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**Fisheries Management (Southern Bluefin Tuna Fishery Management Plan 1995) Temporary Order 2014 No. 1**

*Fisheries Management Act 1991*

I, JAMES FINDLAY, Chief Executive Officer and delegate of the Australian Fisheries Management Authority, make this order under subsection 43(2) of the *Fisheries Management Act 1991,* being satisfied that:

(a) it is necessary to take action under section 43 of the Management Act;

(b) the action is consistent with AFMA objectives; and

(c) no other action is appropriate.

Dated: 23 October 2014

JAMES FINDLAY

Chief Executive Officer

Australian Fisheries Management Authority

**1. Name of Order**

This Order may be cited as the *Fisheries Management (Southern Bluefin Tuna Fishery Management Plan 1995) Temporary Order 2014 No. 1*.

**2. Commencement and Cessation**

This Order commences on the day after registration on the Federal Register of Legislative Instruments and ceases on 30 November 2014.

**3. Definitions**

In this Order:

Terms used have the same meaning that they have in the *Fisheries Management Act* *1991* (the Management Act) and in the *Southern Bluefin Tuna Fishery Management Plan 1995* (the Management Plan)*.*

**4.** **AFMA’s power to determine national catch allocation**

Clause 17 of the Management Plan has no effect to the extent that it restricts, or would restrict, AFMA from making, varying, remaking or revoking a determination relating to Australia’s national catch allocation for the 2013-2014 and 2014-2015 seasons.

**5. Circumstances of determining national catch allocation**

Clause 17 of the Management Plan has no effect to the extent that it limits, or would limit, the circumstances in which AFMA can exercise a power under the Management Plan or Management Act to make or vary a determination of Australia’s national catch allocationfor the 2013-2014 and 2014-2015 seasons.

**6**. **AFMA’s power to vary actual live weight value of a statutory fishing right**

Clause 18 of the Management Plan, and in particular subclause 18.8, has no effect to the extent that it prohibits, or would prohibit, AFMA from varying or re-determining the actual live weight of a statutory fishing right for the 2013-2014 and 2014-2015 fishing seasons.

**7**. **AFMA still obliged to pursue objectives**

For the avoidance of doubt, in determining a national catch allocation, AFMA must pursue the objectives set out in Division 1.2 of the Management Plan and sections 3 and 3A of the Management Act and not act inconsistently with a decision of the Commission relating to Australia’s national catch allocation.