



Australian Government

Australian Fisheries Management Authority

Fisheries Management (Southern Bluefin Tuna Fishery Management Plan) Temporary Order 2009 (No. 2)

Fisheries Management Act 1991

The Australian Fisheries Management Authority makes this order under sub section 43(2) of the *Fisheries Management Act 1991*, being satisfied that:

- (a) it is necessary to take action under s43 of the Fisheries Management Act;
- (b) the action is consistent with AFMA objectives; and
- (c) no other action is appropriate.

Dated 25 November 2009

The Common Seal of the Australian
Fisheries Management Authority
was affixed in accordance with a
resolution of the Commission

PETER WITHERIDGE
Executive Secretary

Temporary Order

1 Name of Order

This Order is the Fisheries Management (Southern Bluefin Tuna Fishery Management Plan) Temporary Order 2009 (No. 2).

2 Commencement

This Order commences the day after it is registered

3. Reason for Temporary Order

This Temporary Order is necessary due to:

- the October 2009 decision of the Commission for the Conservation of Southern Bluefin Tuna requiring implementation of a significant reduction in annual national quota allocation and the introduction of a 2 year season;
- insufficient time prior to the commencement of the changed fishing season newly prescribed by Regulation to last from 1 December 2009 to 30th November 2011 to determine and specify in a public notice the actual or interim live weight value for a statutory fishing right. required in sub section 18.3 of the *Southern Bluefin Tuna Fishery Management Plan 1995* (“the Plan”); and
- insufficient time to adjust the Plan and allocation arrangements to give effect to the flexible allocation of quota over the season.

Time for Determination of Live Weight Value for the Season

4. In accordance with s43(2) of the *Fisheries Management Act 1991* it is ordered that the sub sections 18.2, 18.3, 18.5, 18.8 and 20.1 of the Plan be suspended during the term of this temporary order.

Live Weight Values Applying to Parts of the Season

5. The actual live weight value of a Statutory Fishing Right under the Plan shall be calculated and specified for publication in the legislative instrument setting Australia’s national catch allocation for the 2009-2011 season.

Revocation of Previous Temporary Order

6. The Temporary Order Registered on 26th October 2009 F2009L04004 is revoked.

Note

This is a Legislative Instrument and must be registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*