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Fisheries Management Amendment Regulations 2000 (No. 6)¹

Statutory Rules 2000 No. / ²

339

I, WILLIAM PATRICK DEANE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Fisheries Management Act 1991*.

Dated 13 DEC 2000 2000

WILLIAM DEANE
Governor-General

By His Excellency's Command

WARREN TRUSS
Minister for Agriculture, Fisheries and Forestry

1 Name of Regulations

These Regulations are the *Fisheries Management Amendment Regulations 2000* (No. *✓*).

6

2 Commencement

These Regulations commence on gazettal.

3 Amendment of *Fisheries Management Regulations 1992*

Schedule 1 amends the *Fisheries Management Regulations 1992*.

Schedule 1 Amendments

(regulation 3)

[1] Part 11

substitute

Part 11 Catch restrictions

Division 1 Introductory

47 Definitions

In this Part:

crustacean means any species of the phylum Crustacea.

finfish means fish of the class Osteichthyes.

mollusc means any invertebrate of the phylum Mollusca.

northern waters means the area described in Part 1 of Schedule 5.

South Australian waters means the area described in Division 2 of Part 1 of Schedule 6.

Tasmanian waters means the area described in Division 3 of Part 1 of Schedule 6.

trawling includes board trawling, midwater or pelagic trawling and Danish seining.

trip means a voyage by boat that:

- (a) begins at a place on, or within, the coastline of Australia; and
- (b) continues to and from, or through, northern, Victorian, South Australian or Tasmanian waters; and
- (c) ends (whether or not the boat calls at a place outside Australia) at a place on, or within, the coastline of Australia.

tuna means fish:

- (a) of the family Scombridae (commonly known as tuna and tuna-like fish), except fish of the genera *Scomberomorus*, *Scomber*, *Acanthocybium*, *Grammatorcynus* and *Rastrelliger* (commonly known as mackerel); and
- (b) of the families Istiophoridae and Xiphiidae (commonly known as billfish); and
- (c) of the family Bramidae (commonly known as pomfrets or rays bream).

Victorian waters means the area described in Division 1 of Part 1 of Schedule 6.

48 Interpretation

- (1) For this Part, fish on a boat at the end of a trip are taken to have been taken during the trip.
- (2) For this Part, a king crab is taken to be a giant crab.

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- (3) For this Part, the weight of a fish is taken to be the weight of the whole fish before it is processed.
- (4) In this regulation:
processed does not include frozen.

Division 2 Catch limits when fishing for tuna in northern waters

49 Application of Division

This Division applies to the holder of a fishing permit that authorises the use of a boat for taking tuna in northern waters.

50 What this Division does

This Division sets out the catch limits that apply as conditions of the permit.

51 Catch limits

- (1) On a trip, the holder may take fish of a species mentioned in Part 2 of Schedule 5 from the waters only in accordance with subregulation (2).
- (2) The holder must not take from the waters more than:
- (a) 2 fish of a species mentioned in Division 1 of that Part; and
 - (b) 10 fish of a species mentioned in Division 2 of that Part; and
 - (c) 20 fish of a species mentioned in Division 3 of that Part .
- (3) However, the limit mentioned in paragraph (2) (a) does not apply to black kingfish (*Rachycentron canadus*) that are taken from northern waters west of the meridian of longitude 129° east.

Division 3 Catch limits for Victorian waters

52 Application of Division

This Division applies to the holder of a fishing permit that authorises the use of a boat for fishing in Victorian waters.

53 What this Division does

This Division sets out the catch limits that apply as conditions of the permit.

54 Crustaceans

- (1) On a trip, the holder may take crustaceans, except crustaceans of a species mentioned in Part 2 of Schedule 6, from the waters only in accordance with subregulations (2), (3) and (4).

Note The species mentioned in Part 2 of Schedule 6 are target species, and are subject to specific management arrangements under Part 3 of the Act.

