg

Restrictions due to area of catch

Restrictions on taking of some species due to area under the Queensland Fisheries Act 1994 include:

Platypus Bay, Fraser Island and waterways adjoining the bay, east of a line between F^AB signs at Rooney Point and Coughel Point, Fraser Island, applies to:

- Great Barracuda (*Sphyræna barracuda*)
- Spanish (Narrow Barred) Mackerel (*Scomberomorus commerson*)
- Slender or Pick-handle Barracuda (*Sphyræna jello*)

The QSMA consider that the following species should be added to this list:

- Queenfish (*Scomberoides* sp)
- Yellowtail Kingfish (*Seriola lalandi*)
- Black Kingfish (*Rachycentron canadum*)

Mercury in certain types of fish can be considered harmful to unborn children. It is recommended that pregnant women (and women considering pregnancy) should limit their consumption of some types of fish: shark/flake, ray, swordfish, barramundi, gemfish, orange roughy, ling, southern bluefin tuna and fish caught in geothermal waters, to four portions per week (an average portion would contain about 150g of fish) (FSANZ, January 2001)

The larger the individual fish the more possibility of their being elevated levels of mercury. Large swordfish, tuna or shark (eg greater than 50kg fish) may have higher levels.

Mercury levels cannot be tested on board. Mercury related illness is extremely rare and symptoms are not fast acting. It would take long term exposure to higher than normal levels of mercury to cause any health problems.

Histamine is produced on fish tissue by the decarboxylation of free histidine by bacteria containing the enzyme histidine decarboxylase with the optimum temperature for histamine production being 25C. The content of free histamine in scombroid species of fish eg tuna, mackerel, and bonito can occur under unfavorable storage conditions (ie ambient temperature) and mishandling. To avoid histamine production these species must be killed quickly* according to best practices, cooled quickly and maintained at appropriate storage temperatures.

In large doses histamine can be toxic to humans and symptoms include vomiting, diarrhoea, abdominal cramps, perspiration, flushing, headaches and burning sensations in the mouth.

*Due to fish struggling their body temperature can increase over 10C

Fish Handling on Deck

Good harvest practices ensure high quality and limited possibility of flesh contamination for any product.

Once fish are caught, death and spoilage may commence and there is a continual irreversible deterioration in quality. This deterioration is determined mainly by the time and temperature the fish is held (including in the water and on the deck). Loss of scales or breaks in the skin when fish are roughly handled (eg thrown) or not cooled quickly exposes the fish to increased numbers of bacteria and high temperatures lead to more rapid spoilage and loss of freshness and shelf life.

Ciguatera causes poor publicity for the industry, there are recommendations to minimize the risk of Ciguatera in warm water ocean fish especially reef fish by excluding some species or size of fish kept by customers.

- Use industry best practices for killing product eg brain spiking
- Identify fish as required by Queensland Fisheries Service as being non commercial catch eg fin removal
- On deck, protect fish from sun and wind, keep cool
- Monitor ciguatera at risk species and advise customers

Fish Quality and Deterioration

The main objective is to avoid deterioration of product through proper temperature control.

- Chill product as soon after catch as possible
- The core temperature of the chilled fish product should be lowered to between 0 and 4C
- Frozen product is normally maintained at minus 18C or lower
- Product must be kept protected from contamination

Processing includes filleting

Processing practices must ensure the product is fit for human consumption.

- Use only potable water/ice unless it can be demonstrated that the use of non-potable water/ice will not adversely affect the safety of the food.
- Processing actions must be hygienic.

Establishing track record of product history

Members of the ACVA supports the objective of Safe Food Queensland, to aggregate data and establish food safety benchmarks in the aspiration to accomplish increasing levels of safety and understanding risk.

- Data about product risks eg Ciguatera toxins may underpin market access, protect consumer health and protect the industry from any over regulation with respect to food safety.
- Amalgamating data between years could assist in identifying regional areas or species of any food safety concern and assist in planning prevention.
- Industry associations may be able to assist in achieving this objective by gathering and forwarding data to Safe Food Queensland.

Vessel Cleaning

On completion of a charter, operators should:

1. Hose all surfaces with clean water ensuring that all local laws regarding pollution in coastal and enclosed waters are abided by;
2. Use a detergent and sanitizer to scrub and clean all surfaces such as the deck to control rust;
3. Keep knives ,brushers and spikes clean and free of rust;
4. Ensure the remainder of the vessel including toilets, shower and wash basin are clean.

Hygiene and Health of Crew

All crew should maintain a high standard of personal hygiene whilst handling seafood.

