

CONSERVATION MEASURE 33-03 (2004)^{1,2}
Limitation of by-catch in new and exploratory fisheries
in the 2004/05 season

Species	by-catch
Area	various
Season	2004/05
Gear	all

1. This conservation measure applies to new and exploratory fisheries in all areas containing small-scale research units (SSRUs) in the 2004/05 season except where specific by-catch conservation measures apply.
2. The catch limits for all by-catch species are set out in Annex 33-03/A. Within these catch limits, the total catch of by-catch species in any SSRU shall not exceed the following limits:
 - skates and rays 5% of the catch limit of *Dissostichus* spp. or 50 tonnes whichever is greater;
 - *Macrourus* spp. 16% of the catch limit for *Dissostichus* spp. or 20 tonnes, whichever is greater;
 - all other species combined 20 tonnes.
3. For the purposes of this measure ‘*Macrourus* spp.’ and ‘skates and rays’ should each be counted as a single species.
4. If the by-catch of any one species is equal to or greater than 1 tonne in any one haul or set, then the fishing vessel shall move to another location at least 5 n miles³ distant. The fishing vessel shall not return to any point within 5 n miles of the location where the by-catch exceeded 1 tonne for a period of at least five days⁴. The location where the by-catch exceeded 1 tonne is defined as the path⁵ followed by the fishing vessel.

¹ Except for waters adjacent to the Kerguelen and Crozet Islands

² Except for waters adjacent to the Prince Edward Islands

³ This provision concerning the minimum distance separating fishing locations is adopted pending the adoption of a more appropriate definition of a fishing location by the Commission.

⁴ The specified period is adopted in accordance with the reporting period specified in Conservation Measure 23-01, pending the adoption of a more appropriate period by the Commission.

⁵ For a trawl the path is defined from the point at which the fishing gear was first deployed from the fishing vessel to the point at which the fishing gear was retrieved by the fishing vessel. For a longline the path is defined from the point at which the first anchor of a set was deployed to the point at which the last anchor of that set was deployed.

Table 1: By-catch catch limits for new and exploratory fisheries in 2004/05.

Subarea/ Division	Region	<i>Dissostichus</i> spp. catch limit (tonnes per region)	Skates and rays (tonnes per region)	By-catch catch limit <i>Macrourus</i> spp. (tonnes per region)	Other species (tonnes per SSRU)
48.6	north of 60°S	455	50	73	20
	south of 60°S	455	50	73	20
58.4.1	whole division	600	50	96	20
58.4.2	whole division	780	50	124	20
58.4.3a	whole division	250	50	26	20
58.4.3b	whole division	300	50	159	20
88.1	whole subarea	3250	163	520	20
88.2	south of 65°S	375	50	60	20

Region: As defined in column 2 of this table.

Rules for catch limits for by-catch species:

Skates and rays: 5% of the catch limit for *Dissostichus* spp. or 50 tonnes, which ever is greatest (SC-CAMLR-XXI, paragraph 5.76).

Macrourus spp.: 16% of the catch limit for *Dissostichus* spp., except in Divisions 58.4.3a and 58.4.3b (SC-CAMLR-XXII, paragraph 4.207).

Other species: 20 tonnes per SSRU.