- (2) The holder must not take more than 50 kilograms of crustaceans, except crustaceans of a species mentioned in that Part, from the waters.
- (3) The holder must not take from the waters any:
- (a) school prawns (*Metapenaeus macleayi*); or
 - (b) eastern king prawns (*Penaeus plebejus*).
- (4) The holder must not take from the waters more than:
- (a) 5 giant crabs (*Pseudocarcinus gigas*); or
 - (b) 10 kilograms of bay bugs (family Scyllaridae).

55 Molluscs

- (1) On a trip, the holder may take molluscs, except molluscs of a species mentioned in Part 3 of Schedule 6, from the waters only in accordance with subregulation (2).

Note The species mentioned in Part 3 of Schedule 6 are target species, and are subject to specific management arrangements under Part 3 of the Act.

- (2) The holder must not take more than 50 kilograms of molluscs, except molluscs of a species mentioned in that Part, from the waters.

56 Finfish

- (1) On a trip, subregulation (2) applies to the holder only if the holder uses a fishing method other than trawling.
- (2) On the trip, the holder may take finfish of a species mentioned in Division 1 of Part 4 of Schedule 6 from the waters only in accordance with subregulations (3), (4) and (5).
- (3) The holder must not take more than 200 kilograms of finfish of 1 or more species mentioned in that Division from the waters.
- (4) The holder must not take any finfish of a species mentioned in Subdivision 1 of that Division from the waters.
- (5) The holder must not take from the waters more than:
- (a) 10 yellowtail kingfish (*Seriola lalandi*); or
 - (b) 20 kilograms of striped trumpeter (*Latris lineata*); or
 - (c) 50 kilograms of snapper (*Pagrus auratus*).

Division 4 Catch limits for South Australian waters

57 Application of Division

This Division applies to the holder of a fishing permit that authorises the use of a boat for fishing in South Australian waters.

58 What this Division does

This Division sets out the catch limits that apply as conditions of the permit.

59 Crustaceans

- (1) On a trip, the holder may take crustaceans, except crustaceans of a species mentioned in Part 2 of Schedule 6, from the waters only in accordance with subregulations (2), (3), (4) and (5).

Note The species mentioned in Part 2 of Schedule 6 are target species, and are subject to specific management arrangements under Part 3 of the Act.

- (2) The holder must not take from the waters more than 50 kilograms of crustaceans, except:
- (a) crustaceans of a species mentioned in that Part; or
 - (b) bay bugs (family Scyllaridae).
- (3) The holder must not take more than 5 king crabs (*Pseudocarcinus gigas*) from the waters.
- (4) The holder must not take any prawns, except prawns of a species mentioned in Division 1 of Part 2 of Schedule 6, from the waters.
- (5) The holder must not take more than 200 kilograms of bay bugs (family Scyllaridae) from the waters.

60 Molluscs

- (1) On a trip, the holder may take molluscs, except molluscs of a species mentioned in Part 3 of Schedule 6, from the waters only in accordance with subregulations (2) and (3).

Note The species mentioned in Part 3 of Schedule 6 are target species, and are subject to specific management arrangements under Part 3 of the Act.

- (2) The holder must not take more than 500 kilograms of molluscs, except molluscs of a species mentioned in that Part, from the waters.
- (3) The holder must not take more than 50 kilograms of specimen shells or shellfish (class Gastropoda) from the waters.

61 Finfish

- (1) On a trip, the holder may take finfish of a species mentioned in Division 2 of Part 4 of Schedule 6 from the waters only in accordance with subregulations (2), (3), (4) and (5).
- (2) The holder must not take more than 200 kilograms of finfish of 1 or more species mentioned in that Division from the waters by trawling.
- (3) The holder must not take more than 200 kilograms of finfish of 1 or more species mentioned in Subdivision 1, 2, 3 or 4 of that Division from the waters by a method other than trawling.
- (4) The holder must not take any finfish of a species mentioned in Subdivision 1 of that Division from the waters.
- (5) The holder must not take from the waters more than:
- (a) 10 yellowtail kingfish (*Seriola lalandi*); or
 - (b) 20 kilograms of finfish of a species mentioned in Subdivision 2 of that Division; or

- (c) 50 kilograms of finfish of a species mentioned in Subdivision 3 of that Division; or
- (d) 100 kilograms of mullocky (*Argyrosomus hololepidotus*).

