



Fisheries Management (International Agreements) Regulations 2009

Select Legislative Instrument No. 254, 2009 as amended

made under the

Fisheries Management Act 1991

Compilation start date: 9 August 2013

Includes amendments up to: SLI No. 204, 2013

Prepared by the Office of Parliamentary Counsel, Canberra

About this compilation

The compiled instrument

This is a compilation of the *Fisheries Management (International Agreements) Regulations 2009* as amended and in force on 9 August 2013. It includes any amendment affecting the compiled instrument to that date.

This compilation was prepared on 15 August 2013.

The notes at the end of this compilation (the *endnotes*) include information about amending Acts and instruments and the amendment history of each amended provision.

Uncommenced provisions and amendments

If a provision of the compiled instrument is affected by an uncommenced amendment, the text of the uncommenced amendment is set out in the endnotes.

Application, saving and transitional provisions for amendments

If the operation of an amendment is affected by an application, saving or transitional provision, the provision is identified in the endnotes.

Modifications

If a provision of the compiled instrument is affected by a textual modification that is in force, the text of the modifying provision is set out in the endnotes.

Provisions ceasing to have effect

If a provision of the compiled instrument has expired or otherwise ceased to have effect in accordance with a provision of the instrument, details of the provision are set out in the endnotes.

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Part 1—Preliminary

1.1 Name of Regulations

These Regulations are the *Fisheries Management (International Agreements) Regulations 2009*.

1.2 Commencement

These Regulations commence on the day after they are registered.

1.3 Interpretation

In these Regulations:

Act means the *Fisheries Management Act 1991*.

CCAMLR means the Commission for the Conservation of Antarctic Marine Living Resources.

CCSBT means the Commission for the Conservation of Southern Bluefin Tuna.

FAO Standard Specifications for the Marking and Identification of Fishing Vessels means the *Food and Agriculture Organization Standard Specifications for the Marking and Identification of Fishing Vessels*, as existing from time to time.

Note: The *FAO Standard Specifications for the Marking and Identification of Fishing Vessels* is located in Annex II of the *FAO Technical Guidelines for Responsible Fisheries No. 1*, available on the Internet at <http://www.fao.org>.

ICCAT means the International Commission for the Conservation of Atlantic Tunas.

IOTC means the Indian Ocean Tuna Commission.

Part 1 Preliminary

Regulation 1.3

WCPFC means the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean.

Part 2—International fisheries management measures

2.1 Prescribed measures

For the definition of *international fisheries management measure* in subsection 4(1) of the Act:

- (a) Schedule 1 prescribes measures to give effect to measures established by CCAMLR; and
- (b) Schedule 2 prescribes measures to give effect to measures established by IOTC; and
- (c) Schedule 3 prescribes measures to give effect to measures established by WCPFC; and
- (d) Schedule 3A prescribes measures to give effect to measures established by CCSBT.

2.2 Identification of CCAMLR measures

A Schedule 1 clause mentioned in an item of the following table gives effect to the CCAMLR measure mentioned in the item.

Item	Schedule 1 clause number	CCAMLR measure
1	2	CM 10-01 1998
2	3	CM 10-02 2011
3	4	CM 10-04 2011
4	5	CM 10-05 2009
5	6	CM 10-06 2008
6	7	CM 10-07 2009
7	8	CM 10-09 2011
8	9	CM 22-02 1984
9	10	CM 22-03 1990
10	11	CM 22-04 2010

Part 2 International fisheries management measures

Regulation 2.2

Item	Schedule 1 clause number	CCAMLR measure
11	12	CM 22-05 2008
12	13	CM 22-06 2010
13	13A	CM 22-07 2010
14	13B	CM 22-08 2009
14A	13BA	CM 22-09 2011
15	13C	CM 23-06 2010
16	14	CM 24-01 2011
17	15	CM 24-02 2008
18	16	CM 25-02 2009
19	17	CM 25-03 2011
20	18	CM 26-01 2009
21	19	CM 31-02 2007
22	20	CM 32-02 1998
23	21	CM 32-03 1998
24	22	CM 32-04 1986
25	23	CM 32-05 1986
26	24	CM 32-06 1985
27	25	CM 32-07 1999
28	26	CM 32-08 1997
29	27	CM 32-09 2010
30	28	CM 32-10 2002
31	29	CM 32-11 2002
32	30	CM 32-12 1998
33	31	CM 32-13 2003
34	32	CM 32-14 2003
35	33	CM 32-15 2003
36	34	CM 32-16 2003
37	35	CM 32-17 2003
38	36	CM 32-18 2006
39	37	CM 33-03 2010

Regulation 2.3

Item	Schedule 1 clause number	CCAMLR measure
40	37A	CM 41-01 2011
40A	37B	CM 41-02 2011
40B	37C	CM 41-03 2011
41	38	CM 41-04 2011
42	39	CM 41-05 2011
43	40	CM 41-06 2011
44	41	CM 41-07 2011
45	42	CM 41-09 2011
46	43	CM 41-10 2011
47	44	CM 41-11 2011
47A	44A	CM 42-01 2011
47B	44B	CM 42-02 2011
48	45	CM 51-01 2010
49	46	CM 51-02 2008
50	47	CM 51-03 2008
51	48	CM 51-04 2011
52	49	CM 51-06 2011
53	49A	CM 51-07 2011
55	53	CM 91-03 2009

2.3 Identification of IOTC measures

A Schedule 2 clause mentioned in an item of the following table gives effect to the IOTC measure mentioned in the item.

Item	Schedule 2 clause number	IOTC measure	Brief description
1	2	01/02	Control of fishing activities
2	3	05/05	Conservation of sharks
3	4	06/03	Vessel monitoring system
4	5	07/02	IOTC record of vessels

Regulation 2.4

Item	Schedule 2 clause number	IOTC measure	Brief description
5	5A	12/13	Conservation of tropical tuna stocks
7	7	12/05	Programs for transshipment
8	8	12/06	Incidental bycatch of seabirds
9	9	12/03	Recording of catch
10	10	11/03	IOTC illegal, unreported and unregulated fishing vessels list
11	11	11/04	Regional observer scheme
12	12	12/12	Prohibition of large-scale driftnets
13	13	12/04	Marine turtles
14	14	12/09	Conservation of thresher sharks

2.4 Identification of WCPFC measures

A Schedule 3 clause mentioned in an item of the following table gives effect to the WCPFC measure mentioned in the item.

Item	Schedule 3 clause number	WCPFC measure	Brief description
1	2	2009-01	Record of fishing vessels
2	3	2004-03	Identification of fishing vessels
3	4	2006-08	Boarding and inspection procedures
4	5	2007-01	Regional observer program
5	6	2011-02	Commission vessel monitoring system
6	7	2010-06	WCPFC illegal, unreported and unregulated vessels list
7	8	2007-04	Mitigation of impact on seabirds
8	9	2008-01	Bigeye and yellowfin tuna

Regulation 2.5

Item	Schedule 3 clause number	WCPFC measure	Brief description
9	10	2008-03	Sea turtles
10	11	2008-04	Prohibition of large-scale driftnets
11	12	2010-07	Sharks
12	13	2009-02	High seas Fish Aggregating Device closures
13	14	2009-05	Prohibition of fishing on data buoys
14	15	2009-06	Regulation of transshipment
15	16	2010-02	Conservation and Management Measure for the Eastern High-Seas Pocket Special Management Area

2.5 Identification of CCSBT measures

A Schedule 3A clause mentioned in an item of the following table gives effect to the CCSBT measure mentioned in the item.

Item	Schedule 3A clause number	CCSBT measure
1	2	Illegal, Unregulated and Unreported Fishing and Establishment of a CCSBT Record of Vessels over 24 metres Authorised to Fish for Southern Bluefin Tuna
2	3	Establishing the CCSBT Vessel Monitoring System
3	4	Establishing a Program for Transshipment by Large-Scale Fishing Vessels

Part 3—International fisheries management organisations

3.1 Prescribed arrangements

For the definition of *international fisheries management organisation* in subsection 4(1) of the Act, each arrangement mentioned in Schedule 4 is prescribed.

3.2 Prescribed organisations

For the definition of *international fisheries management organisation* in subsection 4(1) of the Act, each organisation mentioned in Schedule 5 is prescribed.

Schedule 1—Prescribed measures— Commission for the Conservation of Antarctic Marine Living Resources

(paragraph 2.1(a))

1 Definitions

1.1 In this Schedule:

CCAMLR Secretariat means the Secretariat of the Commission.

Commission means the Commission for the Conservation of Antarctic Marine Living Resources.

Convention Area means the waters defined in Article I(4) of the *Convention on the Conservation of Antarctic Marine Living Resources* done at Canberra on 20 May 1980 ([1982] ATS 9).

Note: The text of the Convention is available in the Australian Treaties Library, located on the Internet at <http://www.austlii.edu.au>.

CP-IUU vessel list means the *Contracting Party Illegal, Unregulated and Unreported vessel list* established by the Commission, as existing from time to time.

Note: The CP-IUU vessel list is available on the Internet at <http://www.ccamlr.org>.

fishing season, for a species in the Convention Area, means:

- (a) the period starting on 1 December in a year and ending on 30 November of the following year; or
- (b) another period that is specified for a species, including a period that is to end if a precautionary catch limit is reached.

IMO means the International Maritime Organization.

MARPOL 73/78 means the *Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships 1973 (MARPOL 73/78), as amended by Annexes I and II as adopted*, done at London on 15 October 2004 ([2007] ATS 19).

Note: The text of MARPOL 73/78 is available in the Australian Treaties Library, located on the Internet at <http://www.austlii.edu.au>.

NCP-IUU vessel list means the *Non-Contracting Party Illegal, Unregulated and Unreported vessel list* established by the Commission, as existing from time to time.

Note: The NCP-IUU vessel list is available on the Internet at <http://www.ccamlr.org>.

SSRU means small-scale research unit.

UTC means Coordinated Universal Time.

2 Marking of fishing vessels and fishing gear

- 2.1 A person using a boat in the Convention Area for fishing must:
- (a) mark the boat in such a way that it can be readily identified in accordance with internationally-recognised standards such as the FAO Standard Specifications for the Marking and Identification of Fishing Vessels; and
 - (b) mark all floating gear that is used or intended to be used with the letter or letters (if any) and the number or numbers (if any) of the boat to which the gear belongs.

Note: The FAO Standard Specifications for the Marking and Identification of Fishing Vessels is located in Annex II of the *FAO Technical Guidelines for Responsible Fisheries No. 1*, available on the Internet at <http://www.fao.org>.

3 Licensing and inspection obligations of Contracting Parties with regard to their flag vessels operating in the Convention Area

- 3.1 A person using a boat in the Convention Area for fishing must make the authorisation to fish issued under the law of the country of nationality of the boat available for inspection, on request, by an inspector designated by the Commission.
- 3.2 A person using a boat in the Convention Area for fishing must:
- (a) document, if possible, the following information about any fishing vessel sighted in the Convention Area:
 - (i) the name of the vessel;

- (ii) a description of the vessel;
 - (iii) the vessel call sign;
 - (iv) the registration number of the vessel;
 - (v) the Lloyds/IMO number of the vessel;
 - (vi) the flag State of the vessel;
 - (vii) photographs of the vessel;
 - (viii) any relevant information regarding the observed activities of the vessel; and
- (b) forward a report containing the information to the appropriate authority of the flag State of the boat.

4 Automated satellite linked Vessel Monitoring Systems (VMS)

- 4.1 A person using a boat in the Convention Area for fishing must:
- (a) have a satellite-linked vessel monitoring device that communicates:
 - (i) the boat's identification; and
 - (ii) the boat's current geographical position; and
 - (iii) the date and time expressed in UTC;to the fisheries monitoring centre of the Flag State of the boat at least once every 4 hours; and
 - (b) ensure that the vessel monitoring device is:
 - (i) located in a sealed unit; and
 - (ii) protected by official seals (or mechanisms) of a type that indicate whether the unit has been accessed or tampered with.
- 4.2 If a boat's satellite-linked vessel monitoring device cannot communicate the information as required in subclause 4.1 because the device has a technical fault, the person must communicate the information by another means to the fisheries monitoring centre of the Flag State of the boat at least once every 6 hours.
- 4.3 A person using a boat in the Convention Area for fishing must give at least 24 hours prior notice of entry, exit and movement between Statistical Subareas and Statistical Divisions of the Convention Area to:
- (a) the flag State of the boat; and

- (b) the CCAMLR Secretariat.

5 Catch Documentation Scheme for *Dissostichus* species

- 5.1 A person using a boat in the Convention Area for fishing must:
 - (a) complete accurately a DCD immediately after the completion of each transshipment of *Dissostichus* species; and
 - (b) ensure that the DCD is signed by the person to whom the catch is being transferred; and
 - (c) send a copy of the DCD by electronic means to the appropriate authority of the Flag State of the boat.

- 5.2 The DCD must include the following information:
 - (a) the name and address of the relevant issuing authority;
 - (b) the telephone number of the relevant issuing authority;
 - (c) the facsimile number of the relevant issuing authority;
 - (d) the name of the relevant vessel;
 - (e) the home port of the relevant vessel;
 - (f) the national registry number of the relevant vessel;
 - (g) the call sign of the relevant vessel;
 - (h) if issued—the IMO/Lloyd’s registration number of the relevant vessel;
 - (i) the reference number of the licence or permit that has been issued for the vessel;
 - (j) unless paragraph (k) or (l) applies, the weight of each *Dissostichus* species landed or transhipped by product type;
 - (k) if the *Dissostichus* species is caught in the Convention Area—the weight of each *Dissostichus* species landed or transhipped by CCAMLR statistical subarea or division in which the species was caught; or
 - (l) if the *Dissostichus* species is caught outside the Convention Area—the weight of each *Dissostichus* species landed or transhipped by the FAO statistical area, subarea or division in which the species was caught;
 - (m) the period in which the catch is taken;
 - (n) if the catch is landed:
 - (i) the date on which the catch is landed; and

- (ii) the port at which, the catch is landed;
- (o) if the catch is transhipped:
 - (i) the date of transhipment; and
 - (ii) the name of the vessel; and
 - (iii) the flag of the vessel; and
 - (iv) the national registry number of the vessel;
- (p) for each recipient of the catch:
 - (i) the name of the recipient; and
 - (ii) the address of the recipient; and
 - (iii) the telephone number of the recipient; and
 - (iv) the facsimile number of the recipient; and
 - (v) the amount of each species received by the recipient;
 - (vi) the amount of each product type received by the recipient.

5.3 In this clause:

DCD means a *Dissostichus* catch document.

transhipment:

- (a) means the transfer of catch in its harvested or processed form from a vessel to another vessel or means of transport and, where such transfer takes place within the territory under the control of a Port State, for the purpose of effecting its removal from the State; and
- (b) does not include the temporary placement of catch on land or on an artificial structure to facilitate such transfer where the catch is not landed.