1. Where practical wear clean clothes;
2. Clean wet-weather gear, clothing and gloves thoroughly;
3. Thoroughly wash their hands and gloves with soap, also rinse and dry hands before handling seafood and after using the toilet;
4. Keep cuts and sores well covered with clean, easily detectable color waterproof dressing;
5. Not smoke, eat or drink while processing the fish;
6. Where known, exclude crew with hepatitis or gastroenteritis, infectious skin conditions or other illnesses that may be transmitted to the product from processing areas;
7. Implement particular hygiene practices after handling other wildlife (eg seabirds)

RESPECTING THE RIGHTS OF OTHERS

Members of the QCVA acknowledge the needs of other users and respect their right to have access to a common resource in areas where fishing operations occur.

REGIONAL MOORING PROCEDURES – NORTHERN GREAT BARRIER REEF

ALL MEMBERS AGREE TO ABIDE BY THE FOLLOWING:

This code of Practice details the activities of all members of the Cairns Professional Game Fishing Association Inc. (CPGFA), and any other person or persons authorized by the committee of the CPGFA to use such moorings. The members and such authorized persons will conduct their activities with the aim of long term usage of the Great Barrier Reef, cays, corals, etc., and safe boating, mooring, anchoring and fishing procedures.

1. All moorings will be designed, installed and maintained at the CPGFA cost, and to specifications defined by GA Glanville and Company, Naval Architects.
2. Usage of moorings:
 - a) Use of Moorings is subject to and conditional upon the member releasing, discharging and forever holding CPGFA its officers, employees, servants and agents harmless from all claims, actions, suits, demands, damages, interests and costs arising out of or as a consequences of a members use of the Moorings, including any incidental activity. Use of Moorings is further conditional upon the member indemnifying CPGFA its officers, employees, servants and agents against all claims for loss, damage or injury to any person or properties, whether caused by the negligent act of willful act or omission, breach of contract, breach of statutory duty or otherwise of the CPGFA, its officers, employees, servants and agents in connection with the member's use of moorings and any incidental activity.
 - b) Use of Moorings is subject to and conditional upon the master of any vessel authorized to use Moorings obtaining and maintaining full property damage insurance in respect of the vessel, and a public liability insurance policy of no less than \$5,000,000.
3. Moorings, including concrete blocks, shackles, chain, rope and floats will be maintained in good working order. Mooring tackle at each site will be inspected at regular intervals, and defects will be reported to the committee of the CPGFA.
4. Mooring or moorings are not to be used if directed by the committee of the CPGFA or an officer from the Great Barrier Reef Marine Park Authority (GBRMPA).
5. Mooring shackles and ropes to be replaced annually or sooner if the need arises or if defects are found to be significant. Mooring chains to be replaced when necessary.
6. A minimum of TWO vessels per single point mooring system at any one time or a maximum of FOUR vessels per 'FORE AND AFT' mooring system at any one time. EXCEPT, FOR THE Michaelmas Cay mooring system where a maximum of TWO vessels at any one time will apply, irrespective of the mooring design capacity.
7. Moorings not to be used by vessels exceeding 16 meters in length and 5 meters in beam as per the mooring design limitations. During wind between 20 and 30 knots only ONE vessel per single point mooring system at any one time. No rafting up or tying astern will be permitted in these weather conditions. Moorings are NOT TO BE USED if winds exceed 30 knots.
8. If any authorized vessel is found infringing, by operating in a manner not permitted or in contravention of the relevant acts, regulation and or zoning plans in force from time to time, then the offending Boat/Captain/Owner will be reported to the committee of the CPGFA who in turn will notify the GBRMPA of the time date and any other necessary information surrounding the infringement.
9. Only those vessels displaying the current year sticker will be authorized to use the moorings. Stickers will have different colors for each year, and are supplied for display on vessels at time of renewing annual membership to CPGFA.

ALCHOL RESTRICTIONS IN INDIGENOUS COMMUNITIES

Restrictions on the type and quantity of liquor that can be brought into various remote Indigenous communities have been implemented in Queensland.

Restricted Areas

A Restricted Area restricts the carriage of alcohol within a defined area.

Where a Restricted Area is declared by law, a limit is set on the type and quantity of liquor that can be carried within the Restricted Area. There maybe a zero limit, prohibiting the carriage of any liquor in the Restricted Area, or alternatively, a carriage limit may be set specifying the amount and type of liquor which may be carried in the Restricted Area.