Division 5 Catch limits for Tasmanian waters

62 Application of Division

This Division applies to the holder of a fishing permit that authorises the use of a boat for fishing in Tasmanian waters.

63 What this Division does

This Division sets out the catch limits that apply as conditions of the permit.

64 Crustaceans

- (1) On a trip, the holder may take crustaceans, except crustaceans of a species mentioned in Part 2 of Schedule 6, from the waters only in accordance with subregulations (2), (3) and (4).

Note The species mentioned in Part 2 of Schedule 6 are target species, and are subject to specific management arrangements under Part 3 of the Act.

- (2) The holder must not take more than 50 kilograms of crustaceans, except crustaceans of a species mentioned in that Part, from the waters.
- (3) The holder must not take any prawns, except prawns of a species mentioned in Division 1 of that Part, from the waters.
- (4) The holder must not take more than 5 giant crabs (*Pseudocarcinus gigas*) from the waters.

65 Molluscs

- (1) On a trip, the holder may take molluscs, except molluscs of a species mentioned in Part 3 of Schedule 6, from the waters only in accordance with subregulations (2), (3) and (4).

Note The species mentioned in Part 3 of Schedule 6 are target species, and are subject to specific management arrangements under Part 3 of the Act.

- (2) The holder must not take more than 500 kilograms of molluscs, except molluscs of a species mentioned in that Part, from the waters.
- (3) The holder must not take any limpets or keyhole limpets (superfamilies Fissurellacea, Patellacea and Siphonariacea) from the waters.
- (4) The holder must not take more than 50 kilograms of specimen shells and shellfish (class Gastropoda) from the waters.

66 Finfish

- (1) On a trip, the holder may take finfish of a species mentioned in Division 3 of Part 4 of Schedule 6 from the waters only in accordance with subregulations (2) and (3).
- (2) The holder must not take any finfish of a species mentioned in Subdivision 1 of that Division from the waters.
- (3) The holder must not take from the waters more than:
- (a) 20 kilograms of finfish of a species mentioned in Subdivision 2 of that Division; or
 - (b) 50 kilograms of finfish of a species mentioned in Subdivision 3 of that Division; or
 - (c) 250 kilograms of finfish of 1 or more species mentioned in Subdivision 4 of that Division.

67 Other species

The holder must not take any fish of a species mentioned in Part 5 of Schedule 6 from the coastal waters of Tasmania.

Note See section 5 of the Act about the meaning of *coastal waters*.

[2] Schedule 5

substitute

Schedule 5 Catch limits — northern waters

(regulations 47 and 51)

Part 1 Northern waters

That part of the AFZ that is within the area bounded by a notional line beginning at the point of intersection of the southern coastline of Australia and the meridian of longitude 129° east and running progressively:

- south along that meridian to the outer limit of the AFZ;
- generally westerly, northerly, easterly and southerly along that outer limit to its second intersection with the parallel of latitude 28° 10' south;
- west along that parallel to its intersection with the eastern coastline of Australia at the border of Queensland and New South Wales;
- generally northerly, westerly, southerly and easterly along that coastline to the point where the line began.

Part 2 Restricted species for northern waters

Division 1

Common name	Scientific name
Amberjack	<i>Seriola dumerili</i>
Black kingfish	<i>Rachycentron canadus</i>
Yellowtail kingfish	<i>Seriola lalandi</i>