6 Scheme to promote compliance by Contracting Party vessels with CCAMLR conservation measures

- 6.1 A person must not use a boat in the Convention Area for fishing if the boat is listed on the CP-IUU vessel list.
- 6.2 A person using a Contracting Party boat in the Convention Area for fishing must not participate in any transhipment or joint fishing operations supporting or resupplying a boat that is listed on:
 - (a) the CP-IUU vessel list; or

(b) the NCP-IUU vessel list.

7 Scheme to promote compliance by non-Contracting Party vessels with CCAMLR conservation measures

7.1 A person must not use a boat in the Convention Area for fishing if the boat is listed on the NCP-IUU vessel list.

7.2 A person using a non-Contracting Party boat in the Convention Area for fishing must not participate in any transshipment or joint fishing operations supporting or resupplying a boat that is listed on:

- (a) the CP-IUU vessel list; or
- (b) the NCP-IUU vessel list.

7.3 A person using a non-Contracting Party boat outside the Convention Area for fishing must not participate in a transshipment or a joint fishing operation supporting or resupplying a boat that is listed on the NCP-IUU vessel list.

8 Notification system for transshipments within the Convention Area

8.1 A person using a boat in the Convention Area for fishing must not tranship catch from a new and exploratory fishery, or a fishery specified in the following table unless the person:

- (a) has recorded in a bound or electronic logbook the information mentioned in subparagraphs 8.2(b)(i) to (xiv); and
- (b) no later than 72 hours before the intended transshipment, has notified the Flag State or the CCAMLR Secretariat of the information mentioned in subparagraphs 8.2(b)(i) to (xiv).

Item	Target species	Statistical Subarea/Division	Fishing gear
1	<i>Dissostichus eleginoides</i>	Subarea 48.3 Division 58.5.2	Longline Longline, pot, trawl
2	<i>Dissostichus</i> spp.	Subarea 48.4	Longline
3	<i>Champscephalus gunnari</i>	Subarea 48.3 Division 58.5.2	Trawl Trawl
4	Crab	Subarea 48.3	Pot

Item	Target species	Statistical Subarea/Division	Fishing gear
5	Krill (<i>Euphausia superba</i>)	Subareas 48.1, 48.2, 48.3, 48.4 Divisions 58.4.1, 58.4.2	Trawl, continuous fishing system, pumping to clear codend

- 8.2 Paragraph 8.1(b) does not apply to a person using a Contracting Party boat licensed under Conservation Measure 10-02 in the Convention Area if:
- (a) the boat is used for the transshipment of goods other than harvested marine living resources, bait or fuel; and
 - (b) no later than 2 hours before the transshipment, the person has given the Flag State or the CCAMLR Secretariat the following information:
 - (i) the boat's name;
 - (ii) the boat's registration number;
 - (iii) the boat's international radio call sign;
 - (iv) the Flag State of the boat;
 - (v) the type of boat;
 - (vi) the length of the boat;
 - (vii) the gross registered tonnage of the boat;
 - (viii) the carrying capacity of the boat;
 - (ix) the proposed time of the transshipment;
 - (x) the proposed location of the transshipment, expressed in latitude and longitude;
 - (xi) details of the type of the catch that is to be transhipped;
 - (xii) details of the amount of the catch that is to be transhipped;
 - (xiii) details of the type of any other goods that are to be transhipped (such as food stores and fuel);
 - (xiv) details of the amount of any other goods that are to be transhipped (such as food stores and fuel).

9 Mesh size

- 9.1 A person using a boat in the Convention Area for fishing for a species specified in the following table must not use a pelagic or bottom trawl having a mesh size that is less than the size specified in the table for the species other than for scientific research purposes that are carried out in accordance with CCAMLR Conservation Measure 24-01, as given effect by clause 14.

Item	For this species ...	the minimum mesh size is ...
1	<i>Notothenia rossii</i>	120 mm
2	<i>Dissostichus eleginoides</i>	120 mm
3	<i>Gobionotothen gibberifrons</i>	80 mm
4	<i>Notothenia kempfi</i>	80 mm
5	<i>Lepidonotothen squamifrons</i>	80 mm

- 9.2 A person using a boat in the Convention Area for fishing must not obstruct or diminish the size of the meshes other than for scientific research purposes that are carried out in accordance with CCAMLR Conservation Measure 24-01, as given effect by clause 14.

10 Mesh size for *Champscephalus gunnari*

- 10.1 A person using a boat in the Convention Area for fishing for *Champscephalus gunnari* must not use a pelagic or bottom trawl that has a mesh size less than 90mm other than for scientific research purposes that are carried out in accordance with CCAMLR Conservation Measure 24-01, as given effect by clause 14.
- 10.2 A person using a boat in the Convention Area for fishing for *Champscephalus gunnari* must not obstruct or diminish the size of the meshes other than for scientific research purposes that are carried out in accordance with CCAMLR Conservation Measure 24-01, as given effect by clause 14.

11 Interim prohibition of deep sea gillnetting

- 11.1 A person using a boat in the Convention Area for fishing must not use gillnets other than for scientific research purposes that are carried out in accordance with CCAMLR Conservation Measure 24-01, as given effect by clause 14.
- 11.2 A person using a boat in the Convention Area for fishing must not use gillnets for scientific research purposes in waters deeper than 100 metres unless:
- (a) the person has given advance notice to the CCAMLR Scientific Committee; and
 - (b) the Commission has agreed to the use.
- 11.3 A person transiting through the Convention Area must not be in possession of gillnets unless the person has given advance notice to the CCAMLR Scientific Committee, including the period during which the person expects to be in the Convention Area.

12 Restrictions on the use of bottom trawling gear in high seas areas of the Convention Area

- 12.1 A person using a boat in the Convention Area for fishing must not use bottom trawling gear in the high-seas areas of the Convention Area unless Conservation Measures allow the use of bottom trawling gear.
- 12.2 A person is not required to comply with subclause 12.1 if the fishing is conducted for scientific research purposes that are carried out in accordance with CCAMLR Conservation Measure 24-01, as given effect by clause 14.

13 Bottom fishing in the Convention Area

- 13.1 A person using a boat in the Convention Area must not engage in bottom fishing activities otherwise than in accordance with CCAMLR Conservation Measures 22-06 and 22-07.
- 13.2 In the absence of site-specific or other conservation measures to prevent significant adverse impact on vulnerable marine

ecosystems, a person using a boat in the Convention Area for fishing must:

- (a) cease bottom fishing activities in any location in which the person encounters evidence of a vulnerable marine ecosystem in the course of fishing operations; and
- (b) report the encounter to the person's flag State.

13.3 A person using a boat in the Convention Area for bottom fishing activities must ensure that there is at least 1 CCAMLR-designated scientific observer on the boat to collect data.

13.4 This clause applies to:

- (a) all areas in the Convention Area south of 60° S; and
- (aa) the area of Statistical Division 58.4.1 north of 60° S; and
- (b) any other area in the Convention Area other than an area mentioned in subclause 13.5.

13.5 This clause does not apply to any Statistical Subarea or Statistical Division of the Convention Area in which an established fishery:

- (a) was in place in the 2006/07 fishing season; and
- (b) had a catch limit greater than zero.

13.6 In this clause:

bottom fishing activities includes the use of any gear that interacts with the bottom of the sea.

vulnerable marine ecosystem includes seamounts, hydrothermal vents, cold water corals and sponge fields.

13A Interim measure for bottom fishing activities subject to CCAMLR Conservation Measure 22-06 encountering potential vulnerable marine ecosystems in the Convention Area

13A.1 A person using a boat for bottom fishing activities in the Convention Area must use a line segment or a pot line to carry out the activities.

13A.2 If a VME indicator organism is retrieved on a line segment in the Convention Area, the person must:

- (a) record details about the organism; and
- (b) remove the deployed line segment; and
- (c) cease fishing; and
- (d) give the CCAMLR Secretariat and the boat's Flag State the following information:
 - (i) if 10 or more VME indicator units are recovered on a single line segment—details about the recovery of 3 VME indicator units;
 - (ii) the location of the midpoint of the line segment;
 - (iii) the number of VME indicator units recovered.

13A.3 If the person receives written notice from the CCAMLR Secretariat that the Convention Area is a risk area, the person must cease fishing.

13A.4 In this clause:

line segment means:

- (a) for a longline—the shorter length of longline marked at either of the following:
 - (i) each 1 000 metre hook section of longline;
 - (ii) each 1 200 metre section of longline; or
- (b) for a potline—the length of longline marked at each 1 200 metre section.

risk area means an area:

- (a) in which 10 or more VME indicator units are recovered on a single line segment; and
- (b) which has a radius of 1 nautical mile from the midpoint of the line segment on which the VME units mentioned in paragraph (a) were recovered.

VME indicator organism means any benthic organism listed in the CCAMLR VME Taxa Classification Guide.

Note: The CCAMLR VME Taxa Classification Guide is available on the internet at www.ccamlr.org/put/E/sc/obs/VME-guide.pdf.

VME indicator unit means:

- (a) 1 litre of VME indicator organisms that are able to be placed in a 10 litre container; or
- (b) 1 kilogram of VME indicator organisms that are not able to be placed in a 10 litre container.

13B Prohibition on fishing for *Dissostichus* species in depths shallower than 550m in exploratory fisheries

- 13B.1 This clause applies to a person using a boat in the Convention Area for fishing in exploratory fisheries for *Dissostichus* species.
- 13B.2 The person must not fish in water shallower than 550 metres, other than for scientific research purposes that are carried out in accordance with CCAMLR Conservation Measure 24-01, as given effect by clause 14.

13BA Protection of registered vulnerable marine ecosystems in subareas, divisions, small-scale research units, or management areas open to bottom fishing

- 13BA.1 A person must not engage in bottom fishing activities other than for scientific research activities agreed upon by the Commission, and in accordance with CCAMLR Conservation Measures 22-06 and 24-01 in any registered vulnerable marine ecosystems.

Note: CCAMLR Conservation Measure 22-06 is given effect to by clause 13 and CCAMLR Conservation Measure 24-01 is given effect to by clause 14.

13C Data reporting system for *Euphausia superba* fisheries

- 13C.1 A person using a boat to fish for *Euphausia superba* in the Convention Area must email the Secretariat of an entry, exit or movement between Statistical Subareas and Statistical Divisions of the Convention Area no more than 24 hours after the entry, exit or movement.

14 The application of conservation measures to scientific research

- 14.1 A person using a boat in the Convention Area for fishing must not use the boat for scientific research purposes unless the fishing is in accordance with CCAMLR Conservation Measure 24-01.
- 14.2 A person using a boat in the Convention Area for scientific research purposes, must:
- (a) during a voyage that involves any commercial fishing—ensure that the boat is linked to an automated satellite linked vessel monitoring system in accordance with CCAMLR Conservation Measure 10-04, as given effect by clause 4; and
 - (b) during a voyage involving the taking of more than 50 tonnes of finfish or more than the amounts specified for finfish taxa in Annex 24-01/B or more than 0.1% of a given catch limit for non-fish taxa indicated in Annex 24-01/B—ensure that at least 2 scientific observers are on board throughout all fishing activities, and that at least one of them is appointed in accordance with the CCAMLR Scheme of International Scientific Observation.

15 Longline weighting for seabird conservation

- 15.1 A person using a boat for longline fishing during between sunrise and sunset in:
- (a) any of Statistical Subareas 48.4, 48.6, 88.1 or 88.2 of the Convention Area; or
 - (b) any of Statistical Divisions 58.4.1, 58.4.2, 58.4.3a, 58.4.3b or 58.5.2 in the Convention Area;
- must conduct a longline sink rate test under observation by a scientific observer.
- 15.2 The longline sink rate test must be conducted in accordance with 1 of the following requirements:
- (a) Protocol A for vessels monitoring longline sink rate with Time-Depth Recorders (TDRs), set out in the Conservation Measure, and using longlines to which weights are manually attached;

- (b) Protocol B for vessels monitoring longline sink rate with bottle tests, set out in the Conservation Measure, and using longlines to which weights are manually attached;
- (c) Protocol C for vessel monitoring longline sink rate with either TDR or bottle tests, set out in the Conservation Measure, and using internally weighted longlines with integrated weight of at least 50 g/m that are designed to sink instantly and that have a linear profile at greater than 0.2 m/s with no external weights attached.

16 Minimisation of the incidental mortality of seabirds in the course of longline fishing or longline fishing research in the Convention Area

- 16.1 A person using a boat in the Convention Area for fishing must ensure that the fishing operations of the boat are conducted in a way that all procedural measures set out in the Conservation Measure are taken to ensure that hooklines sink beyond the reach of seabirds as soon as possible after they are put in the water.
- 16.2 If the person uses an autoline system, the person must:
- (a) add weights to the hookline while deploying a longline; or
 - (b) use integrated weight hooklines while deploying a longline.
- 16.3 If the person uses the Spanish method of longline fishing:
- (a) the person must use:
 - (i) traditional weights made of rocks or concrete of at least 8.5 kg mass, spaced at intervals of no more than 40 m; or
 - (ii) traditional weights made of rocks or concrete of at least 6 kg, spaced at intervals of no more than 20 m; or
 - (iii) solid steel weights, not made from chain links, of at least 5 kg mass, spaced at intervals of no more than 40 m; and
 - (b) the person must release the weights before line tension occurs.

- 16.4 If the person uses the trotline system exclusively (not alternating between trotlines and the Spanish method of longline fishing within the same longline), the person must use:
- (a) traditional weights made of rocks or concrete of at least 6 kg mass, but only at the distal end of the droppers in the trotline; or
 - (b) solid steel weights of at least 5 kg mass, but only at the distal end of the droppers in the trotline.
- 16.5 If the person alternates between using trotlines and the Spanish method of longline fishing within the same longline:
- (a) for the Spanish method of longline fishing, the person must comply with subclause 16.3; and
 - (b) for the trotline method, the person must use:
 - (i) traditional weights made of rocks or concrete of at least 8.5 kg mass; or
 - (ii) solid steel weights of at least 5 kg mass; that are attached on the hook-end of all droppers in the trotline at no more than 80 m intervals.
- 16.6 A person using a boat in the Convention Area for fishing must set longlines only at night, during the hours of darkness between the times of nautical twilight, unless:
- (a) the person is conducting a longline sink rate test in
 - (i) any of Statistical Subareas 48.4, 48.6, 88.1 or 88.2 of the Convention Area; or
 - (ii) any of Statistical Divisions 58.4.1, 58.4.2, 58.4.3a, 58.4.3b or 58.5.2 in the Convention Area; and
 - (b) the person complies with clause 15.
- 16.7 A person using a boat in the Convention Area for longline fishing at night must use only the minimum lights of the boat that are necessary for safety.
- 16.8 A person using a boat in the Convention Area for fishing:
- (a) must not dump offal while longlines are being set; and
 - (b) must deploy a streamer line during longline setting; and
 - (c) must have the boat equipped to discharge offal only on the opposite side of the boat to where longlines have been set.
-

17 Minimisation of the incidental mortality of seabirds and marine mammals in the course of trawl fishing in the Convention Area

- 17.1 A person using a boat in the Convention Area for trawl fishing:
- (a) must not use a net monitor cable in the Convention Area; and
 - (b) must not discharge offal during the shooting and hauling of trawl gear.

