

TORRES STRAIT SEA CUCUMBER FISHERY

**PROHIBITION ON TAKING SEA CUCUMBERS
(GEAR AND SIZE RESTRICTIONS)**

The Protected Zone Joint Authority, acting in accordance with the powers conferred on the Authority by paragraph 35(1)(a) of the *Torres Strait Fisheries Act 1984*, and in accordance with the decisions made by the Authority, make the following Notice under section 16 of the *Torres Strait Fisheries Act 1984*.

Dated this 24th day of December 2002

IAN MACDONALD
Chairman
Protected Zone Joint Authority

CITATION

1. This Notice may be cited as Torres Strait Fisheries Management Notice No. 64.

COMMENCEMENT

2. This Notice commences on *Gazettal*.

THIS NOTICE TO APPLY WITH OTHER NOTICES

3. This Notice applies in conjunction with any other Notice in force in the area of the Torres Strait Sea Cucumber Fishery.

REVOCATION OF FISHERIES NOTICE NO. 53

4. Fisheries Management Notice No. 53 dated 25 March 1999 is revoked.

INTERPRETATION

5. (a) In this Notice, unless the contrary intention appears:
 - "the Act" means the *Torres Strait Fisheries Act 1984*;
 - "sea cucumber" means fish of the families *Holothuria* and *Stichopodidae*; and
 - "underwater breathing apparatus" means any apparatus that delivers air or other breathing gas to a person.
- (b) Terms used but not defined in this Notice have the same meaning as in the Act and the Torres Strait Fisheries Regulations.

PROHIBITION ON THE TAKING, PROCESSING OR CARRYING

- 6.1 Pursuant to paragraph 16(1)(a) of the Act, the taking, processing or carrying of sea cucumbers in the area of the Torres Strait Sea Cucumber Fishery is prohibited.
- 6.2 Pursuant to paragraph 16(1A)(d) of the Act, a person is exempt from the prohibition in paragraph 6.1 if:
 - (a) where the person takes or carries sea cucumbers without the use of a boat – the number of sea cucumbers in that person's possession does not exceed three; or
 - (b) where the person takes or carries sea cucumbers with the use of a boat, or by diving from a boat, and no other person is in the boat – the number of sea cucumbers in the boat does not exceed three; or
 - (c) where the person takes or carries sea cucumbers with the use of a boat, or by diving from a boat, and there is at least one other person in the boat – the number of sea cucumbers in the boat does not exceed six.

SIZE LIMITS

7. Pursuant to paragraph 16(1)(b) of the Act, it is prohibited to take in the area of the Torres Strait Sea Cucumber Fishery species of the kind referred to in the Schedule that, when measured in their original living form at their longest point, are less than the lengths specified in respect of each species in the Schedule.

SCHEDULE

SPECIES	LENGTH IN MILLIMETRES
Sandfish (<i>Holothuria scabra</i>)	180
Lollyfish (<i>Holothuria atra</i>)	150
Black teatfish (<i>Holothuria nobilis</i>)	250
White teatfish (<i>Holothuria fuscogilva</i>)	320
Deepwater redfish (<i>Holothuria echinites</i>)	120
Prickly redfish (<i>Thelenota ananas</i>)	300
Elephant's trunk fish (<i>Holothuria fuscopunctata</i>)	240
Surf redfish (<i>Actinopyga mauritiana</i>)	220
Black fish (<i>Actinopyga miliaris</i>)	220
Curry fish (<i>Stichopus variegatus</i>)	270

GEAR RESTRICTIONS

8. Pursuant to paragraph 16(1)(c) of the Act, the taking of sea cucumbers in the area of the Torres Strait Sea Cucumber Fishery with the use of any underwater breathing apparatus or by any method other than collection by hand, is prohibited.

EXEMPTIONS FROM PROHIBITIONS

- 9.1 Pursuant to paragraph 16(1A)(d) of the Act, a person is exempt from the prohibition in paragraph 6.1 if the person holds a licence granted under subsections 19(2) or 19(3) of the Act that entitles that person to take, process or carry sea cucumbers or beche de mer.
- 9.2 Pursuant to paragraph 16(1A)(d) of the Act, a person is exempt from the prohibition in paragraph 7 if the person takes, processes or carries sea cucumbers or beche de mer in the course of traditional fishing.