Division 2

Common name	Scientific name
Australian bonito	<i>Sardi australis</i>
Australian spotted mackerel	<i>Scomberomorus munroi</i>
Bar cod	<i>Polyprion moeone</i>
Blue eye trevalla	<i>Hyperoglyphe antarctica</i>
Cod	Family Serranidae
Dog toothed tuna	<i>Gymnosarda unicolor</i>
Dolphinfish	<i>Coryphaena hippurus</i>
Emperor	Families Lethrinidae and Lutjanidae
Frigate mackerel	<i>Auxis thazard</i>
Grouper	Family Serranidae
Hapuku	<i>Polyprion oxygeneios</i>
Leaping bonito	<i>Cybiosarda elegans</i>
Mackerel tuna	<i>Euthynnus affinis</i>
Oriental bonito	<i>Sarda orientalis</i>
Rainbow runner	<i>Elagatis bipinnulata</i>
Rake gilled mackerel	<i>Rastrelliger kanagurta</i>
Shark mackerel	<i>Grammatorcynus bicarinatus</i>
Snapper	<i>Pagrus auratus</i>

Common name	Scientific name
Spanish mackerel	<i>Scomberomorus commerson</i>
Trevally	Family Carangidae (except genus <i>Seriola</i>)
Tropical snapper	Families Lethrinidae and Lutjanidae
Tuskfish	Family Labridae
Wrasse	Family Labridae

Division 3

Common name	Scientific name
Butterfly mackerel	<i>Gasterochisma melampus</i>
Shark	Subclass Elasmobranchii and Family Serranidae
Slender tuna	<i>Allothunnus fallai</i>
Wahoo	<i>Acanthocybium solandri</i>

[3] **Schedule 6**
substitute

Schedule 6 Catch limits — Victorian, South Australian and Tasmanian waters

(regulations 47, 56, 59, 61, 64, 66 and 67)

Part 1 Areas of application

Division 1 Victorian waters

The area of water bounded by a notional line beginning at the intersection of the coastline at mean low water

mark with the border between New South Wales and Victoria and running progressively:

- south easterly along the geodesic towards a point of latitude 37° 35' south, longitude 150° 10' east to its intersection with a line parallel to, and 3 nautical miles distant from, the coastline at mean low water mark;
- along that line to its intersection with the geodesic which is a continuation of the landward border between New South Wales and Victoria;
- south easterly along the geodesic to its intersection with the outer limit of the AFZ;
- generally southerly along that outer limit to its intersection with the parallel of latitude 39° 12' south;
- westerly along the parallel to its intersection with the meridian of longitude 143° 40' east;
- southerly along the meridian to the parallel of latitude 40° 00' south;
- westerly along the parallel to its intersection with the meridian of longitude 140° 57.9' east;
- northerly along that meridian to its intersection with the coastline at mean low water mark;
- along the coastline of Victoria at mean low water mark to the point where the line began;

but excluding:

- (a) the area described in Part 1 (Wilsons Promontory Marine Reserve) of Schedule 4 to the **National Parks Act 1975** of Victoria as in force on 1 November 1997; and
- (b) the area described in Part 2 (Wilsons Promontory Marine Park) of Schedule 4 to the **National Parks Act 1975** of Victoria as in force on 1 November 1997; and
- (c) the area described in Part 7 (Bunurong Marine Park) of Schedule 4 to the **National Parks Act 1975** of Victoria as in force on 1 November 1997; and

- (d) the area described in Schedule 2 (Point Lonsdale) to the Harold Holt Marine Reserves Proclamation 1979 of Victoria, published in the Government Gazette of Victoria, No. 11 on 7 February 1979; and
- (e) the area described in Schedule 3 (Point Nepean) to the Harold Holt Marine Reserves Proclamation 1979 of Victoria, published in the Government Gazette of Victoria, No. 11 on 7 February 1979.

Division 2 South Australian waters

The area of water bounded by a notional line beginning at a point on the meridian of longitude 140° 57.9' east that is the intersection of the coastline at mean low water mark with the border between South Australia and Victoria and running progressively:

- south along the meridian to its intersection with the outer limit of the AFZ;
- west along that outer limit to its intersection with the meridian of longitude 129° east;
- north along the meridian to its intersection with the parallel of latitude 31° 45' south;
- north along the geodesic to the intersection of the coastline at mean low water mark with the border between South Australia and Western Australia;
- along the coastline of South Australia at mean low water mark to the point where the line began.