18 General environmental protection during fishing

- 18.1 A person using a boat in the Convention Area for fishing must not use a plastic packaging band to secure a bait box.
- 18.2 A person using a boat in the Convention Area for fishing that does not have an on-board incinerator that is a closed system must not use a plastic packaging band for any purpose.
- 18.3 A person using a boat in the Convention Area for fishing that has an on-board incinerator that is a closed system:
- (a) must cut a plastic packaging band that has been removed from a package into strips not more than 30cm long; and
 - (b) must burn the strips in the on-board incinerator as soon as possible; and
 - (c) must store any plastic residue on the boat until it reaches port; and
 - (d) must not discard plastic residue at sea.
- 18.4 A person using a boat in the Convention Area for fishing south of 60° S:
- (a) must not dump or discharge:
 - (i) oil or fuel products; or
 - (ii) oily residues;into the sea unless it is permitted under Annex I of MARPOL 73/78; and
 - (b) must not dump or discharge food wastes that are not capable of passing through a screen with openings no greater than 25 mm; and
 - (c) must not dump or discharge sewage:

- (i) within 12 nautical miles of land or an ice shelf; or
 - (ii) while the boat is travelling at a speed of less than 4 knots; and
 - (d) must not dump or discharge:
 - (i) garbage; or
 - (ii) poultry or poultry parts (including egg shells); or
 - (iii) offal; or
 - (iv) incineration ash; or
 - (v) discard.
- 18.5 A person using a boat in the Convention Area for fishing south of 60° S:
- (a) must not bring live poultry or other living birds into the area; and
 - (b) must remove from the area any dressed poultry that has not been consumed.
- 18.6 A person using a boat in the Convention Area for fishing south of 60° S may return fish or any other benthic organism to the sea if it is:
- (a) alive; and
 - (b) likely to survive if returned to the sea.
- 18.7 In this clause:
- discard** means a fish or other benthic organism that is:
- (a) dead; or
 - (b) alive, but unlikely to survive if returned to the sea.

19 General measure for the closure of all fisheries

- 19.1 If the CCAMLR Secretariat notifies a person using a boat in the Convention Area for fishing of the closure of a fishery, the person must:
- (a) ensure that all fishing gear is removed from the water by the date and time of closure notified by the CCAMLR Secretariat; and
 - (b) either:

- (i) ensure that no new longlines are set within 24 hours before the date and time of closure notified by the CCAMLR Secretariat; or
- (ii) if the person is notified less than 24 hours before the date and time of closure—ensure that no new longlines are set after the person is notified.

- 19.2 If it is likely that the person will be unable to remove all of the fishing gear from the water before the date and time of closure because of:
- (a) the safety of the boat and crew; or
 - (b) limitations which may arise from adverse weather conditions; or
 - (c) sea-ice cover; or
 - (d) the need to protect the Antarctic marine environment;
- the person must notify the Flag State of the boat and remove all fishing gear from the water as soon as possible.

20 Prohibition of directed fishing for finfish in Statistical Subarea 48.1

- 20.1 A person using a boat in the Convention Area for fishing must not fish for finfish in Statistical Subarea 48.1 other than for scientific research purposes that are carried out in accordance with CCAMLR Conservation Measure 24-01, as given effect by clause 14.

21 Prohibition of directed fishing for finfish in Statistical Subarea 48.2

- 21.1 A person using a boat in the Convention Area for fishing must not fish for finfish in Statistical Subarea 48.2 other than for scientific research purposes that are carried out in accordance with CCAMLR Conservation Measure 24-01, as given effect by clause 14.

22 Prohibition of directed fishery for *Notothenia rossii* in the Peninsula area (Statistical Subarea 48.1)

- 22.1 A person using a boat in the Convention Area for fishing must not undertake directed fishing for *Notothenia rossii* in the Peninsula area (Statistical Subarea 48.1).

23 Prohibition of directed fishery for *Notothenia rossii* around South Orkneys (Statistical Subarea 48.2)

- 23.1 A person using a boat in the Convention Area for fishing must not undertake directed fishing for *Notothenia rossii* around the South Orkneys (Statistical Subarea 48.2).

24 Prohibition of directed fishery for *Notothenia rossii* around South Georgia (Statistical Subarea 48.3)

- 24.1 A person using a boat in the Convention Area for fishing must not undertake directed fishing for *Notothenia rossii* around South Georgia (Statistical Subarea 48.3).

25 Prohibition of directed fishery for *Gobionotothen gibberifrons*, *Chaenocephalus aceratus*, *Pseudochaenichthys georgianus*, *Lepidonotothen squamifrons* and *Patagonotothen guntheri* in Statistical Subarea 48.3

- 25.1 A person using a boat in the Convention Area for fishing must not undertake directed fishing for any of the following species:
- (a) *Gobionotothen gibberifrons*;
 - (b) *Chaenocephalus aceratus*;
 - (c) *Pseudochaenichthys georgianus*;
 - (d) *Lepidonotothen squamifrons*;
 - (e) *Patagonotothen guntheri*;
- in Statistical Subarea 48.3.

26 Prohibition of directed fishing for *Lepidonotothen squamifrons* in Statistical Division 58.4.4 (Ob and Lena Banks)

- 26.1 A person using a boat in the Convention Area for fishing must not undertake directed fishing for *Lepidonotothen squamifrons* in Statistical Division 58.4.4 (Ob and Lena Banks) other than for scientific research purposes that are carried out in accordance with CCAMLR Conservation Measure 24-01, as given effect by clause 14.

27 Prohibition of directed fishing for *Dissostichus* species except in accordance with specific conservation measures

- 27.1 A person using a boat in the Convention Area for fishing must not undertake directed fishing for *Dissostichus* species in Statistical Subarea 48.5.

28 Prohibition of directed fishing for *Dissostichus* species in Statistical Division 58.4.4 outside areas of national jurisdiction

- 28.1 A person using a boat in the Convention Area for fishing must not undertake directed fishing for *Dissostichus* species in Statistical Division 58.4.4 outside areas of national jurisdiction other than for scientific research purposes that are carried out in accordance with CCAMLR Conservation Measure 24-01, as given effect by clause 14.

29 Prohibition of directed fishing for *Dissostichus eleginoides* in Statistical Subarea 58.6

- 29.1 A person using a boat in the Convention Area for fishing must not undertake directed fishing for *Dissostichus eleginoides* in Statistical Subarea 58.6 other than for scientific research purposes that are carried out in accordance with CCAMLR Conservation Measure 24-01, as given effect by clause 14.

**30 Prohibition of directed fishing for *Dissostichus eleginoides* in
Statistical Subarea 58.7**

- 30.1 A person using a boat in the Convention Area for fishing must not undertake directed fishing for *Dissostichus eleginoides* in Statistical Subarea 58.7 other than for scientific research purposes that are carried out in accordance with CCAMLR Conservation Measure 24-01, as given effect by clause 14.

**31 Prohibition of directed fishing for *Dissostichus eleginoides* in
Statistical Division 58.5.1 outside areas of national
jurisdiction**

- 31.1 A person using a boat in the Convention Area for fishing must not undertake directed fishing for *Dissostichus eleginoides* in Statistical Division 58.5.1 outside areas of national jurisdiction other than for scientific research purposes that are carried out in accordance with CCAMLR Conservation Measure 24-01, as given effect by clause 14.

**32 Prohibition of directed fishing for *Dissostichus eleginoides* in
Statistical Division 58.5.2 east of 79° 20' E and outside the
exclusive economic zone to the west of 79° 20' E**

- 32.1 A person using a boat in the Convention Area for fishing must not undertake directed fishing for *Dissostichus eleginoides* in Statistical Division 58.5.2 to the east of 79° 20' E and outside the exclusive economic zone to the west of 79° 20' E other than for scientific research purposes that are carried out in accordance with CCAMLR Conservation Measure 24-01, as given effect by clause 14.

**33 Prohibition of directed fishing for *Dissostichus* species in
Statistical Subarea 88.2 north of 65° S**

- 33.1 A person using a boat in the Convention Area for fishing must not undertake directed fishing for *Dissostichus* species in Statistical Subarea 88.2 to the north of 65° S other than for scientific research purposes that are carried out in accordance with CCAMLR Conservation Measure 24-01, as given effect by clause 14.

34 Prohibition of directed fishing for *Dissostichus* species in Statistical Subarea 88.3

- 34.1 A person using a boat in the Convention Area for fishing must not undertake directed fishing for *Dissostichus* species in Statistical Subarea 88.3 other than for scientific research purposes that are carried out in accordance with CCAMLR Conservation Measure 24-01, as given effect by clause 14.

35 Prohibition of directed fishing for *Electrona carlsbergi* in Statistical Subarea 48.3

- 35.1 A person using a boat in the Convention Area for fishing must not undertake directed fishing for *Electrona carlsbergi* in Statistical Subarea 48.3 other than for scientific research purposes that are carried out in accordance with CCAMLR Conservation Measure 24-01, as given effect by clause 14.

36 Conservation of sharks

- 36.1 A person using a boat in the Convention Area for fishing:
- (a) must not undertake directed fishing for shark species in the Convention Area unless the fishing is permitted in accordance with a permit allowing catch of shark for scientific research purposes; and
 - (b) must release any by-catch of shark alive if this is possible.

37 Limitation of by-catch in new and exploratory fisheries

- 37.1 A person using a boat in the Convention Area for fishing must, if possible, release skates and rays alive from the line by:
- (a) cutting snoods; and
 - (b) if practical, removing the hooks;
- unless a scientific observer asks the person not to do so.
- 37.2 If the by-catch of a species is equal to or greater than 1 tonne in any one haul or set, the person must:
- (a) move the boat to another location that is at least 5 nautical miles from that location; and

- (b) ensure that the boat does not return to any point within 5 nautical miles of the location where the by-catch exceeded 1 tonne for a period of at least 5 days (treating the location where the by-catch exceeded 1 tonne as the path followed by the boat while taking the catch).

- 37.3 If the catch of *Macrourus* species taken by a single boat in any 2 10-day periods in a single SSRU exceeds:
- (a) 1 500 kg in each of the 10-day periods; and
 - (b) 16 % of the catch of *Dissostichus* species by the boat in the SSRU in those periods;
- the person must not use the boat to fish in the SSRU for the remainder of the fishing season.

37A General measures for exploratory fisheries for *Dissostichus* species in the Convention Area

- 37A.1 A person using a boat in the Convention Area for exploratory fishing for *Dissostichus* species during a fishing season must:
- (a) meet the requirements of the Five-day Catch and Effort Reporting System set out in CCAMLR Conservation Measure 23-01; and
 - (b) record and report the total number and weight of *Dissostichus eleginoides* and *Dissostichus mawsoni* discarded during the fishing season, including fish with the condition known as ‘jellymeat’; and
 - (c) have one scientific observer, appointed in accordance with the CCAMLR Scheme of International Scientific Observation, on board the boat during the fishing season; and
 - (d) ensure that sufficient samples are made available to the scientific observer to enable collection of all data required by the CCAMLR Scientific Observers Manual for finfish fisheries.
- 37A.2 The person must not fish for the species if the CCAMLR Secretariat has announced that the catch limit for the species has been reached.

37A.3 In this clause, the Five-day Catch and Effort Reporting System set out in CCAMLR Conservation Measure 23-01 is taken to apply to the person.

37A.4 This clause applies, subject to any exemptions granted in relation to a fishery by the Commission.

37B Limits on the fishery for *Dissostichus eleginoides* in Statistical Subarea 48.3

37B.1 A person who uses a boat to engage in fishing for *Dissostichus eleginoides* in Statistical Subarea 48.3 may use longlines and pots only.

37B.2 This clause applies to the portion of Statistical Subarea 48.3 that:

- (a) lies within the area bounded by latitudes 52° 30' S and 56° 0' S and by longitudes 33° 30' W and 48° 0' W; and
- (b) lies outside areas of national jurisdiction.

37B.3 A person using a boat in Statistical Subarea 48.3 for fishing must not fish for *Dissostichus eleginoides* in a fishing season if the catch limit as set out in CCAMLR Conservation Measure 41-02 is zero or has been reached.

37B.4 The fishing season for the longline fishery for *Dissostichus eleginoides* in Statistical Subarea 48.3:

- (a) is the period starting on 1 May in a year and ending on the earlier of:
 - (i) 31 August in that year; and
 - (ii) the time the catch limit is reached; but
- (b) may be extended, in accordance with CCAMLR Conservation Measure 41-02, for a boat which has demonstrated full compliance with CCAMLR Conservation Measure 25-02 in the previous season.

37B.5 The fishing season for the pot fishery for *Dissostichus eleginoides* in Statistical Subarea 48.3 is the period starting on 1 December in a year and ending on the earlier of:

- (a) 30 November in the following year; and
- (b) the time the catch limit is reached.

37B.6 Any by-catch of crabs must, as far as possible, be released alive.

37C Limits on the fishery for *Dissostichus* species in Statistical Subarea 48.4

A person must not engage in fishing for *Dissostichus* species in Statistical Subarea 48.4 outside areas of national jurisdiction.

38 Limits on the exploratory fishery for *Dissostichus* species in Statistical Subarea 48.6

38.1 A person using a boat in the Convention Area for fishing must not fish for *Dissostichus* species in Statistical Subarea 48.6 unless the person is fishing in the exploratory longline fishery in a flagged boat of a country permitted to do so in accordance with CCAMLR Conservation Measure 41-04 as given effect by this clause.

38.2 The person must not:

- (a) discharge offal in the Convention Area; or
- (b) fish in Statistical Subarea 48.6 if another flagged boat of the same country as the boat the person is using is engaged in fishing in the Subarea.

38.3 The person using a boat in Statistical Subarea 48.6 for fishing must not fish for *Dissostichus* species in an area that lies:

- (a) north of latitude 60° S; or
- (b) south of latitude 60° S;

in a fishing season if the precautionary catch limit applied to that area, as specified within CCAMLR Conservation Measure 41-04, has been reached.

38.4 The person must ensure that:

- (a) toothfish caught in Statistical Subarea 48.6 in a fishing season are tagged at a rate of at least 5 fish per tonne green weight caught; and
- (b) at least 2 scientific observers are on board throughout all fishing activities, and at least one of the observers is appointed in accordance with the CCAMLR Scheme of International Scientific Observations.

- 38.5 The person must ensure that night setting occurs in accordance with CCAMLR Conservation Measure 25-02 if a total of 3 seabirds are caught in the fishing season.

