Southern and Eastern Scalefish and Shark Fishery Plan of Management Amendment 2005 (No. 1)

The AUSTRALIAN FISHERIES MANAGEMENT AUTHORITY determines this amendment to the *Southern and Eastern Scalefish and Shark Fishery Management Plan 2003* under sections 17 and 20 of the *Fisheries Management Act 1991*.

Dated 28 September 2005

PETER WITHERIDGE  
Common seal of the  
Australian Fisheries  
Management Authority

Accepted on 14 October 2005

IAN MACDONALD  
Minister for Fisheries, Forestry and Conservation
1 Name of Management Plan Amendment

This Management Plan Amendment is the Southern and Eastern Scalefish and Shark Fishery Plan of Management Amendment 2005 (No. 1).

2 Commencement

This Management Plan Amendment commences on the day after it is registered.

3 Amendment of Southern and Eastern Scalefish and Shark Fishery Management Plan 2003


Schedule 1 Amendments

(section 3)

[1] Section 3, after definition of fishing year

insert

GAB Albany zone means the area described in clause 11 of Part 3 of Schedule 1.

GAB eastern zone means the area described in clause 10 of Part 3 of Schedule 1.

GAB Esperance zone means the area described in clause 12 of Part 3 of Schedule 1.

[2] Section 3, subparagraph (b) (i) of the definition of holder

substitute

(i) the person who is granted the permit under section 32 of the Act or under Part 6 of this Management Plan; or

[3] Section 3, after definition of orange roughy (eastern)

insert

orange roughy (GAB Albany and Esperance) means orange roughy taken from the GAB Albany zone or the GAB Esperance zone.
[4] **Section 3, definition of Type T quota statutory fishing right**

*omit*

subsection 27 (2), (3), (4) or (5),

*insert*

subsection 27 (2), (3), (4), (5) or (5A),

[5] **Subsection 20 (3)**

*omit*

subsections (6) and (7)

*insert*

subsections (6), (7) and (7A)

[6] **After subsection 20 (7)**

*insert*

(7A) The holder, or a person acting for the holder, of:

(a) a trawl boat statutory fishing right; or
(b) a gillnet boat statutory fishing right; or
(c) a scalefish hook boat statutory fishing right; or
(d) a shark hook boat statutory fishing right; or
(e) a trap fishing permit granted under section 42;

may, in the Commonwealth GAB Trawl Sector, take fish of a species mentioned in items 26 to 28 of Schedule 2 without holding a quota statutory fishing right for that species.

[7] **After subsection 27 (5)**

*insert*

(5A) A person satisfies the condition for registration as an eligible person for the grant of a type T quota SFR for quota species mentioned in items 25 to 28 of Schedule 2 if, immediately before the end of the notice period, the person was the holder of:

(a) a GAB Trawl boat statutory fishing right; or
(b) a fishing permit granted under section 44.
[8] **Subsection 27 (6)**

*omit*

to (5)

*insert*

to (5A)

[9] **Paragraph 28 (2) (j)**

*omit*

period.

*insert*

period;

[10] **After paragraph 28 (2) (j)**

*insert*

(k) if the person is registered as an eligible person for the grant of a Type T quota statutory fishing right for a quota species under paragraph 27 (5A) (a) — the following Type T quota statutory fishing rights for each GAB Trawl boat statutory fishing right held by the person immediately before the end of the notice period:

(i) 300,000 Type T quota statutory fishing rights for the taking of deepwater flathead;

(ii) 100,000 Type T quota statutory fishing rights for the taking of bight redfish;

(iii) 20,000 Type T quota statutory fishing rights for the taking of orange roughy (GAB Albany and Esperance);

(l) if the person is registered as an eligible person for the grant of a Type T quota statutory fishing right for a quota species under paragraph 27 (5A) (b):

(i) for each kilogram of alfonsino taken by the person from 1 January 2000 to 31 December 2001 — 1 Type T quota statutory fishing right for the taking of alfonsino; and

(ii) for each 0.8153 kilogram of alfonsino taken by the person from 1 January 2002 to 30 June 2004 — 1 Type T quota statutory fishing right for the taking of alfonsino.


*insert*

(2A) For paragraph (2) (l), a person is taken to have taken alfonsino in a period if the catch was reported to AFMA on forms known as ‘SEF2 Catch Disposal Records’ during that period.
[12] **Subsection 28 (3)**

*omit*

paragraphs (2) (a) to (j)

*insert*

paragraphs (2) (a) to (k)

[13] **Schedule 1, Part 3, after clause 9**

*insert*

10 **GAB eastern zone**

The GAB eastern zone is the part of the fishery that is within the Commonwealth GAB Trawl Sector and east of the meridian of longitude 136° E.

11 **GAB Albany zone**

The GAB Albany zone is the part of the fishery that is within the area formed by a line beginning at the intersection of the meridian of longitude 118° 10′ E and the parallel of latitude 35° 26′ S and running progressively as described in the following table.

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>South along the meridian of longitude 118° 10′ E to the intersection with the parallel of latitude 35° 36′ S</td>
</tr>
<tr>
<td>2</td>
<td>East along the parallel of latitude 35° 36′ S to the intersection with the meridian of longitude 118° 40′ E</td>
</tr>
<tr>
<td>3</td>
<td>North along the meridian of longitude 118° 40′ E to the parallel of latitude 35° 15′ S</td>
</tr>
<tr>
<td>4</td>
<td>Generally westerly to the point where the line began</td>
</tr>
</tbody>
</table>

12 **GAB Esperance zone**

The GAB Esperance zone is the part of the fishery that is within the area formed by a line beginning at the intersection of the meridian of longitude 125° E and the parallel of latitude 34° 10′ S and running progressively as described in the following table.

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>South along the meridian of longitude 125° E to the intersection with the parallel of latitude 34° 25′ S</td>
</tr>
<tr>
<td>2</td>
<td>Generally easterly to the intersection of the meridian of longitude 126° 20′ E and the parallel of latitude 34° S</td>
</tr>
</tbody>
</table>
### Schedule 1 Amendments

**Southern and Eastern Scalefish and Shark Fishery Plan of Management**

**Amendment 2005 (No. 1)**

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>North along the meridian of longitude 126° 20′ E to the intersection with the parallel of latitude 33° 46′ S</td>
</tr>
<tr>
<td>4</td>
<td>Generally westerly to the point where the line began</td>
</tr>
</tbody>
</table>

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**[14]** **Schedule 2, table, after item 24**

*insert*

<table>
<thead>
<tr>
<th></th>
<th>Item Description</th>
<th>Scientific Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>25</td>
<td>Alfonsino</td>
<td><em>Beryx splendens</em></td>
</tr>
<tr>
<td>26</td>
<td>Bight redfish</td>
<td><em>Centoberyx gerrardi</em></td>
</tr>
<tr>
<td>27</td>
<td>Deepwater flathead</td>
<td><em>Neoplatycephalus conatus</em></td>
</tr>
<tr>
<td>28</td>
<td>Orange roughy (GAB Albany and Esperance zones)</td>
<td><em>Hoplostethus atlanticus</em></td>
</tr>
</tbody>
</table>