Division 3 Tasmanian waters

The area of waters bounded by a notional line beginning at the point of latitude 40° south, longitude 140° 57.9' east and running progressively:

- south along the meridian of longitude 140° 57.9' east to its intersection with the outer limit of the AFZ;

- generally southerly, easterly and northerly along that outer limit to its intersection with the parallel of latitude $39^{\circ} 12'$ south;
- west along that parallel to its intersection with the meridian of longitude $143^{\circ} 40'$ east;
- south along that meridian to its intersection with the parallel of latitude 40° south;
- west along that parallel to the point where the line began;

but excluding:

- (a) the area known as South West National Park, being all waters to the north and east of a notional line extending from Hilliard Head to Point Vincent; and
- (b) the area known as Nine Pin Point Marine Nature Reserve, being all waters within 500 metres of Nine Pin Point; and
- (c) the area known as Tinderbox Marine Nature Reserve, being the area of waters bounded by a notional line beginning at Piersons Point and running progressively:
 - 200 metres due east;
 - generally southerly and westerly 200 metres from and parallel to the low water mark to the point of latitude $43^{\circ} 3.84'$ south, longitude $147^{\circ} 19.13'$ east;
 - due north to high water mark;
 - generally northerly and easterly along the high water mark to the point of commencement; and
- (d) the area known as Governor Island Marine Nature Reserve, being the area of waters bounded by a notional line beginning at the southernmost point of Governor Island and running progressively:
 - due south for 400 metres;
 - generally easterly, northerly and westerly at 600 metres from and parallel to low water mark to its intersection with the notional line

of longitude that passes through the northernmost point of Governor Island.

Part 2 Crustaceans

Division 1 Prawns

Common name	Scientific name
Deepwater prawn	<i>Haliporoides cristatus</i>
Prawn	Genus <i>Aristeus</i>
Red prawn	<i>Aristeomorpha foliacea</i>
Royal red prawn	<i>Haliporoides sibogae</i>
Scarlet prawn	<i>Plesiopenaeus edwardsianus</i>

Division 2 Other crustaceans

Common name	Scientific name
Carid	Family Pandalidae

Part 3 Molluscs

Common name	Scientific name
Arrow squid	<i>Nototodarus gouldi</i>
Red ocean squid	<i>Ommastrephes bartrami</i>
Southern ocean arrow squid	<i>Todarodes filippovae</i>
Yellowback squid	<i>Sthenoteuthis oualaniensis</i>
Scallops	Family Pectinidae

Part 4 Finfish

Division 1 Victorian waters

Subdivision 1

Common name	Scientific name
Australian anchovy	<i>Engraulis australis</i>
Australian salmon	Genus <i>Arripis</i>
Blue sprat	<i>Spratelloides robustus</i>
King George whiting	<i>Sillaginodes punctata</i>
Pilchard	<i>Sardinops neopilchardus</i>
Sprat	<i>Clupea bassensis</i>
Wrasse	Family Labridae

Subdivision 2

Common name	Scientific name
Barracouta	<i>Thyrsites atun</i>
Leatherjackets, all species	Family Monacanthidae
Snapper	<i>Pagrus auratus</i>
Striped trumpeter	<i>Latris lineata</i>
Yellowtail kingfish	<i>Seriola lalandi</i>

Division 2 South Australian waters

Subdivision 1

Common name	Scientific name
Australian anchovy	<i>Engraulis australis</i>
Australian salmon/Tommy ruff	Genus <i>Arripis</i>
Banded morwong	<i>Nemodactylus spectabilis</i>
Black bream	<i>Acanthopagrus butcheri</i>