39 Limits on the exploratory fishery for *Dissostichus* species in Statistical Division 58.4.2

- 39.1 A person using a boat in the Convention Area for fishing must not fish for *Dissostichus* species in Statistical Division 58.4.2 unless the person is fishing in the exploratory longline fishery in a flagged boat of a country permitted to do so in accordance with CCAMLR Conservation Measure 41-05, as given effect by this clause.
- 39.2 The person must ensure that:
- (a) toothfish caught in Statistical Division 58.4.2 in a fishing season are tagged at a rate of at least 5 fish per tonne green weight caught; and
 - (c) at least 2 scientific observers are on board throughout all fishing activities, and that at least 1 of them is appointed in accordance with the CCAMLR Scheme of International Scientific Observation; and
 - (d) night setting occurs in accordance with Conservation Measure 25-02 if a total of 3 seabirds are caught in the fishing season.
- 39.3 The person must not fish for *Dissostichus* species within a SSRU in Statistical Division 58.4.2 in a fishing season if the precautionary catch limit applied to the SSRU, as specified in CCAMLR Conservation Measure 41-05, has been reached.

40 Limits on the exploratory fishery for *Dissostichus* species on Elan Bank (Statistical Division 58.4.3a) outside areas of national jurisdiction

- 40.1 A person using a boat in the Convention Area for fishing must not fish for *Dissostichus* species on Elan Bank (Statistical Division 58.4.3a) outside areas of national jurisdiction unless the person is fishing in the exploratory longline fishery in a flagged boat of a country permitted to do so in accordance with CCAMLR Conservation Measure 41-06, as given effect by this clause.

- 40.2 The person must not fish for *Dissostichus* species on Elan Bank (Statistical Division 58.4.3a) outside areas of national jurisdiction in a fishing season if the precautionary catch limit applied to Statistical Division 58.4.3a, as specified in CCAMLR Conservation Measure 41-06, has been reached.
- 40.3 The person must ensure that:
- (a) toothfish caught by the person on Elan Bank (Statistical Division 58.4.3a) outside areas of national jurisdiction in a fishing season are tagged at a rate of at least 5 fish per tonne green weight caught; and
 - (c) at least one scientific observer, appointed in accordance with the CCAMLR Scheme of International Scientific Observation, is on board during all fishing activities.
- 40.3A The person must not fish for *Dissostichus* species on Elan Bank (Statistical Division 58.4.3a) outside areas of national jurisdiction if 3 seabirds are caught during the period between the end of a fishing season and the beginning of the next fishing season.
- 40.4 In this clause, a fishing season is taken to start on 1 May of a year and to end on 31 August of that year.

41 Limits on the exploratory fishery for *Dissostichus* species on BANZARE Bank (Statistical Division 58.4.3b) outside areas of national jurisdiction

- 41.1 A person using a boat in the Convention Area for fishing must not fish for *Dissostichus* species on BANZARE Bank (Statistical Division 58.4.3b) outside areas of national jurisdiction in a fishing season unless the person is fishing in the exploratory longline fishery in a flagged boat of a country permitted to do so in accordance with CCAMLR Conservation Measure 41-07, as given effect by this clause.
- 41.3 The person must ensure that:
- (a) toothfish caught by the person on BANZARE Bank (Statistical Division 58.4.3b) outside areas of national jurisdiction in a fishing season are tagged at a rate of at least 5 fish per tonne green weight caught; and

- (c) at least 1 scientific observer, appointed in accordance with the CCAMLR Scheme of International Scientific Observation, is on board the boat during all fishing activities.
- 41.4 The person using a boat in Statistical Division 58.4.3b for fishing must not fish for *Dissostichus* species within a SSRU in Statistical Division 58.4.3b in a fishing season if the precautionary catch limit applied to that SSRU, as specified in CCAMLR Conservation Measure 41-07, has been reached.
- 41.5 The person must not fish for *Dissostichus* species on BANZARE Bank (Statistical Division 58.4.3b) outside areas of national jurisdiction if 3 seabirds are caught during the period between the end of a fishing season and the commencement of the next fishing season.
- 41.6 In this clause, a fishing season is taken to start on 1 May of a year and to end on 31 August of that year.

42 Limits on the exploratory fishery for *Dissostichus* species in Statistical Subarea 88.1

- 42.1 A person using a boat in the Convention Area for fishing must not fish for *Dissostichus* species in Statistical Subarea 88.1 in a fishing season unless the person is conducting the exploratory longline fishery in a flagged boat of a country permitted to do so in accordance with CCAMLR Conservation Measure 41-09, as given effect by this clause.
- 42.2 The person must ensure that:
 - (a) toothfish caught in each SSRU within Statistical Subarea 88.1 are tagged at a rate of at least one fish per tonne green weight caught; and
 - (c) at least 2 scientific observers are on board throughout all fishing activities, and that at least one of them is appointed in accordance with the CCAMLR Scheme of International Scientific Observation; and
 - (d) night setting occurs in accordance with Conservation Measure 25-02 if a total of 3 seabirds are caught in the fishing season; and

- (e) the person does not fish for *Dissostichus* species within 10 nautical miles of the Balleny Islands.
- 42.3 A person using a boat in Statistical Subarea 88.1 for fishing must not fish for *Dissostichus* species within a SSRU in Statistical Subarea 88.1 in a fishing season if the precautionary catch limit applied to that SSRU, as specified in CCAMLR Conservation Measure 41-09, has been reached.
- 42.4 The person must:
- (a) meet the requirements of the Five-day Catch and Effort Reporting System set out in CCAMLR Conservation Measure 23-01; and
 - (b) meet the requirements of the Monthly Fine-Scale Catch and Effort Reporting System set out in CCAMLR Conservation Measure 23-04; and
 - (c) meet the requirements of the Daily Catch and Effort Reporting System set out in CCAMLR Conservation Measure 23-07; and
 - (d) submit fine-scale data on a haul-by-haul basis.
- 42.4A The person using a boat in Statistical Subarea 88.1 for fishing must not fish for *Dissostichus* species in a fishing season if the precautionary catch limit for by-catch of skates and rays, and of *Macrourus* species, in Statistical Subarea 88.1, as specified in CCAMLR Conservation Measure 41-09, has been reached.
- 42.4B The person using a boat in Statistical Subarea 88.1 for fishing must not fish for a *Dissostichus* species in a SSRU in a fishing season if the individual by-catch limit for that species in the SSRU, or group of SSRUs, specified in CCAMLR Conservation Measure 41-09, is zero, or has been reached by the person.
- 42.5 In this clause:
- (a) a fishing season is taken to start on 1 December of a year and to end on 31 August of the following year; and
 - (b) the Five-day Catch and Effort Reporting System set out in CCAMLR Conservation Measure 23-01 is taken to apply to the person; and
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- (c) the Monthly Fine-scale Catch and Effort Reporting System set out in CCAMLR Conservation Measure 23-04 is taken to apply to the person; and
- (d) the Daily Catch and Effort Reporting System set out in Conservation Measure 23-07 is taken to apply to the person.

43 Limits on the exploratory fishery for *Dissostichus* species in Statistical Subarea 88.2

- 43.1 A person using a boat in the Convention Area for fishing must not fish for *Dissostichus* species in Statistical Subarea 88.2 in a fishing season unless the person is fishing in the exploratory longline fishery in a flagged boat of a country permitted to do so in accordance with CCAMLR Conservation Measure 41-10, as given effect by this clause.
- 43.2 The person must not fish for *Dissostichus* species within a SSRU in Statistical Subarea 88.2 in a fishing season if the precautionary catch limit applied to that SSRU, as specified in CCAMLR Conservation Measure 41-10, has been reached.
- 43.3 The person must ensure that:
- (a) toothfish caught in Statistical Subarea 88.2 are tagged at a rate of at least 1 fish per tonne green weight caught in each SSRU mentioned in CCAMLR Conservation Measure 41-10; and
 - (c) if a total of 3 seabirds is caught in a fishing season—night setting is carried out in accordance with CCAMLR Conservation Measure 25-02; and
 - (d) at least 2 scientific observers are on board during all fishing activities; and
 - (e) at least one of the scientific observers has been appointed in accordance with the CCAMLR Scheme of International Scientific Observation.
- 43.4 The person must ensure that the person's total by-catch of skates, rays and *Macrourus* species in Statistical Subarea 88.2 in a fishing season does not exceed a precautionary catch limit of 50 tonnes of skates and rays and 84 tonnes of *Macrourus* species, with limits for the SSRUs as follows:
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- (a) 0 tonnes of any species in SSRU A;
- (b) 0 tonnes of any species in SSRU B;
- (c) 50 tonnes of skates and rays, 20 tonnes of *Macrourus* species and 100 tonnes of other species in each of SSRUs C, D, E, F and G;
- (d) 50 tonnes of skates and rays, 64 tonnes of *Macrourus* species and 20 tonnes of other species in SSRU H;
- (e) 0 tonnes of any species in SSRU I.

43.5 In this clause, a fishing season is taken to start on 1 December of a year and to end on 31 August of the following year.

44 Limits on the exploratory fishery for *Dissostichus* species in Statistical Division 58.4.1

44.1 A person using a boat in the Convention Area for fishing must not fish for *Dissostichus* species in Statistical Division 58.4.1 in a fishing season unless the person is fishing in the exploratory longline fishery in a flagged boat of a country permitted to do so in accordance with CCAMLR Conservation Measure 41-11, as given effect by this clause.

44.2 The person must not fish for *Dissostichus* species within a SSRU in Statistical Division 58.4.1 in a fishing season if the precautionary catch limit applied to the SSRU, as specified in CCAMLR Conservation Measure 41-11, has been reached.

44.3 The person must ensure that:

- (a) toothfish caught in Statistical Subarea 58.4.1 are tagged at a rate of at least 5 fish per tonne green weight caught in each SSRU mentioned in CCAMLR Conservation Measure 41-11; and
- (b) if a total of 3 seabirds are caught in a fishing season—night setting is carried out in accordance with CCAMLR Conservation Measure 25-02; and
- (c) at least 2 scientific observers are on board during all fishing activities; and

- (d) at least one of the scientific observers has been appointed in accordance with the CCAMLR Scheme of International Scientific Observation.

44.4 The person must:

- (a) meet the requirements of the Five-day Catch and Effort Reporting System set out in CCAMLR Conservation Measure 23-01; and
- (b) meet the requirements of the Monthly Fine-scale Catch and Effort Reporting System set out in CCAMLR Conservation Measure 23-04; and
- (c) meet the requirements of the Daily Catch and Effort Reporting System set out in CCAMLR Conservation Measure 23-07; and
- (d) submit fine-scale data on a haul-by-haul basis.

44.4A The person must not discharge offal in Statistical Division 58.4.1.

44.5 In this clause:

- (a) the Five-day Catch and Effort Reporting System set out in CCAMLR Conservation Measure 23-01 is taken to apply to the person; and
- (b) the Monthly Fine-scale Catch and Effort Reporting System set out in CCAMLR Conservation Measure 23-04 is taken to apply to the person; and
- (c) the Daily Catch and Effort Reporting System set out in CCAMLR Conservation Measure 23-07 is taken to apply to the person.

44A Limits on the fishery for *Champtocephalus gunnari* in Statistical Subarea 48.3

44A.1 This clause applies to the portion of Statistical Subarea 48.3 that is not under the jurisdiction of the United Kingdom.

44A.2 A person using a boat in the Convention Area for fishing must not fish for *Champtocephalus gunnari* in that portion of Statistical Subarea 48.3 unless the person uses trawls, other than bottom trawls.

- 44A.3 If the catch of *Champsocephalus gunnari* is more than 100 kg in any one haul, and more than 10% of the *Champsocephalus gunnari* by number are smaller than 240 mm total length, the person must:
- (a) move the boat to another location that is at least 5 nautical miles from the location where 10% of the *Champsocephalus gunnari* by number are smaller than 240 mm total length; and
 - (b) ensure that the boat does not return to any point within 5 nautical miles of that location for a period of at least 5 days (treating the location as the path followed by the boat while taking the catch).
- 44A.4 The fishing season begins at the time mentioned in subclause 1.1 and ends on the earlier of:
- (a) the time mentioned in subclause 1.1; and
 - (b) the time when the catch limit is reached.
- 44A.5 If the by-catch of *Gobionotothen gibberifrons*, *Chaenocephalus aceratus*, *Pseudochaenichthys georgianus*, *Notothenia rossii* or *Lepidonotothen squamifrons* is 100 kg or more in any one haul, and more than 5% of the total weight of all fish, or is a total of 2 tonnes or more, the person must:
- (a) move the boat to another location that is at least 5 nautical miles from the location (the **first location**) where the by-catch of any species mentioned in CCAMLR Conservation Measure 33-01 is more than 5% of the total weight of all fish caught; and
 - (b) ensure that the boat does not return to any point within 5 nautical miles of the first location for a period of at least 5 days (treating that location as the path followed by the boat while taking the catch).
- 44A.6 The person must use net binding to reduce seabird captures during shooting operations.
- 44A.7 If the person catches a total of 20 seabirds, the person must cease fishing and must not use the boat to fish for *Champsocephalus gunnari* in Statistical Subarea 48.3 for the remainder of the fishing season.
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- 44A.8 The person must ensure that at least one scientific observer, appointed in accordance with the CCAMLR Scheme of International Scientific Observation, is on board during all fishing activities.

44B Limits on the fishery for *Champscephalus gunnari* in Statistical Division 58.5.2

- 44B.1 A person must not engage in fishing for *Champscephalus gunnari* in Statistical Division 58.5.2 outside areas of national jurisdiction.

45 Precautionary catch limitations on *Euphausia superba* in Statistical Subareas 48.1, 48.2, 48.3 and 48.4

- 45.1 A person using a boat in the Convention Area for fishing in Statistical Subareas 48.1, 48.2, 48.3 and 48.4:
- (a) must fish for *Euphausia superba* using only any of the methods specified in Annex A of Conservation Measure 21-03 Notification of intent to participate in a fishery for *Euphausia superba*; and
 - (b) must not use any other method of fishing for *Euphausia superba*; and
 - (c) must use a marine mammal exclusion device on any trawl.

46 Precautionary catch limitation on *Euphausia superba* in Statistical Division 58.4.1

- 46.1 A person using a boat in the Convention Area for fishing in Statistical Division 58.4.1:
- (a) must fish for *Euphausia superba* using only any of the methods specified in Annex A of Conservation Measure 21-03 Notification of intent to participate in a fishery for *Euphausia superba*; and
 - (b) must not use any other method of fishing for *Euphausia superba*; and
 - (c) must use a marine mammal exclusion device on any trawl.

**47 Precautionary catch limitation on *Euphausia superba* in
Statistical Division 58.4.2**

- 47.1 A person using a boat in the Convention Area for fishing in Statistical Division 58.4.2:
- (a) must fish for *Euphausia superba* using only any of the methods specified in Annex A of Conservation Measure 21-03 Notification of intent to participate in a fishery for *Euphausia superba*; and
 - (b) must not use any other method of fishing for *Euphausia superba*; and
 - (c) must use a marine mammal exclusion device on any trawl; and
 - (d) must have 1 scientific observer, appointed in accordance with the CCAMLR Scheme of International Scientific Observation, on board the boat during all fishing activities.

