

**CONSERVATION MEASURE 33-02 (2009)**  
**Limitation of by-catch in Statistical Division 58.5.2**  
**in the 2009/10 season**

Species	by-catch
Area	58.5.2
Season	2009/10
Gear	all

1. There shall be no directed fishing for any species other than *Dissostichus eleginoides* and *Champsocephalus gunnari* in Statistical Division 58.5.2 in the 2009/10 fishing season.
2. In directed fisheries in Statistical Division 58.5.2 in the 2009/10 season, the by-catch of *Channichthys rhinoceratus* shall not exceed 150 tonnes, the by-catch of *Lepidonotothen squamifrons* shall not exceed 80 tonnes, the by-catch of *Macrourus* spp. shall not exceed 360 tonnes and the by-catch of skates and rays shall not exceed 120 tonnes. For the purposes of this measure, 'Macrourus spp.' and 'skates and rays' should each be counted as a single species.
3. The by-catch of any fish species not mentioned in paragraph 2, and for which there is no other catch limit in force, shall not exceed 50 tonnes in Statistical Division 58.5.2.
4. If, in the course of a directed fishery, the by-catch in any one haul of *Channichthys rhinoceratus*, *Lepidonotothen squamifrons*, *Macrourus* spp., *Somniosus* spp. or skates and rays is equal to, or greater than, 2 tonnes, then the fishing vessel shall not fish using that method of fishing at any point within 5 n miles<sup>1</sup> of the location where the by-catch exceeded 2 tonnes for a period of at least five days<sup>2</sup>. The location where the by-catch exceeded 2 tonnes is defined as the path<sup>3</sup> followed by the fishing vessel.
5. If, in the course of a directed fishery, the by-catch in any one haul of any other by-catch species for which by-catch limitations apply under this conservation measure is equal to, or greater than, 1 tonne, then the fishing vessel shall not fish using that method of fishing at any point within 5 n miles<sup>1</sup> of the location where the by-catch exceeded 1 tonne for a period of at least five days<sup>2</sup>. The location where the by-catch exceeded 1 tonne is defined as the path<sup>3</sup> followed by the fishing vessel.

<sup>1</sup> 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.

<sup>2</sup> 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.

<sup>3</sup> 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 or a pot, 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.