Common name	Scientific name
Blue sprat	<i>Spratelloides robustus</i>
Dusky morwong	<i>Dactylophora nigricans</i>
Garfish	<i>Hyporhamphus melanochir</i>
Grassy (rock) flathead	<i>Platycephalus laevigatus</i>
King gar	<i>Scomberesox forsteri</i>
King George whiting	<i>Sillaginodes punctata</i>
Luderick	<i>Girrella tricuspidata</i>
Magpie morwong	<i>Cheilodactylus nigripes</i>
Pilchard	<i>Sardinops neopilchardus</i>
Red mullet	<i>Upeneichthys vlamingii</i>
Sea sweep	<i>Scorpius aequipinnis</i>
Snook	<i>Sphyraena novaehollandiae</i>
Sprat	<i>Clupea bassensis</i>
Wrasse	Family Labridae
Yellow eye mullet	<i>Aldrichetta forsteri</i>
Yellow-finned whiting	<i>Sillago schomburgkii</i>

Subdivision 2

Common name	Scientific name
Bastard trumpeter	<i>Latridopsis forsteri</i>
Striped trumpeter	<i>Latris lineata</i>

Subdivision 3

Common name	Scientific name
Blue groper	<i>Achoerodus gouldii</i>
Snapper	<i>Pagrus auratus</i>

Subdivision 4

Common name	Scientific name
Mulloway	<i>Argyrosomus hololepidotus</i>
Yellowtail kingfish	<i>Seriola lalandi</i>

Subdivision 5

Common name	Scientific name
Black reef leatherjacket	<i>Eubalichthys bucephalus</i>
Chinaman leatherjacket	<i>Nelusetta ayraudi</i>
Parrotfish (or knifejaw)	<i>Oplegnathus woodwardi</i>
Rough leatherjacket	<i>Monacanthus chinensis</i>

Division 3 Tasmanian waters**Subdivision 1**

Common name	Scientific name
Australian anchovy	<i>Engraulis australis</i>
Australian salmon/Tommy ruff	Genus <i>Arripis</i>
Banded morwong	<i>Nemodactylus spectabilis</i>
Black bream	<i>Acanthopagrus butcheri</i>
Blue sprat	<i>Spratelloides robustus</i>
Dusky morwong	<i>Dactylophora nigricans</i>
Garfish	<i>Hyporhamphus melanochir</i>
Grassy (rock) flathead	<i>Platycephalus laevigatus</i>
King gar	<i>Scomberesox forsteri</i>
King George whiting	<i>Sillaginodes punctata</i>
Luderick	<i>Girrella tricuspidata</i>
Magpie morwong	<i>Cheilodactylus nigripes</i>
Mulloway	<i>Argyrosomus hololepidotus</i>
Pilchard	<i>Sardinops neopilchardus</i>

Common name	Scientific name
Red mullet	<i>Upeneichthys vlamingii</i>
Sea sweep	<i>Scorpiis aequipinnis</i>
Snook	<i>Sphyraena novaehollandiae</i>
Sprat	<i>Clupea bassensis</i>
Wrasse	Family Labridae
Yellow eye mullet	<i>Aldrichetta forsteri</i>
Yellow-finned whiting	<i>Sillago schomburgkii</i>

Subdivision 2

Common name	Scientific name
Bastard trumpeter	<i>Latridopsis forsteri</i>

Subdivision 3

Common name	Scientific name
Blue groper	<i>Achoerodus gouldii</i>

Subdivision 4

Common name	Scientific name
Snapper	<i>Pagrus auratus</i>
Striped trumpeter	<i>Latris lineata</i>
Yellowtail kingfish	<i>Seriola lalandi</i>

Part 5 Other species

Common name	Scientific name
Handfish	Family Brachionichthyidae
Seahorses and Pipefish	Family Sygnathidae
Three-finned blennies	Family Tripterygiidae

Notes

1. These Regulations amend Statutory Rules 1992 No. 20, as amended by 1992 No. 455; 1993 Nos. 74, 118 and 296; 1994 Nos. 77, 125 and 419; 1995 Nos. 285 and 360; 1996 Nos. 67 and 317; 1997 Nos. 19, 95, 186, 278 and 410; 1998 No. 24; 1999 Nos. 22, 98, 130 and 285; 2000 Nos. 56~~7~~ , ~~and 92~~ , 310, 337 and 338
2. Notified in the *Commonwealth of Australia Gazette* on ~~7~~ 2000. 14 December