**48 General measure for exploratory fisheries for *Euphausia superba*
in the Convention Area**

- 48.1 A person using a boat in the Convention Area for fishing must not fish for *Euphausia superba* in a statistical subarea or division if the Commission has announced that the catch limit for *Euphausia superba* for that statistical subarea or division has been reached.
- 48.2 The person must make and keep records of:
- (a) the total green weight of krill that the person has caught in the Convention Area; and
 - (b) the person's estimate of the total weight of lost krill in the Convention Area.
- 48.3 A person using a boat in the Convention Area for fishing for *Euphausia superba* must have 1 scientific observer, appointed in accordance with the CCAMLR Scheme of Scientific Observation, on board the boat during all fishing activities.
- 48.4 In this clause, a fishing season starts on 1 December of a year and ends on the earlier of:
- (a) 30 November of the following year; and
 - (b) the time at which the catch limit is reached.

48.5 This clause applies subject to any exemptions granted in relation to a fishery by the Commission.

49 General measure for scientific observation in fisheries for *Euphausia superba*

49.1 A person using a boat to fish for *Euphausia superba* in the CCAMLR Convention Area must report the total green weight of krill caught and brought on board the boat.

49.2 The person must ensure that any scientific observer on board the boat has access to sufficient samples to meet the target coverage rate of at least 20% of hauls or haul units during the period that the observer is on board the boat per fishing season.

49A Interim distribution of the trigger level in the fishery for *Euphausia superba* in Statistical Subareas 48.1 to 48.4

49A.1 A person using a boat must not fish for *Euphausia superba* in Statistical Subareas 48.1 to 48.4 when the trigger level for each Subarea has been reached.

53 Protection of the South Orkney Islands southern shelf

53.1 A person using a boat in the Convention Area must not:

- (a) undertake any fishing in the defined area, other than for scientific research purposes that are carried out in accordance with CCAMLR Conservation Measure 24-01, as given effect by clause 14; or
- (b) dump or discharge waste product from the boat; or
- (c) participate in transshipment activity.

53.2 In this clause:

defined area means the South Orkney Islands southern marine shelf area bounded by a line beginning at 60° 30' S, 41 W, and running progressively as described in the following table.

Item	Description
1	West along 61° 30' S latitude to its intersection with 44° W longitude
2	South along 44° W longitude to its intersection with 62° S latitude
3	West along 62° S latitude to its intersection with 46° W longitude
4	North along 46° W longitude to its intersection with 61° 30' S latitude
5	West along 61° 30' S latitude to its intersection with 48° W longitude
6	South along 48° W longitude to its intersection with 64° S latitude
7	East along 64° S latitude to its intersection with 41° W longitude
8	North along 41° W longitude to the point where the line began

Schedule 2—Prescribed measures—Indian Ocean Tuna Commission

(paragraph 2.1(b))

1 Definitions

1.1 In this Schedule:

Commission means the Indian Ocean Tuna Commission.

IOTC Area means the area of competence of the IOTC as defined in Article II of the *Agreement for the Establishment of the Indian Ocean Tuna Commission*, done at Rome on 25 November 1993 ([1996] ATS 20).

Note: The text of the Agreement is available in the Australian Treaties Library, located on the Internet at <http://www.austlii.edu.au>.

IOTC Secretariat means the Secretariat of the Commission.

IUU Vessels List means the *List of Vessels Presumed to have conducted illegal, unregulated and unreported fishing* established by the IOTC, as amended from time to time.

Note: The IUU Vessels List is available on the Internet at <http://www.iotc.org>.

Tuna and tuna-like species means the species listed in Annex B to the Agreement for the Establishment of the Indian Ocean Tuna Commission, done at Rome on 25 November 1993 ([1996] ATS 20).

Note: The text of the Agreement is available in the Australian Treaties Library, located on the Internet at <http://www.austlii.edu.au>.

2 Control of fishing activities

2.1 A person using a boat for fishing in the IOTC Area must ensure that the boat carries on board documents issued and certified by the competent authority of the Contracting Party or non-Contracting Party co-operating with the IOTC that include each of the following documents or information:

- (a) a license, permit or authorisation to fish;
- (b) the terms and conditions (if any) attached to the licence, permit or authorisation;
- (c) the name of the boat;
- (d) the port in which the boat is registered;
- (e) the number or numbers under which the boat is registered;
- (f) the international call sign of the boat;
- (g) the name and address of the owner of the boat;
- (h) if relevant—the charter of the boat;
- (i) the length over all of the boat;
- (j) if appropriate—the engine power of the boat, in kW/horsepower.

2.2 A person using a boat in the IOTC Area for fishing must ensure that each document or information mentioned in subclause 2.1 is verified by the competent authority of the Contracting Party or non-Contracting Party no less than once in any period of 12 months.

2.3 A person using a boat in the IOTC Area for fishing must ensure that fishing gear is marked in the manner described in the following paragraphs:

- (a) for fishing gear that is used by the person between sunrise and sunset—the beginning and ends of nets, lines and gear are fitted with:
 - (i) flag buoys sufficient to indicate the position and extent of the nets, lines or gear; or
 - (ii) radar reflector buoys sufficient to indicate the position and extent of the nets, lines or gear;
- (b) for fishing gear that is used by the person between sunset and sunrise—the beginning and ends of nets, lines and gear are fitted with:
 - (i) light buoys sufficient to indicate the position and extent of the nets, lines or gear; and
 - (ii) an iridescent light.

- 2.4 A person using a boat in the IOTC Area for fishing must ensure that each fish aggregating device used by the person is, at all times, clearly marked with:
- (a) the letter or letters of the boat to which the fish aggregating device belongs; or
 - (b) the number or numbers of the boat to which the fish aggregating device belongs; or
 - (c) the combination of letters and numbers of the boat to which the fish aggregating device belongs.
- 2.5 A person using a boat that has a length over all of more than 24 metres in the IOTC Area for fishing must:
- (a) keep on board the boat a bound fishing national logbook with consecutively numbered pages; and
 - (b) record in the logbook each fishing activity engaged in by the person; and
 - (c) retain each record of fishing activity recorded in the logbook for a period of at least 12 months after the record is made.
- 2.6 A person using a boat in the IOTC Area for fishing must mark the boat in such a way that it can be identified in accordance with internationally-recognised standards such as the FAO Standard Specifications for the Marking and Identification of Fishing Vessels.

Note: The FAO Standard Specifications for the Marking and Identification of Fishing Vessels is located in Annex II of the *FAO Technical Guidelines for Responsible Fisheries No. 1*, available on the Internet at <http://www.fao.org>.

3 Conservation of sharks caught in association with fisheries managed by IOTC

- 3.1 A person using a boat in the IOTC Area for fishing must:
- (a) retain on board the boat, until the first point of landing, each part of a shark that is caught by the person, excluding the head, guts and skins of the shark; and
 - (b) ensure that the total weight of shark fins kept on board the boat do not, at any time until the first point of landing, exceed 5 percent of the total weight of sharks kept on board the boat.

4 Establishing a vessel monitoring system programme

- 4.1 A person using a boat greater than 15 metres in length overall for fishing in the IOTC Area must have on board the boat a vessel monitoring system device that:
- (a) is fully operational; and
 - (b) records the boat's identification, current geographical position and the date and time expressed in UTC; and
 - (c) reports to the Fisheries Monitoring Centre of the flag State of the boat every 4 hours; and
 - (d) is located within a sealed unit and is protected by official seals (or mechanisms) of a type that indicate whether the unit has been accessed or tampered with.
- 4.2 A person using a boat for fishing in the IOTC Area must not:
- (a) alter vessel monitoring system messages in any way; or
 - (b) alter vessel monitoring system reports in any way; or
 - (c) obstruct an antenna connected to a vessel monitoring device in any way; or
 - (d) interrupt the power supply of a satellite monitoring device in any way; or
 - (e) remove a vessel monitoring device from the boat.
- 4.3 In the event of a technical failure or non-operation of the vessel monitoring device, the person must communicate the information in paragraph 4.1(b) to the Fisheries Monitoring Centre of their flag State every four hours by other means.

5 Establishment of IOTC Record of Vessels Authorised to operate in the IOTC Area

- 5.1 A person must not use a boat that has a length of 24 metres or more to fish for, retain on board, tranship or land tuna and tuna-like species in the IOTC Area unless the name of the vessel is included on the IOTC Record of Vessels Authorised to Operate in the IOTC Area.
- 5.2 A person using a boat that:
- (a) has a length over all of less than 24 metres; and

(b) operates in waters outside the economic exclusive zone of the flag State of the boat;

to fish for tuna and tuna-like species in the IOTC Area must ensure that the name of the boat is included on the IOTC Record of Vessels Authorised to Operate in the IOTC Area.

Note: The IOTC Record of Vessels Authorised to Operate in the IOTC Area is available on the Internet at <http://www.iotc.org>.

5A Conservation and management of tropical tuna stocks in the IOTC area of competence

5A.1 This clause applies to a person who is:

(a) fishing for tuna or tuna like species using a boat in the IOTC Area that:

(i) is within the exclusive economic zone of the country under which the boat is flagged; and

(ii) is 24 metres or more in length; or

(b) fishing for tuna or tuna like species using a boat in the IOTC Area that:

(i) is outside the exclusive economic zone of the country under which the boat is flagged; and

(ii) is under 24 metres in length.

5A.2 If the person is using the boat for longline fishing, the person must not fish for tuna or tuna-like species within the area bound by 0°–10° N and 40°–60° E during the hours starting at 0000 hours on 1 February and ending at 2400 hours on 1 March.

5A.3 If the person is using the boat for purse seine fishing, the person must not fish for tuna or tuna-like species within the area bound by 0°–10° N and 40°–60° E during the hours starting at 0000 hours on 1 November and ending at 2400 hours on 1 December.

7 Establishment of programme for transshipment by large scale fishing vessels

7.1 A person using a boat in the IOTC Area for fishing must not carry out transshipment operations of tuna and tuna-like species and sharks in the IOTC Area unless:

- (a) the person is authorised by a Contracting Party or non-Contracting Party to use the boat for transshipment operations of that type; and
- (b) the boat is:
 - (i) a large-scale tuna longline fishing vessel; or
 - (ii) a carrier vessel authorised to receive transshipments at sea from a large-scale tuna longline fishing vessel; and
- (c) if the boat is a boat mentioned in subparagraph (b)(i)—the person has, before each transshipment takes place, obtained authorisation from its flag State in accordance with IOTC Resolution 12/05; and
- (d) if the boat is a boat mentioned in subparagraph (b)(ii)—the master of the boat confirms, before each transshipment takes place, that the large-scale tuna longline fishing vessel participating in the transshipment operations:
 - (i) is participating in the IOTC programme to monitor transshipment at sea; and
 - (ii) has obtained authorisation for the transshipment from the flag State of the boat; and
- (e) if the boat is a boat mentioned in subparagraph (b)(ii)—the master of the boat, within 24 hours after completing the transshipment:
 - (i) completes the IOTC transshipment declaration; and
 - (ii) transmits each of the following to the IOTC Secretariat and the flag Contracting Party or Co-Operating Non-Contracting Party:
 - (A) the completed IOTC transshipment declaration;
 - (B) the name of the boat;
 - (C) the number of the boat included in the IOTC Record of Carrier Vessels; and
- (f) if the boat is a boat mentioned in subparagraph (b)(ii)—the master of the boat, within 48 hours before landing must transmit an IOTC transshipment declaration, along with its number in the IOTC Record of Carrier Vessels authorised to receive transshipment in the IOTC area of competence, to the competent authorities of the State where the landing takes place.

- 7.2 A person using a boat in the IOTC Area for fishing must not receive tuna and tuna-like species and sharks in an at-sea transshipment operation unless:
- (a) the name of the boat is included on the IOTC Record of Carrier Vessels; and
 - (b) an operational vessel monitoring device that is part of the flag State's vessel monitoring system is installed on the boat; and
- 7.3 A person using, in the IOTC Area for fishing, a boat that:
- (a) is included in the IOTC Record of Carrier Vessels; and
 - (b) is authorised to receive transshipments in the IOTC Area; and
 - (c) tranships at sea;
- must carry an IOTC observer on board the boat during each transshipment operation in the IOTC Area.
- 7.4 The person using the boat must allow each IOTC observer on board the boat access to:
- (a) the boat; and
 - (b) the personnel of the boat; and
 - (c) the gear of the boat; and
 - (d) the equipment of the boat.
- 7.5 The person using the boat must provide each IOTC observer with each of the following:
- (a) adequate space on the bridge or pilot house for clerical work;
 - (b) space on deck adequate for carrying out observer duties.
- 7.6 The person using the boat must not:
- (a) obstruct; or
 - (b) intimidate; or
 - (c) interfere with; or
 - (d) influence; or
 - (e) bribe; or
 - (f) attempt to bribe;
- an IOTC observer in the performance of the observer's duties.

8 IOTC Resolution On reducing the incidental bycatch of seabirds in longline fisheries

- 8.1 A person using a longline fishing boat in the IOTC Area for fishing for tuna or tuna-like species must ensure that each hookline used during a fishing operation sinks beyond the reach of seabirds as soon as possible after the hookline is put in the water.
- 8.2 If a person is using a longline fishing boat in the IOTC Area for fishing for tuna or tuna-like species south of 25°S:
- (a) the person must use at least two of the mitigation measures included in the following table; and
 - (b) the person must use at least one of the measures included in column A of the table; and
 - (c) if a measure is included in both column A and column B of table 7.2—the person must not use a measure included in column B that is the same as a measure:
 - (i) included in Column A; and
 - (ii) used by the person; and
 - (d) the person may use a measure only if the measure complies with:
 - (i) the minimum technical standards for the measure included in Annex I of IOTC Resolution on reducing the incidental bycatch of seabirds in longline fisheries; and
 - (ii) the specifications for the measure included in Annex II of that IOTC Resolution.

Note: IOTC Resolution on reducing the incidental bycatch of seabirds in longline fisheries, including Annex I and Annex II, is available on the internet at www.iotc.org.

Column A	Column B
Night setting with minimum deck lighting	Night setting with minimum deck lighting
Bird-scaring lines (Tori lines)	Bird-scaring lines (Tori lines)
Weighted branch lines	Weighted branch lines
	Blue-dyed squid bait

Column A	Column B
	Offal discharge control
	Line shooting device

8.3 In this clause:

hookline means a groundline or mainline to which baited hooks are attached by snoods.

9 Recording of catch and effort by fishing vessels in the IOTC Area of Competence

9.1 A person:

(a) using a boat that:

(i) is fishing outside the economic exclusion zone of its flag State, or has a length over all of more than 24 metres; and

(ii) is a purse seine, longline, gillnet, pole and line, handline or trolling boat; and

(b) using the boat for fishing for tuna and tuna-like species in the IOTC Area;

must comply with subclause 9.2.

9.2 The person must:

(a) keep a bound or electronic logbook that records the information mentioned in column 1 of an item in the following table, for the vessel mentioned in column 2; and

(b) record the information as mentioned in column 3; and

(c) maintain the logbook in accordance with the annex of IOTC Resolution 12/03 mentioned in column 4.

