



Australian Government

Australian Fisheries Management Authority

DIRECTION NOT TO ENGAGE IN FISHING

Fisheries Management Act 1991
Subsection 41A(2)

HEARD ISLAND AND MCDONALD ISLANDS FISHERY (Closures) DIRECTION No. 1 2014

I, **JAMES FINDLAY**, Chief Executive Officer of the Australian Fisheries Management Authority, as delegate under delegation No. 6 of 2013 made on 16th September 2013 from the Commission, make the following Direction under subsection 41A(2) of the *Fisheries Management Act 1991*.

Dated: 2 May 2014

James Findlay
Chief Executive Officer
Australian Fisheries Management Authority

Citation

1. This Direction may be cited as the *Heard Island and McDonald Islands Fishery (Closures) Direction No. 1 2014*.

Commencement

2. This Direction commences the day after it is registered on the Federal Register of Legislative Instruments.

Cessation

3. This Direction ceases as if it was revoked on 22 April 2019 unless earlier revoked.

Interpretation

- 4.1 “fishery” means the Heard Island and McDonald Islands Fishery;

“incidental take” means the taking of species unintentionally while engaged in commercial fishing;

“mackerel icefish” means fish of the species *Champsocephalus gunnari*;

“Plan” means the *Heard Island and McDonald Islands Fishery Management Plan 2002*; and

“target” in relation to fishing means the commercial fishing activities engaged in with the intention of taking a particular species.

- 4.2** Terms used in this Direction that are defined for the purposes of the *Heard Island and McDonald Islands Fishery Management Plan 2002* have the same meanings in this Direction as they have in that Plan.

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

- 4.3** This Direction is to be read consistently with other Directions made under the *Fisheries Management Act 1991*.

- 4.4** The origin of geographical coordinates used in this Direction is the Australian Geodetic Datum 1972 (AGD72).

To whom this Direction applies

- 5.** This Direction applies to a holder of a fishing concession in the Heard Island and McDonald Islands Fishery and to a person acting on behalf of the holder.

Direction not to engage in fishing

- 6.1** No fishing is to be engaged in that targets mackerel icefish in the area of the fishery that is the outside of the Heard Island Plateau, as defined in Schedule 1.
- 6.2** Any incidental take of mackerel icefish in the area of the fishery referred to in clause 6.1 will be decremented from a person’s quota holdings for that species in the same manner as it would be if mackerel icefish were a target species in that area.

Revocation of previous Direction

- 7.** This Direction revokes the *Direction No. HIMIFD 10* with effect from the commencement of this Direction.

SCHEDULE 1

Area of the Heard Island Plateau

Heard Island Plateau is defined as the area enclosed by a line:

- a) starting at the point where the meridian of Longitude 72 degrees 15 minutes East intersects the Australia–France Maritime Delimitation Agreement Boundary then south along the meridian to its intersection with the parallel of Latitude 53 degrees 25 minutes South;
- b) then east along that parallel to its intersection with the meridian of Longitude 74 degrees East;
- c) then north-easterly along the geodesic to the intersection of the parallel of Latitude 52 degrees 40 minutes South and the meridian of Longitude 76 degrees East;
- d) then north along the meridian to its intersection with the parallel of Latitude 52 degrees South;
- e) then north-westerly along the geodesic to the intersection of the parallel of Latitude 51 degrees South with the meridian of Longitude 74 degrees 30 minutes East; and
- f) then south-westerly along the geodesic to the point of commencement.