

Southern Bluefin Tuna Fishery (Undercatch and Overcatch) (2021-2022 Season No. 1) Determination 2021

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

Dated 23 November 2021

Wez Norris

Chief Executive Officer   
for and on behalf of the Australian Fisheries Management Authority

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1 Name

This instrument may be cited as the *Southern Bluefin Tuna Fishery (Undercatch and Overcatch) (2021-2022 Season No. 1) Determination 2021*.

2 Commencement

This Determination commences on 1 December 2021.

3 Cessation

This Determination ceases on 1 December 2022.

4 Authority

This instrument is made pursuant to paragraph 17(6)(aa) of the *Fisheries Management Act 1991* under clauses 9B and 9C of the *Southern Bluefin Tuna Fishery Management Plan 1995* (the Plan)*.*

5 Definitions

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

Note: Terms defined in the *Fisheries Management Act 1991* have the same meaning in this instrument.

In this instrument:

***Effective Commercial Catch Limit*** means ANCA for the season commencing on 1 December 2021 plus the total undercatch amount for the fishery (if any) from the previous fishing season.

***ANCA*** means Australia’s National Catch Allocation.

6 Determination of overcatch and undercatch

(1) For the purposes of paragraph 9B.1(a) of the Plan, the determined percentage of overcatch is 5%.

(2) For the purposes of paragraph 9B.1(b) of the Plan, the determined amount of overcatch is 100 tonnes.

(3) For the purposes of paragraph 9B.1(c) of the Plan, the determined additional weight of overcatch is 2 tonnes.

(4) For the purposes of subsection 9C.1 of the Plan, the determined percentage of undercatch for the fishing season commencing on 1 December 2021 and ending on 30 November 2022 is:

1. 20%, if the total commercial catch in the fishery for the season is less than the Effective Commercial Catch Limit minus 20% of ANCA for that season; or
2. 100%, if the total commercial catch in the fishery for the season is greater than or equal to the Effective Commercial Catch Limit minus 20% of ANCA for that season.