Logbook Information				
Item	Column 1 Information	Column 2 Vessel	Column 3 Frequency	Column 4 Annex of IOTC Resolution 12/03
1	Vessel, trip and gear	Purse seine, longline, gillnet	Once each trip, unless gear	I

Logbook Information				
Item	Column 1	Column 2	Column 3	Column 4
	Information	Vessel	Frequency	Annex of IOTC Resolution 12/03
	configuration	and pole and line	configuration changes	
2	Purse seine, longline, gillnet and pole and line operations and catch	Purse seine, longline, gillnet and pole and line	For each set or operation of the fishing gear	II
3	Handline and trolling gear	Handline and trolling gear	For each operation of the fishing gear	III

9.3 This clause does not apply to vessels of developing States.

10 Establishing a list of vessels presumed to have carried out illegal, unregulated and unreported fishing in the IOTC Area of Competence

10.1 A person using a boat in the IOTC Area for fishing must not participate in a joint operation with a vessel included in the IUU Vessels List.

Note: Examples of a joint operation mentioned in subclause 10.1 include resupplying and refuelling a vessel included in the IUU Vessels List. Transhipping with a vessel included in the IUU Vessels List is included in the definition of IUU Fishing Activities in the IOTC Resolution.

11 Regional observer scheme

11.1 A person using a boat in the IOTC Area for fishing must, if an observer is placed on the boat:

- (a) provide the observer with access to retained catch; and
- (b) provide the observer with access to catch that is intended to be discarded; and

- (c) ensure that the observer is able to carry out the observer's duties in a competent and safe manner.

12 To prohibit the use of large-scale driftnets on the high seas in the IOTC Area

- 12.1 Unless subclause 12.5 applies, a person using a boat in the IOTC Area for fishing for tuna and tuna-like species must comply with subclauses 12.2, 12.3 and 12.4.
- 12.2 The person must not have on board the boat a gillnet that:
 - (a) is more than 2.5 kilometres in length; and
 - (b) has any of the following purposes:
 - (i) to enmesh fish by drifting on the surface of the water column;
 - (ii) to enmesh fish by drifting in the water column;
 - (iii) to entrap fish by drifting on the surface of the water column;
 - (iv) to entrap fish by drifting in the water column;
 - (v) to entangle fish by drifting on the surface of the water column;
 - (vi) to entangle fish by drifting in the water column.
- 12.3 The person must not have on board the boat a net other than a gillnet that:
 - (a) is more than 2.5 kilometres in length; and
 - (b) has any of the following purposes:
 - (i) to enmesh fish by drifting on the surface of the water column;
 - (ii) to enmesh fish by drifting in the water column;
 - (iii) to entrap fish by drifting on the surface of the water column;
 - (iv) to entrap fish by drifting in the water column;
 - (v) to entangle fish by drifting on the surface of the water column;
 - (vi) to entangle fish by drifting in the water column.

- 12.4 The person must not have on board the boat a combination of nets that:
- (a) is more than 2.5 kilometres in length; and
 - (b) has any of the following purposes:
 - (i) to enmesh fish by drifting on the surface of the water column;
 - (ii) to enmesh fish by drifting in the water column;
 - (iii) to entrap fish by drifting on the surface of the water column;
 - (iv) to entrap fish by drifting in the water column;
 - (v) to entangle fish by drifting on the surface of the water column;
 - (vi) to entangle fish by drifting in the water column.
- 12.5 If the boat is authorised to use large-scale driftnets in the economic exclusive zone of the Flag State of the boat, the person using the boat must ensure that, if any net of a type mentioned in subclause 12.2, 12.3 or 12.4 is on board the boat, the net is:
- (a) stowed so that the net is not readily available to be used for fishing; or
 - (b) secured so that the net is not readily available to be used for fishing.

13 Conservation of marine turtles

- 13.1 A person using a boat in the IOTC Area for fishing for tuna or tuna-like species that:
- (a) has gillnets on board; or
 - (b) is using gillnets;
- must record each incident involving a marine turtle that takes place during fishing operations in the boat's logbook.
- 13.2 A person using a boat that has longlines on board in the IOTC Area for fishing must:
- (a) carry line cutters and de-hookers, in order to facilitate the appropriate handling and prompt release of marine turtles caught or entangled; and

- (b) record each incident involving a marine turtle that takes place during fishing operations in the boat's logbook.
- 13.3 A person using a purse seine boat in the IOTC Area for fishing must:
 - (a) if a marine turtle is caught in a net:
 - (i) stop net roll; and
 - (ii) remove the turtle from the net before resuming net roll; and
 - (b) record each incident involving a marine turtle that takes place during fishing operations in the boat's logbook.
- 13.4 A person using a boat in the IOTC area that has longlines on board, or is being used for fishing for tuna and tuna-like species, must:
 - (a) bring aboard, if practicable, any captured marine turtle that is comatose or inactive as soon as possible and foster its recovery, including aiding in its resuscitation, before safely returning it to the water; and
 - (b) be aware of and use proper mitigation, identification, handling and de-hooking techniques and keep on board all necessary equipment for the release of marine turtles, in accordance with handling guidelines in the IOTC Marine Turtle Identification Cards.

14 Conservation of thresher sharks (Family *Alopiidae*) caught in association with fisheries in the IOTC Area of Competence

- 14.1 A person using a boat which appears on the IOTC record of authorised vessels:
 - (a) must release all species of the Family *Alopiidae* that are brought alongside the boat; and
 - (b) must release the species unharmed if practicable; and
 - (c) must not retain on board, store, tranship, land, offer for sale, or sell, any part or whole carcass of the species.
- 14.2 However, scientific observers may collect biological samples (vertebrae, tissues, reproductive tracts, stomachs, skin samples, spiral valves, jaws, whole and skeletonised specimens for

taxonomic works and museum collections) from thresher sharks that are dead at haulback, only if the samples are part of a research project approved by the Scientific Committee (or Working Party on Ecosystems and By-catch) in accordance with IOTC Resolution 12/09, as given effect by this clause.

Schedule 3—Prescribed measures—Western and Central Pacific Fisheries Commission

(paragraph 2.1(c))

Note: The formal title of the Western and Central Pacific Fisheries Commission (WCPFC) is the *Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean*, established under the Convention mentioned in item 4 of Schedule 4. However, the short title is used as an official title on the WCPFC website, see <http://www.wcpfc.int>.

1 Definitions

1.1 In this Schedule:

Commission means the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean.

Convention Area means the waters defined in Article 3 of the *Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean*, done at Honolulu on 5 September 2000 ([2004] ATS 15).

Note: The text of the Convention is available in the Australian Treaties Library, located on the Internet at <http://www.austlii.edu.au>.

IUU vessels list means the *List of vessels presumed to have conducted illegal, unregulated and unreported fishing activities in the Western and Central Pacific Ocean* as amended from time to time.

Note: The IUU vessels list is available on the Internet at <http://www.wcpfc.org>.

2 WCPFC Record of Fishing Vessels and authorisation to fish

2.1 A person using a boat in the Convention Area for fishing must not fish for highly migratory fish stocks unless the boat is recorded on the WCPFC Record of Fishing Vessels.

- 2.2 The person must not transship highly migratory fish stocks that have been caught in the Convention Area to a boat which is not recorded on the WCPFC Record of Fishing Vessels or the WCPFC Interim Register of Non-Member Carrier and Bunker Vessels.
- 2.3 The person must not bunker or otherwise receive supplies from a boat that is not recorded on the WCPFC Interim Register of non-Member Carrier and Bunker Vessels.

Note: The WCPFC Record of Fishing Vessels and the WCPFC Interim Register of Non-Member Carrier and Bunker Vessels are available on the internet at www.wcpfc.int.

3 Specifications for the marking and identification of fishing vessels

- 3.1 A person using a boat in the Convention Area for fishing must not fish in the Convention Area unless:
- (a) the WCPFC Identification number for the boat is displayed on the boat at all times:
 - (i) prominently; and
 - (ii) in the English language; and
 - (b) the WCPFC Identification number displayed on the boat is the number that is recorded for the boat on the WCPFC Record of Fishing Vessels.

4 Western and Central Pacific Fisheries Commission Boarding and Inspection Procedures

- 4.1 To give effect to WCPFC Conservation and Management Measure 2006-08, if a boat that is licensed to operate in the Convention Area is on the high seas in the Convention Area, a person using the boat must allow an authorised inspector to board and inspect the boat.

5 Conservation and Management Measure for the Regional Observer Programme

- 5.1 A person using a boat that is licensed to operate in the Convention Area for fishing:
- (a) if the Commission requires—must allow an observer to board the boat; and

- (b) must not obstruct the observer in the performance of his or her duties; and
- (c) must assist the observer to perform his or her duties safely.

6 Commission Vessel Monitoring System

- 6.1 A person using a boat to fish for highly migratory fish stocks on the High Seas in the Convention Area south of 20° N and east of 175° E must, while the boat remains on the high seas in the Convention Area, have an ALC:
- (a) that enables the WCPFC to monitor the true location of the boat; and
 - (b) that is of the minimum standard mentioned in Annex 1 to the WCPFC Conservation and Management Measure on the Commission Vessel Monitoring System; and
 - (c) that is used in accordance with the *Standards, specifications and procedures (SSP) for the fishing vessel monitoring system (VMS) of the Western and Central Pacific Fisheries Commission (WCPFC)*.

Note: Each of the following documents is available on the Internet at <http://www.wcpfc.int>:

- (a) *Standards, specifications and procedures (SSP) for the fishing vessel monitoring system (VMS) of the Western and Central Pacific Fisheries Commission (WCPFC)*;
- (b) Annex 1 of WCPFC Conservation and Management Measure 2007-02.

- 6.2 In this clause:

Automatic Location Communicator (or ***ALC***) means a near real-time satellite position fixing transmitter.

7 Conservation and Management Measure to Establish a List of Vessels presumed to have carried out Illegal, Unreported and Unregulated Fishing Activities in the WCPO

- 7.1 A person using a boat in the Convention Area for fishing must not:
- (a) tranship with a boat included in the IUU Vessels List; or
 - (b) participate in a joint fishing operation with a boat included in the IUU Vessels List; or

- (c) support a vessel included in the IUU Vessels List; or
- (d) resupply a vessel included in the IUU Vessels List; or
- (e) trade highly migratory fish stocks caught by a boat included in the IUU Vessels List; or
- (f) import highly migratory fish stocks caught by a boat included in the IUU Vessels List; or
- (g) transport highly migratory fish stocks caught by a boat included in the IUU Vessels List; or
- (h) engage in transactions in highly migratory fish stocks caught by a boat included in the IUU Vessels List.

Note: The IUU Vessels List is available on the Internet at <http://www.wcpfc.int>.

8 Conservation and Management Measure to Mitigate the Impact of Fishing for Highly Migratory Fish Stocks on Seabirds

8.1 A person using a longline boat to fish for highly migratory fish stocks in the Convention Area must use at least 2 of the mitigation measures in the following table, including at least 1 from Column A in areas south of 30°S and north of 23°N.

Column A	Column B
Side setting with a bird curtain and weighted branch lines (only to be applied in the area north of 23° N)	Tori line
Night setting with minimum deck lighting	Weighted branch lines
Tori line	Blue-dyed bait
Weighted branch lines	Deep setting line shooter
	Underwater setting chute
	Management of offal discharge

Note: If a person selects ‘tori line’ from column A and column B of the table, the selection equates to simultaneously using two (that is paired) tori lines.

8.2 The person must implement the measures in the Table in accordance with the minimum technical specifications set out in Annex 1 of WCPFC Conservation and Management Measure to

Mitigate the Impact of Fishing for Highly Migratory Fish Stocks on Seabirds.

Note: Annex 1 of WCPFC Conservation and Management Measure to Mitigate the Impact of Fishing for Highly Migratory Fish Stocks on Seabirds is available on the Internet at <http://www.wcpfc.int>.

9 Conservation and Management Measure for Bigeye and Yellowfin Tuna in the Western and Central Pacific Ocean

- 9.1 A person using a purse seine boat to fish for highly migratory fish stocks on the high seas in the area of the Convention Area bounded by 20° N and 20° S must not fish on fish aggregating devices between 0000 hours on 1 July and 2400 hours on 30 September in a year.
- 9.2 Unless subclause 9.3 applies, a person using a purse seine boat to fish for highly migratory fish stocks:
- (a) in an exclusive economic zone; and
 - (b) on the high seas in the area of the Convention Area bounded by 20° N and 20° S;
- must retain on board and then land or tranship at port all bigeye, skipjack and yellowfin tuna.
- 9.3 Subclause 9.2 does not apply if any of the following circumstances exist:
- (a) if, in the final set of a trip, there is insufficient well space in the boat to accommodate all fish caught in the final set, noting that, unless prohibited under applicable national law, excess fish taken in the final set may be transferred to and retained on board another purse seine boat; or
 - (b) if the fish are unfit for human consumption for a reason other than the size of the fish; or
 - (c) if a serious malfunction of equipment on the boat occurs.
- 9.4 A person using a purse seine boat to fish for highly migratory fish stocks in any of the following locations:
- (a) on the high seas in the area of the Convention Area bounded by 20° N and 20° S;
 - (b) exclusively on the high seas;

- (c) on the high seas and in waters under the jurisdiction of 2 or more coastal states;

must carry on board the boat an observer from the Regional Observer Program.

- 9.5 A person using a purse seine boat to fish for highly migratory fish stocks in the Convention Area must not fish in the following areas:
- (a) the area of the high seas within the Convention Area entirely enclosed by the exclusive economic zones of:
 - (i) Federated States of Micronesia; and
 - (ii) Indonesia; and
 - (iii) Palau; and
 - (iv) Papua New Guinea;
 - (b) the area of the high seas within the Convention Area entirely enclosed by the exclusive economic zones of:
 - (i) Federated States of Micronesia; and
 - (ii) Fiji; and
 - (iii) Kiribati; and
 - (iv) Marshall Islands; and
 - (v) Nauru; and
 - (vi) Papua New Guinea; and
 - (vii) Solomon Islands; and
 - (viii) Tuvalu.

10 Conservation and Management of Sea Turtles

- 10.1 A person who:
- (a) is using a boat to fish in the Convention Area; and
 - (b) is targeting highly migratory fish stocks; and
 - (c) catches a sea turtle that is comatose or inactive;
- must, if practicable, perform each of the actions included in subclause 10.2.
- 10.2 The person mentioned in subclause 10.1 must, if practicable, perform each of the following actions:
- (a) bring the sea turtle on board the boat as soon as practicable after the sea turtle is caught; and

- (b) revive the sea turtle; and
 - (c) immediately after the sea turtle is revived, return the sea turtle to the water.
- 10.3 A person using a longline fishing boat to fish for highly migratory fish stocks in the Convention Area must perform each of the following actions:
 - (a) carry line cutters and de-hookers;
 - (b) if a sea turtle is caught or entangled—use line cutters or de-hookers to handle and promptly release the sea turtle;
 - (c) if appropriate—carry and use dip-nets.
- 10.4 A person:
 - (a) using a longline fishing boat to fish in the Convention Area; and
 - (b) fishing for swordfish in a shallow-set manner;

must record each incident involving sea turtles that occurs during fishing operations and report each incident to the appropriate authorities of the flag state of the boat.
- 10.5 A person using a purse seine boat to fish for highly migratory fish stocks in the Convention Area must:
 - (a) to the extent that is practicable, avoid encirclement of a sea turtle; and
 - (b) if a sea turtle is encircled or entangled—take practicable measures to safely release the sea turtle; and
 - (c) if a sea turtle is entangled in a fish aggregating device or other fishing gear—if practicable, release it from the device or gear; and
 - (d) carry and use dip nets if handling turtles.
- 10.6 A person using a purse seine boat to fish in the Convention Area must:
 - (a) record each incident involving sea turtles that occurs during fishing operations; and
 - (b) report each incident to the appropriate authorities of the flag state of the boat.

