

Southern and Eastern Scalefish and Shark Fishery (Overcatch and Undercatch) Determination 2020

The Australian Fisheries Management Authority makes the following determination in accordance with a decision made by the AFMA Commission under section 23 of the *Fisheries Administration Act 1991*.

Dated 17 March 2020

Sally Weekes

Acting Executive Secretary
for and on behalf of the Australian Fisheries Management Authority

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1 Name

 This instrument is the *Southern and Eastern Scalefish and Shark Fishery (Overcatch and Undercatch) Determination 2020*.

2 Commencement

1. Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information |
| --- |
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. The whole of this instrument | *1 May 2020* | *1 May 2020* |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

1. Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Revocation

 This instrument is revoked on 1 May 2021.

4 Authority

 This instrument is made under paragraph 17(6)(aa) of the Act for the purpose of subsection 24(1) of the Management Plan.

5 Definitions

1. In this instrument:

 ***Act*** means the *Fisheries Management Act 1991*.

 ***Management Plan*** means the *Southern and Eastern Scalefish and Shark Fishery Management Plan 2003*.

1. In this Determination, the terms ‘East’ and ‘West’ in the table in clause 6, in relation to the species ‘Deepwater shark’ mean:

 (i) East – the Gemfish eastern zone, as defined in Schedule 1, Part 3 section 1 of the Management Plan.

 (ii) West – the Gemfish western zone, as defined in Schedule 1, Part 3 section 2 of the Management Plan.

1. In this Determination, the terms ‘Cascade Plateau’ and ‘Other’ in the table in clause 6, in relation to the species ‘Smooth oreo dory’ mean:

 (i) Cascade Plateau – the orange roughy Cascade Plateau zone of the fishery, as defined in clause 4 of Part 3 of Schedule 1 of the Management Plan.

 (ii) Other – areas of the fishery outside the orange roughy Cascade Plateau zone of the fishery, as defined in clause 4 of Part 3 of Schedule 1 of the Management Plan.

1. A term used in this Determination that is defined for the purposes of the Management Plan has the same meaning in this Determination as it has in that Plan.

Note: Terms defined in the Act have the same meaning in this instrument (see paragraph 13(1)(b) of the *Legislation Act 2003*).

6 Determination of overcatch and undercatch

 For the purposes of section 24 of the Management Plan the ‘determined amount’ and ‘determined percentages’ for each quota species for the fishery for the 2020 fishing year commencing on 1 May 2020 and ending on 30 April 2021 are:

| Item | Column 1Species of fish | Column 2Determined Percentage (Overcatch – s22 and s22A) | Column 3**Determined Percentage (Undercatch – s23)** | Column 4**Determined Amount (s22A) (kg)** |
| --- | --- | --- | --- | --- |
| 1 | Alfonsino | 10 | 10 | 2,000 |
| 2 | Bight redfish | 10 | 10 | 2,000 |
| 3 | Blue eye trevalla | 10 | 10 | 2,000 |
| 4 | Blue grenadier | 10 | 10 | 2,000 |
| 5 | Blue warehou | None | None | 2,000 |
| 6 | Deepwater flathead | 10 | 10 | 2,000 |
| 7 | Deepwater shark basket – East | 10 | 10 | 2,000 |
| 8 | Deepwater shark basket - West | 10 | 10 | 2,000 |
| 9 | Elephant fish | 10 | 10 | 2,000 |
| 10 | Flathead | 10 | 10 | 2,000 |
| 11 | Gemfish (eastern) | None | None | 2,000 |
| 12 | Gemfish (western) | 10 | 10 | 2,000 |
| 13 | Gummy shark | 10 | 10 | 2,000 |
| 14 | Jackass morwong | 10 | 10 | 2,000 |
| 15 | John dory | 10 | 10 | 2,000 |
| 16 | Mirror dory | 10 | 10 | 2,000 |
| 17 | Ocean perch | 10 | 10 | 2,000 |
| 18 | Orange roughy (GAB Albany and Esperance zones) | None | None | 2,000 |
| 19 | Orange roughy (Cascade Plateau) | 10 | 10 | 2,000 |
| 20 | Orange roughy (eastern) | 10 | 100 | 2,000 |
| 21 | Orange roughy (southern) | None  | None  | 2,000 |
| 22 | Orange roughy (western) | None  | None  | 2,000 |
| 23 | Oreo, basket | 10 | 10 | 2,000 |
| 24 | Pink ling | 10 | 10 | 2,000 |
| 25 | Redfish | None  | None | 2,000 |
| 26 | Ribaldo | 10 | 10 | 2,000 |
| 27 | Royal red prawn | 10 | 10 | 2,000 |
| 28 | Saw shark | 10 | 10 | 2,000 |
| 29 | School shark | None | None | 2,000 |
| 30 | School whiting | 10 | 10 | 2,000 |
| 31 | Silver trevally | 10 | 10 | 2,000 |
| 32 | Silver warehou | 10 | 10 | 2,000 |
| 33 | Smooth oreo dory – Cascade Plateau | 10 | 10 | 2,000 |
| 34 | Smooth oreo dory – Other | 10 | 10 | 2,000 |