

## EXPLANATORY STATEMENT

Issued by the Authority of the Managing Director  
of the Australian Fisheries Management Authority

*Fisheries Management Act 1991*  
*Southern and Eastern Scalefish and Shark Fishery Management Plan 2003*

### SESSF Determinations No. 01

Subsection 17(6) of the *Fisheries Management Act 1991* (the Management Act) provides that a plan of management made under the Management Act may provide for the Australian Fisheries Management Authority (AFMA) to give particular determinations for the purposes of attaining the objectives of the plan of management.

Section 11 of the Plan provides that AFMA may determine a TAC for a period specified in the determination.

Section 12 of the Plan provides that, before AFMA determines a TAC for a quota species for a fishing year, it must consult and consider the views of, each relevant management advisory committee.

Section 92 of the *Fisheries Administration Act 1991* provides for AFMA to delegate its powers and functions to, among others, the Managing Director of AFMA. Subsection 17 (11) of the Management Act permits AFMA to delegate its powers to make determinations (among other things) only to the Managing Director. AFMA has delegated its power to make determinations to the Managing Director.

Historically, the Southern and Eastern Scalefish and Shark Fishery (SESSF) has been managed as four separate fisheries, the South East Trawl Fishery (SETF), the South East Non-trawl Fishery (SENTF), the Southern Shark Fishery (SSF) and the Great Australian Bight Trawl Fishery (GABTF). In 2002, the SENTF and the SSF were merged to form the Gillnet, Hook & Trap Fishery (GHATF).

The SESSF covers the area of waters from around 80nm off the coast near Fraser Island Queensland to Cape Leeuwin, Western Australia. The area of this fishery covers nearly half of the waters within the Australian Fishing Zone (AFZ) of mainland Australia and Tasmania. The SESSF has complex jurisdictional arrangements, because of different Offshore Constitutional Settlements (OCS) with all Australian States.

AFMA has brought all these fisheries together through the development of the *Southern and Eastern Scalefish and Shark Management Plan 2003* to best pursue the future direction for this fishery.

Under this new structure the fishery will be divided into a number of different sectors. These are the South East Trawl Sector, Great Australian Bight Trawl Sector, Scalefish Hook Sector, Shark Hook Sector and Gillnet Sector.

The SESSF is managed using a mixture of input and output controls. There is a limit on the number of boats that operate in each sector as well as limits on mesh size and the

amount of fishing gear that can be used. Individual Transferable Quota (ITQs) were introduced into the SETF in 1992 for 16 scalefish species. In the SENTF, ITQs were introduced for 3 key species in 1998, with the remaining SETF scalefish species in 2002. ITQs for school and gummy shark were introduced to SSF, SETF and GABTF in 2001, ITQs for elephant fish family and saw shark were introduced in 2002 to the SETF, SSF and GABTF. ITQs for all the shark species were introduced in the SENTF in 2003. For 2005, ITQs will be introduced into the SESSF for deepwater species. These will be smooth dory – Cascade Plateau, smooth dory – all of SESS except Cascade Plateau, oreos (mixed basket of warty, spiky, rough and black oreo), deepwater sharks (east and west sectors) and ribaldo cod.

SESSF Determination No. 01 determines the total allowable catch for quota species in the SESSF for the period 2005 fishing year.

AFMA consulted with SETMAC and GHATMAC prior to making the Determination and SETMAC, GABMAC and GHATMAC support the making of this Determination.

Details of the Determinations are set out below:

**Clause 1** provides for the Determination to be cited as 2005 SESSF TAC D1.

**Clause 2** provides for the commencement of the Determination.

**Clause 3** defines terms used in the Determination.

**Clause 4** sets out the period of application of this Determination and the determined amounts.

## **2005 SESSF TAC D1**