11 Conservation and Management Measure to Prohibit the Use of Large Scale Driftnets on the High Seas in the Convention Area

- 11.1 Unless subclause 11.2 applies, a person using a boat to fish in the Convention Area must not:
- (a) use large-scale driftnets on the high seas within the Convention Area; or
 - (b) configure large-scale driftnets for use on the high seas within the Convention Area; or
 - (c) possess large-scale driftnets on the high seas within the Convention Area.

- 11.2 Subclause 11.1 does not apply if the person using the boat can demonstrate that:
- (a) the boat is duly authorised to use large-scale driftnets in waters under national jurisdiction; and
 - (b) while the boat is on the high seas in the Convention Area:
 - (i) each large-scale driftnet; and
 - (ii) any fishing equipment related to large-scale driftnets; is stowed or secured in such a manner that each large-scale driftnet or any related fishing equipment is not readily available to be used for fishing.

- 11.3 In this clause:

large-scale driftnets means gillnets, other nets, or a combination of nets that:

- (a) are more than 2.5 kilometres in length; and
- (b) have any of the following purposes:
 - (i) to enmesh fish;
 - (ii) to entrap fish;
 - (iii) to entangle fish;

by drifting on the surface of the water or in the water column.

configure means to have on board a boat fishing gear, either assembled or unassembled, that collectively would enable a person using the boat to deploy and retrieve large-scale driftnets.

12 Conservation and Management of Sharks

- 12.1 A person using a boat to fish for highly migratory fish stocks in the Convention Area for fishing must:
- (a) retain on board the boat, until the point of first landing or transshipment, each part of a shark, except the head, guts and skins of the shark; and
 - (b) unless the flag state of the boat does not require the person to do so, offload shark fins and carcasses together at the point of first landing; and
 - (c) If paragraph (b) does not apply, the person must ensure that the total weight of shark fins kept on board the boat does not, at any time until the first point of landing, exceed 5 percent of the total weight of sharks kept on board the boat.

13 Conservation and Management Measure on the Application of High Seas FAD Closures and Catch Retention

- 13.1 This clause applies to a person using a purse seine boat to fish for highly migratory fish stocks on the high seas in the area of the Convention Area bounded by 20° N and 20° S in the closure period starting at 0000 hours on 1 July in a calendar year and ending at 2400 hours on 30 September in the year.
- 13.2 The person must not:
- (a) conduct any part of a set within 1 nautical mile of a FAD; or
 - (b) allow the boat to be used to aggregate fish or to move aggregated fish; or
 - (c) retrieve a FAD or electronic equipment associated with a FAD unless:
 - (i) the FAD or electronic equipment are kept on board the boat until the boat lands or the end of the closure; and
 - (ii) the boat does not conduct a set for a period of 7 days after the day of the retrieval or within 50 nautical miles of the place at which the retrieval occurred; or
 - (d) cooperate with another boat in order to catch aggregated fish; or
 - (e) fish during the closure period within 1 nautical mile of a place where a FAD has been retrieved by another vessel,

unless more than 24 hours has passed since the FAD was retrieved.

- 13.3 The person may release fish if the person considers the fish to be undesirable because of the size of the fish, the marketability of the fish or the species composition of the fish.
- 13.4 However, the person must not release the fish unless the person does so before the net is fully pursed and one half retrieved.
- 13.5 The person may discard fish if any of the circumstances mentioned in subclause 13.6 occurs and an observer has estimated the species composition of the fish to be discarded.
- 13.6 For subclause 13.5, each of the following are circumstances:
- (a) the fish are unfit for human consumption for a reason other than the size or marketability of the fish;
 - (b) a serious malfunction of the boat's equipment occurs;
 - (c) in a final set of a trip:
 - (i) there is insufficient well space in the boat to accommodate all the fish to be caught in the final set; and
 - (ii) the person attempts to release the fish alive; and
 - (iii) the person does not undertake any further fishing until the fish on board the boat are landed or transhipped.
- 13.7 If the person discards fish, the person must give the Executive Director of the Commission, no later than 48 hours after the fish have been discarded, a statement containing the following information:
- (a) the boat's name, flag and WCPFC Identification Number;
 - (b) the name and nationality of the master of the boat;
 - (c) the boat's licence number;
 - (d) the name of the observer;
 - (e) the date and time on which the person discarded the fish;
 - (f) the latitude and longitude at which the fish were discarded;
 - (g) the type of FAD used;
 - (h) the reason the fish from the set were discarded;

- (i) the estimated tonnage and species composition of fish from the set that were discarded;
- (j) the estimated tonnage and species composition of fish from the set that were not discarded.

13.8 If the person discards fish in the circumstance mentioned in paragraph 13.6(c), the statement mentioned in subclause 13.7 must also include a statement that no further fishing will be undertaken until the catch on board has been landed or transhipped.

13.9 The person must give a copy of the statement to the observer.

13.10 In this clause:

FAD means a Fish Aggregating Device that:

- (a) has or has not been deployed; and
- (b) is an object or group of objects of any size with which fish may associate; and
- (c) consists of, but is not limited to, the following:
 - (i) living marine life;
 - (ii) dead marine life;
 - (iii) tree matter;
 - (iv) non-living equipment.

Note: Examples of FADs are a whale shark, bamboo, logs, buoys, floats, netting, webbing and plastics that are floating on or near the surface of the water.

14 Conservation and Management Measure Prohibiting Fishing on Data Buoys

14.1 A person using a boat in the Convention Area for fishing must not fish within 1 nautical mile of or interact with a data buoy unless the WCPFC has authorised the fishing.

14.2 If a boat becomes entangled with a data buoy, the person must remove the entangled boat or fishing gear connected to the boat in a way that limits any damage to the data buoy.

14.3 In this clause:

data buoy means a floating device that:

- (a) is used for collecting and measuring environmental data; and
- (b) is not used for fishing.

15 Conservation and Management Measure on the Regulation of Transshipment

- 15.1 A person must not tranship highly migratory fish stocks caught in the Convention Area unless:
- (a) the person has completed a transshipment declaration in the approved form; and
 - (b) an observer is onboard the boat receiving the transshipment; and
 - (c) the boat receiving the transshipment is only receiving product from 1 boat at a time.
- 15.2 However, the person may tranship highly migratory fish stocks caught in the Convention Area to another boat if the transshipping is a result of:
- (a) force majeure; or
 - (b) a serious mechanical breakdown of the boat that could threaten the safety of the crew or result in significant financial loss to the person as a result of the fish spoiling.
- 15.3 If the person is using a purse seine boat, the person must not tranship the fish stock at sea unless the WCPFC has granted an exemption.
- 15.4 If the person is not using a purse seine boat, the person must not tranship the fish stock unless the person gives the following information to the Executive Director of the Commission of the WCPFC no less than 36 hours before the transshipment occurs:
- (a) the name and identification number of the offloading boat;
 - (b) the name and identification number of the receiving boat;
 - (c) a description of the fish including the species and its processed state (if any);
 - (d) the tonnage of fish to be transhipped;
 - (e) the day and time of the transshipment;
 - (f) the place that the transshipment will occur including the latitude and longitude of the place;

(g) the place or places where the fish stock was caught.

15.5 If the person is not using a purse seine boat, the person must give a transshipment declaration form to the WCPFC no later than 15 days after the transshipment occurs.

16 Eastern High-Seas Pocket Special Management Area

16.1 A person using a boat to conduct transshipment activities (either unloading or receiving) in the Eastern High-Seas Pocket must report this to the Commission, in the reporting format described in paragraph 2 of CMM 2010-02.

Schedule 3A—Prescribed measures— Extended Commission for Conservation of Southern Bluefin Tuna

(paragraph 2.1(d))

1 Definition

1.1 In this Schedule:

ICCAT recommendation for vessel monitoring systems means the recommendation by ICCAT concerning Minimum Standards for the Establishment of a Vessel Monitoring System in the ICCAT Convention Area and as in force from time to time.

2 Illegal, Unregulated and Unreported Fishing and Establishment of CCSBT Record of Vessels over 24 metres Authorised to Fish for Southern Bluefin Tuna

2.1 A person using a boat for a fishing trip must not fish for Southern Bluefin Tuna unless:

- (a) the boat is recorded on the Record of Vessels to which the Resolution relates; and
- (b) a certificate (however described) of registration of the boat is in force and on board the boat; and
- (c) an authorisation (however described) to fish is in force for the boat and on board the boat; and
- (d) if transhipping will be undertaken on the fishing trip—an authorisation (however described) to tranship is in force for the boat and on board the boat; and
- (e) the person does not engage in activities with another boat fishing for Southern Bluefin Tuna if the other boat is not recorded on the CCSBT Record of Fishing Vessels.

Note 1: The Resolution on establishing the CCSBT Vessel Monitoring System is available on the internet at www.ccsbt.org.

Note 2: The CCSBT Record of Vessels is available on the internet at www.ccsbt.org.

3 Establishing the CCSBT Vessel Monitoring System

- 3.1 A person who is using a boat to fish for Southern Bluefin Tuna in the CCAMLR area of competence must have an operational vessel monitoring system in accordance with clause 4 of Schedule 1.
- 3.2 A person who is using a boat to fish for Southern Bluefin Tuna in the IOTC area of competence must have an operational vessel monitoring system in accordance with clause 4 of Schedule 2.
- 3.3 A person who is using a boat to fish for Southern Bluefin Tuna in the WCPFC area of competence must have an operational vessel monitoring system in accordance with clause 6 of Schedule 3.
- 3.4 A person who is using a boat to fish for Southern Bluefin Tuna in the ICCAT area of competence must have an operation vessel monitoring system in accordance with recommendation 03-14 of the ICCAT recommendation for vessel monitoring systems.

Note 1: The CCAMLR area of competence is the Southern Ocean surrounding Antarctica, south of 60° S latitude and between that latitude and the Antarctic Convergence. The Antarctic Convergence is a line joining the following points along latitude and longitude lines: 50° S, 0°; 50° S, 30° E; 45° S, 30° E; 45° S, 80° E; 55° S, 80° E; 55° S, 150° E; 60° S, 150° E; 60° S, 50° W; 50° S, 50° W; 50° S, 0°.

Note 2: The IOTC area of competence is the Indian Ocean (FAO statistical areas 51 and 57) and adjacent seas, north of the Antarctic Convergence, to the extent necessary to cover those seas for the purpose of conserving and managing stocks that migrate into or out of the Indian Ocean.

Note 3: The WCPFC area of competence is set out on the internet at www.wcpfc.int.

Note 4: The ICCAT area of competence is set out on the internet at www.iccat.int.

4 Establishing a program for Transhipment by Large-Scale Fishing Vessels

Boat from which transhipment occurs

- 4.1 A person using a boat equipped with longlines and freezing capacity (the **first boat**) for the purpose of transhipping Southern Bluefin Tuna to another boat (the **second boat**) must:
- (a) tranship Southern Bluefin Tuna to the second boat only if the second boat is recorded on the CCSBT Record of Carrier Vessels; and
 - (b) notify the first boat's flag State national fisheries authority about the transhipment at least 24 hours before the transhipment occurs; and
 - (c) include with the notification the following information:
 - (i) the name and number of the first boat as recorded in the CCSBT Record of Carrier Vessels;
 - (ii) the name and number of the second boat as recorded in the CCSBT Record of Carrier Vessels;
 - (iii) the amount by tonnage of Southern Bluefin Tuna that was transhipped;
 - (iv) the day on which and the place at which the transhipment occurred;
 - (v) the geographic location at which the Southern Bluefin Tuna was caught;
 - (vi) the type of vessel used in the transhipment including the length of the vessel, the gross tonnage of the vessel and the vessel's carrying capacity; and
 - (d) notify the first boat's flag State national fisheries authority, in the approved form and no later than 15 days after the transhipment occurs, that the transhipment has occurred.

Boat to which transhipment occurs

- 4.2 The person using the second boat to receive a transhipment of Southern Bluefin Tuna from the first boat must not allow the second boat to receive the transhipment unless the first boat is recorded on the CCSBT Record of Carrier Vessels.

- 4.3 The person using the second boat must:
- (a) notify the second boat's flag State national fisheries authority, in the approved form and no later than 24 hours after the transshipment occurs, that the transshipment has occurred; and
 - (b) when the transshipment occurs—ensure that a CCSBT regional observer is on board the first boat unless:
 - (i) a force majeure, or another unexpected and disruptive event, has prevented the person from having the observer on board; and
 - (ii) the person has notified the CCSBT Executive Secretary that the observer is not on board; and
 - (c) no later than 48 hours before landing the Southern Bluefin Tuna:
 - (i) notify the competent authority of the State fishing entity where the landing is to take place, in the approved form, that the transshipment has occurred; and
 - (ii) include with the notification the number of the second boat as recorded in the CCSBT Record of Carrier Vessels.

Schedule 4—Prescribed arrangements

(regulation 3.1)

Item	Arrangement	Australian Treaty Series Number	Entry into force for Australia
1	<i>Convention for the Conservation of Southern Bluefin Tuna</i>	[1994] ATS 16	20 May 1994
2	<i>Agreement for the Establishment of the Indian Ocean Tuna Commission</i>	[1996] ATS 20	13 November 1996
3	<i>Convention on the Conservation of Antarctic Marine Living Resources</i>	[1982] ATS 9	7 April 1982
4	<i>Convention on the Conservation of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean</i>	[2004] ATS 15	19 June 2004
5	<i>Southern Indian Ocean Fisheries Agreement</i>	[2012] ATS 21	21 June 2012
6	<i>Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean</i>	[2012] ATS 28	24 August 2012

Note: Each agreement or convention mentioned in Schedule 4 is included in the Australian Treaty Series that is available on the Internet at <http://www.austlii.edu.au>.

Schedule 5—Prescribed organisations

(regulation 3.2)

Item	Organisation
1	The Commission for the Conservation of Antarctic Marine Living Resources, established in accordance with the <i>Convention on the Conservation of Antarctic Marine Living Resources</i>
2	The Commission for the Conservation of Southern Bluefin Tuna, established in accordance with the <i>Convention for the Conservation of Southern Bluefin Tuna</i>
3	The Indian Ocean Tuna Commission, established in accordance with the <i>Agreement for the Establishment of the Indian Ocean Tuna Commission</i>
4	The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean, established in accordance with the <i>Convention on the Conservation of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean</i>
5	South Pacific Regional Fisheries Management Organisation, established in accordance with the <i>Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean</i>

Endnote 1—Legislation history

Endnotes**Endnote 1—Legislation history**

This endnote sets out details of the legislation history of the *Fisheries Management (International Agreements) Regulations 2009*.

