



Southern and Eastern Scalefish and Shark Fishery (Closures) Direction No. 2 2015

made under subsection 41A(2) of the

Fisheries Management Act 1991

Compilation No. 2

Compilation date: 30 April 2019

Includes amendments up to: *Southern and Eastern Scalefish and Shark
Fishery (Closures Variation) Direction 2019*

Prepared by the Australian Fisheries Management Authority

About this compilation

This compilation

This is a compilation of the *Southern and Eastern Scalefish and Shark Fishery (Closures) Direction No. 2 2015* that shows the text of the law as amended and in force on 30 April 2019 (the *compilation date*).

The notes at the end of this compilation (the *endnotes*) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

DIRECTION NOT TO ENGAGE IN FISHING

Fisheries Management Act 1991
Subsection 41A(2)

SOUTHERN AND EASTERN SCALEFISH AND SHARK FISHERY (CLOSURES) DIRECTION No. 2 2015

Citation

1. This Direction may be cited as the *Southern and Eastern Scalefish and Shark Fishery (Closures) Direction No. 2 2015*.

Cessation

3. This Direction ceases as if it was revoked on 1 May 2020 unless earlier revoked.

Interpretation

4. Terms used in this Direction that are defined for the purposes of the *Southern and Eastern Scalefish and Shark Fishery Management Plan 2003* (the Plan) have the same meanings in this Direction as they have in the Plan.

All geographic coordinates contained within the schedules attached to this document are in terms of the Geocentric Datum of Australia 1994 (GDA94).

Unless otherwise stated, the lines between coordinates are geodesics.

Notes: 1. Terms defined in the *Fisheries Management Act 1991* have the same meanings in this Direction.

To whom this Direction applies

5. This Direction applies to a holder of a fishing concession in the Southern and Eastern Scalefish and Shark Fishery and to a person acting on behalf of the holder.

Direction not to engage in fishing

6. Fishing is not to be engaged in using any method in the areas described in Schedule 1, 2 and 3.

Exemption to the prohibition

7. Clause 6 does not apply to a concession holder:
- (1) if the holder's fishing concession is subject to a condition that no more than 25 per cent of their total pink ling (*Genypterus blacodes*) quota (caught or uncaught) in waters east of longitude 147° East can be retained in any fishing year; or
 - (2) where AFMA has been notified by the South East Trawl Fishing Industry Association (**SETFIA**) that the concession holder has agreed to take and retain a specified amount of pink ling east of longitude 147° East under management arrangements established by SETFIA.

SCHEDULE 1

Maria Island

The area of Maria Island is the part of the Australian Fishing Zone contained within and bounded by a line:

- a) commencing at the point of latitude $42^{\circ} 42.000'$ south, longitude $148^{\circ} 21.000'$ east, and running progressively;
- b) east along the parallel of latitude $42^{\circ} 42.000'$ south to its intersection with the meridian of longitude $148^{\circ} 26.000'$ east;
- c) then south along the parallel of longitude $148^{\circ} 26.000'$ east to its intersection with the meridian of latitude $42^{\circ} 45.000'$ south;
- d) then west along the parallel of latitude $42^{\circ} 45.000'$ south to its intersection with the meridian of longitude $148^{\circ} 21.000'$ east;
- e) then north to the point of commencement.

SCHEDULE 2

Seiner's Horseshoe

The area of Seiner's Horseshoe is the part of the Australian Fishing Zone contained within and bounded by a line:

- a) commencing at the point of latitude $38^{\circ} 18.374'$ south, longitude $148^{\circ} 35.870'$ east, and running progressively;
- b) east along the parallel of latitude $38^{\circ} 18.374'$ south to its intersection with the meridian of longitude $148^{\circ} 40.236'$ east;
- c) then south-easterly along the geodesic to the point of latitude $38^{\circ} 27.116'$ south, longitude $148^{\circ} 45.124'$ east;
- d) then south-westerly along the geodesic to the point of latitude $38^{\circ} 31.829'$ south, longitude $148^{\circ} 32.703'$ east;
- e) then north north-easterly to the point of commencement.

SCHEDULE 3

Everard Horseshoe

The area of Everard Horseshoe is the part of the Australian Fishing Zone contained within and bounded by a line:

- a) commencing at the point of latitude $38^{\circ} 04.914'$ south, longitude $149^{\circ} 21.490'$ east, and running progressively;

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- b) easterly along the geodesic to the point of latitude $38^{\circ} 04.788'$ south, longitude $149^{\circ} 24.089'$ east;
 - c) then south-easterly along the geodesic to the point of latitude $38^{\circ} 09.837'$ south, longitude $149^{\circ} 33.324'$ east;
 - d) then southerly along the geodesic to the point of latitude $38^{\circ} 16.500'$ south, longitude $149^{\circ} 32.912'$ east;
 - e) then west along the parallel of latitude $38^{\circ} 16.500'$ south to its intersection with the meridian of longitude $149^{\circ} 26.800'$ east;
 - f) then north-easterly along the geodesic to the point of latitude $38^{\circ} 13.151'$ south, longitude $149^{\circ} 30.083'$ east;
 - g) then north-westerly to the point of commencement.

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

Endnotes about misdescribed amendments and other matters are included in a compilation only as necessary.

Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history.

If a misdescribed amendment cannot be given effect as intended, the amendment is set out in the endnotes.

Endnote 2—Abbreviation key

A = Act	orig = original
ad = added or inserted	par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)
am = amended	pres = present
amdt = amendment	prev = previous
c = clause(s)	(prev...) = previously
C[x] = Compilation No. x	Pt = Part(s)
Ch = Chapter(s)	r = regulation(s)/rule(s)
def = definition(s)	Reg = Regulation/Regulations
Dict = Dictionary	reloc = relocated
disallowed = disallowed by Parliament	renum = renumbered
Div = Division(s)	rep = repealed
exp = expires/expired or ceases/ceased to have effect	rs = repealed and substituted
F = Federal Register of Legislative Instruments	s = section(s)/subsection(s)
gaz = gazette	Sch = Schedule(s)
LI = Legislative Instrument	Sdiv = Subdivision(s)
LIA = <i>Legislative Instruments Act 2003</i>	SLI = Select Legislative Instrument
(md) = misdescribed amendment	SR = Statutory Rules
mod = modified/modification	Sub-Ch = Sub-Chapter(s)
No. = Number(s)	SubPt = Subpart(s)
o = order(s)	<u>underlining</u> = whole or part not commenced or to be commenced
Ord = Ordinance	

Endnote 3—Legislation history

Name	FRLI registration	Commencement	Application, saving and transitional provisions
Southern and Eastern Scalefish and Shark Fishery (Closures) Direction No. 2 2015	F2015L00730	27/05/2015	
Southern and Eastern Scalefish and Shark Fishery (Closures Variation) Direction No.1 2016	F2016L00842	28/05/2016	
Southern and Eastern Scalefish and Shark Fishery (Closures Variation) Direction 2019	F2019L00650	30/04/2019	

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Endnote 4—Amendment history

Endnote 4—Amendment history

Provision affected	How affected
c. 2	rep s 48D LA
c. 7	am. F2016L00842
	rs. F2019L00650