Alcohol restrictions are currently in place in the following communities:

- Aurukun
- Bamaga
- Doomadgee
- Kowanyama
- Lockhart River
- Mornington Island
- Napranum
- Pormpuraaw
- Woorabinda
- Wujal Wujal
- Yarrabah

MARINE OCCUPATIONAL HEALTH AND SAFETY

Master

The master of a commercial ship shall be appointed to that position by the ships owner or the owners representative.

The master shall hold a valid certificate of competency or equivalent qualification issued by the relevant maritime authority authoring the holder to take charge of the ship and to operate the ships designated area of operations.

The master shall be responsible for the safe operation of the ship and for the safety of all personnel onboard.

The master shall ensure that the ships crew and passengers are aware of the ships planned emergency procedures.

The master shall maintain a complete record of the ships operations, and these records shall be held for a period of not less than five years.

The master shall be held responsible for all of the ships maintenance requirements being undertaken and for ensuring that the ship is maintained to an acceptable standard of seaworthiness.

The master shall record all maintenance defects and defect rectification.

When an engineer is not carried, the master shall hold if REQUIRED, an endorsement to the master's certificate of competency allowing the master to take charge of the ships machinery, and still carry out the engineers responsibilities.

Deckhand

The deckhand shall work under the directions of the ships master.

The deckhand may assist the master with the navigation and conning of the ship and may be required for watch keeping duties as authorized by the master.

Crew Members Responsibilities

- Identify hazards
- Assess risks that may result because of hazards
- Decide on control measures to prevent or minimize the level of the risk
- Implement control measures
- Monitor and review the effectiveness of the measures
- Brief passengers on ships safety procedures and protocol
- Brief passengers on safe use of fishing equipment

Wharves and Pontoons

Wharves and pontoons generally associated with the vessel shall also be maintained to the same high standard where and if possible, and shall in any case be maintained in a clean and tidy condition. Where wharves and pontoons are shared with other operations, it is the responsibility of members to ensure that are maintained to a high standard. At all times members must protect themselves against potential public liability claims. Where items of concern are identified, notice in writing for rectification should be issued on the marina management. Wharves and pontoons are the shop fronts for Charter Fishing Tourism.

Incident Reporting

Marine incidents are defined in the act and are incidents which have caused or had the potential to cause death, grievous bodily harm, material damage to or loss of a ship and the Ship masters are required by law to report to a shipping inspector within a period 48 hours after the occurrence of the incident. The incident must be reported, using the specified form.

A marine incident is classified as:

An event causing or involving

- The loss of a person from a ship
- The death of, or grievous bodily harm to, a person caused by a ship's operations
- The loss or presumed loss or abandonment of a ship
- A collision with a ship
- Material damage to a ship
- Material damage caused by a ship's operations
- Danger to a person caused by a ship's operations
- Danger of serious damage to a ship
- Danger of serious damage to a structure caused by a ship's operations

INTOXICATION OF CLIENTS

The Liquor Act makes it an offence to:

- Sell liquor to an unduly intoxicated person;
- Supply or provide liquor to an unduly intoxicated person;
- Allow another person to supply an unduly intoxicated person with liquor;
- Allow an unduly intoxicated person to consume liquor.

The master and crew must monitor the situation and use commonsense to ensure that service is stopped prior to the person reaching the point of becoming 'unduly intoxicated'.

Providing a safe environment

Operators have a legal obligation to provide a safe environment for both employees and clients.

House Policies

Charter companies can adopt a House Policy to provide masters and crew with a "code of practice" as to what is acceptable and unacceptable on charter. A charter company should detail what they expect of masters and crew in terms of responsible service and the way incidents must be reported.

Your House Policy could include:

- Charter companies commitment to the training of all masters and crew in responsible serving;
- A commitment to serving clients in a friendly, responsible and professional manner;
- Procedures for dealing with intoxicated clients;
- The role master and crew should play – how far to go.
- What assistance is offered – taxi, food, coffee?
- A policy to record the incidents.

EMPLOYER/EMPLOYEE RELATIONSHIPS

All research and management information received by permit holders should be passed onto the master and crew as soon as practicable, to ensure the master and crew are up to date with issues effecting Charter Fishing Tourism.

LEGAL ASPECTS

QCVA members should undertake all opportunity to understand all legal requirements necessary to the meet the needs of operating a Charter Fishing Tourism business.

ACKNOWLEDGEMENTS

Members of the Queensland Charter Vessels Association
Queensland DPI and Fisheries
Safe Food Queensland
Queensland Health
Maritime Safety Queensland
Tourism Queensland
Department of Tourism, Racing and Fair Trading (Qld)