Number and year	FRLI registration date	Commencement date	Application, saving and transitional provisions
2009 No. 254	9 Oct 2009 (<i>see</i> F2009L03790)	10 Oct 2009	
2012 No. 98	18 June 2012 (<i>see</i> F2012L01240)	19 June 2012	—
204, 2013	8 Aug 2013 (<i>see</i> F2013L01541)	Schedule 2: [<i>see</i> Endnote 3] Remainder: 9 Aug 2013	—

Endnotes

Endnote 2—Amendment history

Endnote 2—Amendment history

This endnote sets out the amendment history of the *Fisheries Management (International Agreements) Regulations 2009*.

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted
exp. = expired or ceased to have effect

Provision affected	How affected
Part 1	
r. 1.3	am. 2012 No. 98
Part 2	
r. 2.1	am. 2012 No. 98
r. 2.2	ad. 2012 No. 98
	am. No. 204, 2013
r. 2.3	ad. 2012 No. 98
	am. No. 204, 2013
r. 2.4	ad. 2012 No. 98
	am. No. 204, 2013
r. 2.5	ad. 2012 No. 98
Schedule 1	
Heading to c. 2.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 2.....	am. 2012 No. 98
Heading to c. 3.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 3.....	am. 2012 No. 98
Heading to c. 4.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 4.....	am. 2012 No. 98
Heading to c. 5.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 5.....	am. 2012 No. 98
Heading to c. 6.....	am. 2012 No. 98
	rs. No. 204, 2013

Endnote 2—Amendment history

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted
exp. = expired or ceased to have effect

Provision affected	How affected
c. 6.....	am. 2012 No. 98
Heading to c. 7.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 7.....	am. 2012 No. 98
Heading to c. 8.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 8.....	am. 2012 No. 98; No. 204, 2013
Heading to c. 9.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 9.....	am. 2012 No. 98; No. 204, 2013
Heading to c. 10.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 10.....	am. 2012 No. 98
Heading to c. 11.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 11.....	am. 2012 No. 98
Heading to c. 12.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 12.....	am. 2012 No. 98
Heading to c. 13.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 13.....	am. 2012 No. 98; No. 204, 2013
Heading to c. 13A.....	rs. No. 204, 2013
c. 13A.....	ad. 2012 No. 98
Heading to c. 13B.....	rs. No. 204, 2013
c. 13B.....	ad. 2012 No. 98
c. 13BA.....	ad. No. 204, 2013
Heading to c. 13C.....	rs. No. 204, 2013
c. 13C.....	ad. 2012 No. 98
Heading to c. 14.....	am. 2012 No. 98

Endnotes

Endnote 2—Amendment history

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted
exp. = expired or ceased to have effect

Provision affected	How affected
	rs. No. 204, 2013
c. 14.....	am. 2012 No. 98; No. 204, 2013
Heading to c. 15.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 15.....	am. 2012 No. 98
Heading to c. 16.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 16.....	am. 2012 No. 98
Heading to c. 17.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 17.....	am. 2012 No. 98
Heading to c. 18.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 18.....	am. 2012 No. 98
Heading to c. 19.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 19.....	am. 2012 No. 98
Heading to c. 20.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 20.....	am. 2012 No. 98
Heading to c. 21.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 21.....	am. 2012 No. 98
Heading to c. 22.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 22.....	am. 2012 No. 98
Heading to c. 23.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 23.....	am. 2012 No. 98
Heading to c. 24.....	am. 2012 No. 98

Endnote 2—Amendment history

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted
exp. = expired or ceased to have effect

Provision affected	How affected
	rs. No. 204, 2013
c. 24.....	am. 2012 No. 98
Heading to c. 25.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 25.....	am. 2012 No. 98
Heading to c. 26.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 26.....	am. 2012 No. 98
Heading to c. 27.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 27.....	am. 2012 No. 98
Heading to c. 28.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 28.....	am. 2012 No. 98
Heading to c. 29.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 29.....	am. 2012 No. 98
Heading to c. 30.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 30.....	am. 2012 No. 98
Heading to c. 31.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 31.....	am. 2012 No. 98
Heading to c. 32.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 32.....	am. 2012 No. 98
Heading to c. 33.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 33.....	am. 2012 No. 98
Heading to c. 34.....	am. 2012 No. 98

Endnotes

Endnote 2—Amendment history

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted
exp. = expired or ceased to have effect

Provision affected	How affected
	rs. No. 204, 2013
c. 34.....	am. 2012 No. 98
Heading to c. 35.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 35.....	am. 2012 No. 98
Heading to c. 36.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 36.....	am. 2012 No. 98
Heading to c. 37.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 37.....	am. 2012 No. 98
Heading to c. 37A.....	rs. No. 204, 2013
c. 37A.....	ad. 2012 No. 98
	am. No. 204, 2013
c. 37B.....	ad. No. 204, 2013
c. 37C.....	ad. No. 204, 2013
Heading to c. 38.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 38.....	am. 2012 No. 98; No. 204, 2013
Heading to c. 39.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 39.....	am. 2012 No. 98; No. 204, 2013
Heading to c. 40.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 40.....	am. 2012 No. 98; No. 204, 2013
Heading to c. 41.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 41.....	am. 2012 No. 98; No. 204, 2013
Heading to c. 42.....	am. 2012 No. 98
	rs. No. 204, 2013

Endnote 2—Amendment history

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted
exp. = expired or ceased to have effect

Provision affected	How affected
c. 42.....	am. 2012 No. 98; No. 204, 2013
Heading to c. 43.....	rs. No. 204, 2013
c. 43.....	rs. 2012 No. 98
	am. No. 204, 2013
Heading to c. 44.....	rs. No. 204, 2013
c. 44.....	rs. 2012 No. 98
	am. No. 204, 2013
c. 44A.....	ad. No. 204, 2013
c. 44B.....	ad. No. 204, 2013
Heading to c. 45.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 45.....	am. 2012 No. 98
Heading to c. 46.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 46.....	am. 2012 No. 98; No. 204, 2013
Heading to c. 47.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 47.....	am. 2012 No. 98
Heading to c. 48.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 48.....	am. 2012 No. 98; No. 204, 2013
Heading to c. 49.....	rs. No. 204, 2013
c. 49.....	rs. 2012 No. 98
	am. No. 204, 2013
Heading to c. 49A.....	rs. No. 204, 2013
c. 49A.....	ad. 2012 No. 98
	am. No. 204, 2013
Heading to c. 50.....	am. 2012 No. 98
	rep. No. 204, 2013
c. 50.....	am. 2012 No. 98

Endnotes

Endnote 2—Amendment history

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted
exp. = expired or ceased to have effect

Provision affected	How affected
	rep. No. 204, 2013
Heading to c. 51.....	am. 2012 No. 98
	rep. No. 204, 2013
c. 51.....	rep. No. 204, 2013
Heading to c. 52.....	am. 2012 No. 98
	rep. No. 204, 2013
c. 52.....	am. 2012 No. 98
	rep. No. 204, 2013
Heading to c. 53.....	rs. No. 204, 2013
c. 53.....	ad. 2012 No. 98

Schedule 2

Heading to c. 2.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 2.....	am. 2012 No. 98
Heading to c. 3.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 3.....	am. 2012 No. 98
Heading to c. 4.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 4.....	am. 2012 No. 98
Heading to c. 5.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 5.....	am. 2012 No. 98
Heading to c. 5A.....	rs. No. 204, 2013
c. 5A.....	ad. 2012 No. 98
Heading to c. 6.....	am. 2012 No. 98
	rep. No. 204, 2013
c. 6.....	am. 2012 No. 98
	rep. No. 204, 2013
Note to c. 6.3.....	am. 2012 No. 98

Endnote 2—Amendment history

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted
exp. = expired or ceased to have effect

Provision affected	How affected
	rep. No. 204, 2013
Heading to c. 7.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 7.....	am. 2012 No. 98; No. 204, 2013
Heading to c. 8.....	am. 2012 No. 98
c. 8.....	am. 2012 No. 98
Note to c. 8.1	rep. 2012 No. 98
Note to c. 8.2	rs. 2012 No. 98
Heading to c. 9.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 9.....	am. 2012 No. 98
	rs. No. 204, 2013
Heading to c. 10.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 10.....	am. 2012 No. 98
Note to c. 10.1	rs. 2012 No. 98
Heading to c. 11.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 11.....	am. 2012 No. 98
Heading to c. 12.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 12.....	am. 2012 No. 98
Heading to c. 13.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 13.....	am. 2012 No. 98; No. 204, 2013
Heading to c. 14.....	rs. No. 204, 2013
c. 14.....	ad. 2012 No. 98
	am. No. 204, 2013
Schedule 3	
Heading to c. 2.....	am. 2012 No. 98

Endnotes

Endnote 2—Amendment history

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted
exp. = expired or ceased to have effect

Provision affected	How affected
	rs. No. 204, 2013
c. 2.....	am. 2012 No. 98
Note to c. 2.2	rep. 2012 No. 98
Heading to c. 3.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 3.....	am. 2012 No. 98
Heading to c. 4.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 4.....	am. 2012 No. 98
Heading to c. 5.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 5.....	am. 2012 No. 98
Heading to c. 6.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 6.....	am. 2012 No. 98
Heading to c. 7.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 7.....	am. 2012 No. 98
Heading to c. 8.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 8.....	am. 2012 No. 98
Note to c. 8.2	am. 2012 No. 98
Heading to c. 9.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 9.....	am. 2012 No. 98
Heading to c. 10.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 10.....	am. 2012 No. 98
Heading to c. 11.....	am. 2012 No. 98
	rs. No. 204, 2013

Endnote 2—Amendment history

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted
exp. = expired or ceased to have effect

Provision affected	How affected
c. 11.....	am. 2012 No. 98
Heading to c. 12.....	am. 2012 No. 98
	rs. No. 204, 2013
c. 12.....	am. 2012 No. 98
Heading to c. 13.....	rs. No. 204, 2013
c. 13.....	ad. 2012 No. 98
Heading to c. 14.....	rs. No. 204, 2013
c. 14.....	ad. 2012 No. 98
Heading to c. 15.....	rs. No. 204, 2013
c. 15.....	ad. 2012 No. 98
c. 16.....	ad. No. 204, 2013
Schedule 3A	
Schedule 3A.....	ad. 2012 No. 98
c. 1.....	ad. 2012 No. 98
c. 2.....	ad. 2012 No. 98
Heading to c. 3.....	rs. No. 204, 2013
c. 3.....	ad. 2012 No. 98
Heading to c. 4.....	rs. No. 204, 2013
c. 4.....	ad. 2012 No. 98
Schedule 4	
Schedule 4.....	am. No. 204, 2013
Schedule 5	
Schedule 5.....	am. No. 204, 2013

Endnotes

Endnote 3—Uncommenced amendments

Endnote 3—Uncommenced amendments

This endnote sets out amendments of the *Fisheries Management (International Agreements) Regulations 2009* that have not yet commenced.

Fisheries Management (International Agreements) Amendment Regulation 2013 (No. 1) (No. 204, 2013)

Schedule 2

1 Clause 8 of Schedule 2

Repeal the clause, substitute:

8 Reducing the incidental by-catch of seabirds in longline fisheries

- 8.1 If a person is using a longline fishing boat in the IOTC Area for fishing for tuna and tuna-like species south of 25° S:
- (a) the person must use at least 2 of the mitigation measures mentioned in column 1 of the following table; and
 - (b) the person must consider using the mitigation measures in other areas, as appropriate, consistent with scientific advice; and
 - (c) the mitigation measures must conform to the minimum technical specification mentioned in column 3 of the table.

Mitigation Measures			
Item	Column 1	Column 2	Column 3
	Measure	Description	Technical Specification
1	Night setting with minimum deck lighting	The person must: (a) not set longlines between nautical dawn and nautical dusk; and (b) keep deck lighting to a minimum.	Nautical dusk and nautical dawn are defined in the Nautical Almanac tables for relevant latitude, local time and date. Minimum deck lighting must not breach minimum standards for safety and navigation.
2	Bird-scaring lines (Tori lines)	The person must deploy bird-scaring lines during the entire	For vessels of 35 m or more, the person must:

Endnote 3—Uncommenced amendments

Mitigation Measures			
Item	Column 1	Column 2	Column 3
	Measure	Description	Technical Specification
		process of setting the longline to deter birds from approaching the branch line.	<p>(a) deploy at least one bird-scaring line; and</p> <p>(b) deploy more than one bird-scaring line at times of high bird abundance or activity, if practical; and</p> <p>(c) if deploying more than one bird-scaring line, deploy the bird-scaring lines simultaneously, one on each side of the longline being set; and</p> <p>(d) ensure that the aerial extent of bird-scaring lines is 100 m or more; and</p> <p>(e) use long streamers of sufficient length to reach the sea surface in calm conditions, placed at intervals of no more than 5 m.</p> <p>For vessels less than 35 m, the person must:</p> <p>(a) deploy at least one bird-scaring line; and</p> <p>(b) ensure that the aerial extent of bird-scaring lines is 75 m or more; and</p> <p>(c) use long or short streamers (greater than 1 m in length), placed at intervals as follows:</p> <p>(i) short—intervals of no more than 2 m;</p>

Endnotes

Endnote 3—Uncommenced amendments

Mitigation Measures			
Item	Column 1	Column 2	Column 3
	Measure	Description	Technical Specification
			<p>(ii) long—intervals of no more than 5 m for the first 55 m of bird-scaring line.</p> <p>A person must ensure that when using this measure, that the person complies with additional minimum technical standards for this measure as provided in Annex 1 of IOTC Resolution 12/06, as given effect by this clause.</p>
3	Line weighting	The person must deploy line weights on the snood before setting.	<p>Line weights must be attached as follows:</p> <p>(a) if the weights are more than 45 g but less than 60 g—they must be attached within 1 m of the hook;</p> <p>(b) if the weights are more than 60 g but less than 98 g—they must be attached within 3.5 m of the hook;</p> <p>(c) if the weights are more than 98 g—they must be attached within 4 m of the hook.</p>

Endnote 4—Misdescribed amendments

Endnote 4—Misdescribed amendments

This endnote sets out amendments of the *Fisheries Management (International Agreements) Regulations 2009* that have been misdescribed.

Fisheries Management (International Agreements) Amendment Regulation 2012 (No. 1) (No. 98, 2012)

Schedule 1**[56] Further amendments**

<i>Provision</i>	<i>omit</i>	<i>insert</i>
Schedule 3, subclause 4.1	To give effect to WCPFC Conservation and Management Measure 2006-08, a person	A person