

Antarctic Marine Living Resources Conservation Regulations (Amendment) 1997 No. 6

EXPLANATORY STATEMENT

STATUTORY RULES 1997 NO. 6

Issued by the Authority of the Minister for the Environment

Antarctic Marine Living Resources Conservation Act 1981

Antarctic Marine Living Resources Conservation Regulations (Amendment)

Subsection 24(1) of the *Antarctic Marine Living Resources Conservation Act 1981* empowers the Governor-General to make regulations not inconsistent with the Act, prescribing all matters required or permitted by the Act to be prescribed, or necessary or convenient to be prescribed for carrying out or giving effect to the Act, the Convention or the conservation measures.

The Act implements the Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR). The Antarctic Marine Living Resources Conservation Regulations (the Regulations) implement the obligations arising from a number of Conservation Measures adopted by the Commission for CAMLR. The Commission is responsible for giving effect to the objective and principles of the Convention. The amending Regulations provide for the inclusion of additional conservation measures adopted by the Commission since the Regulations were made in 1994, such as establishing the catch limit for various species and regulating the use of plastic packaging bands to decrease the incidental mortality of seals caused by entanglement in these bands.

The proposed Regulations commence on gazettal.

Details of the Regulations are as follows:

Regulation 1 - Amendment

This regulation provides for the Antarctic Marine Living Resources Conservation Regulations, the principal Regulations, to be amended as provided for in these Regulations. The amendments are for the purpose of incorporating additional conservation measures adopted by the Commission for the Conservation of Antarctic Marine Living Resources since the making of the original Regulations.

Regulation 2 - Schedule

This regulation amends the Schedule of the Principal Regulations.

SCHEDULE

The Schedule is a copy of certain conservation measures adopted by the Commission for the Conservation of Antarctic Marine Living Resources. The Schedule has been amended to reflect recent changes to measures adopted by the Commission. Details of these changes are as follows.

Conservation Measure 29/XV outlines the methods to be used in longline fishing to reduce the incidental mortality of seabirds. It replaces previous measures on the same subject matter and was revised to define precisely the meaning of the terms nautical twilight and dawn.

Conservation Measure 63/XV regulates the use of plastic packaging bands to decrease the incidental mortality of seals caused by entanglement in these bands. It replaces a previous measure on the same subject matter and was revised to highlight the commencement of a prohibition on the use of such bands to secure bait boxes. Bands used for other purposes may be used if they can be burned in an on-board incinerator.

Conservation Measure 106/XV establishes a catch limit for the harvest of krill (*Euphausia superba*) in the CCAMLR Statistical Reporting Area, Division 58.4.1. This Division comprises a substantial area off the coast of the Australian Antarctic Territory.

Conservation Measures 109/XV, 110/XV and 111/XV establish catch limits and outline the conditions for harvesting Patagonian toothfish (*Dissostichus eleginoides*), Mackerel icefish (*Champscephalus gunnari*) and other deep water species respectively in the CCAMLR Statistical Reporting Area, Division 58.5.2. The Territory of Heard Island and McDonald Islands is in this Division.

Conservation Measure 112/XV establishes general measures for new fisheries for toothfish species (*Dissostichus*) in the Convention area.

Conservation Measure 113/XV establishes a catch limit and outlines the conditions for harvesting Patagonian toothfish (*Dissostichus eleginoides*) and Antarctic toothfish (*Dissostichus mawsoni*) in the CCAMLR Statistical Reporting Area, Division 58.4.3 of the CCAMLR area. The Division is south of the Territory of Heard Island and McDonald Islands.