

CONSERVATION MEASURE 41-02 (2009)
Limits on the fishery for *Dissostichus eleginoides*
in Statistical Subarea 48.3 in the 2009/10
and 2010/11 seasons

Species	toothfish
Area	48.3
Season	2009/10, 2010/11
Gear	longline, pot

The Commission hereby adopts the following conservation measure in accordance with Conservation Measure 31-01:

- Access
1. The fishery for *Dissostichus eleginoides* in Statistical Subarea 48.3 shall be conducted by vessels using longlines and pots only.
 2. For the purpose of this fishery, the area open to the fishery is defined as that portion of Statistical Subarea 48.3 that lies within the area bounded by latitudes 52°30'S and 56°0'S and by longitudes 33°30'W and 48°0'W.
 3. A map illustrating the area defined by paragraph 2 is appended to this conservation measure (Annex 41-02/A). The portion of Statistical Subarea 48.3 outside that defined above shall be closed to directed fishing for *Dissostichus eleginoides* in the 2009/10 and 2010/11 seasons.
- Catch limit
4. The total catch of *Dissostichus eleginoides* in Statistical Subarea 48.3 in the 2009/10 and 2010/11 seasons shall be limited to 3 000 tonnes in each season. The catch limit shall be further subdivided between the Management Areas shown in Annex 41-02/A as follows:
 - Management Area A: 0 tonnes
 - Management Area B: 900 tonnes in each season
 - Management Area C: 2 100 tonnes in each season.
- Season
5. For the purpose of the longline fishery for *Dissostichus eleginoides* in Statistical Subarea 48.3, the 2009/10 and 2010/11 seasons are defined as the period from 1 May to 31 August in each season, or until the catch limit is reached, whichever is sooner. For the purpose of the pot fishery for *Dissostichus eleginoides* in Statistical Subarea 48.3, the 2009/10 and 2010/11 seasons are defined as the period from 1 December to 30 November, or until the catch limit is reached, whichever is sooner. The 2009/10 season for longline fishing operations may be extended in two periods: (i) to start on 26 April 2010 and (ii) to end on 14 September 2010 for any vessel which has demonstrated full compliance with Conservation Measure 25-02 in the previous season.
 6. The following decision rule shall apply to the extension of the 2010/11 season:
 - (i) if, on average, less than one bird per vessel is caught during the two extension periods in the 2009/10 season, the 2010/11 season shall start on 21 April 2011;

- (ii) if, on average, between one and three birds per vessel, or more than 10 and fewer than 16 birds in total, are caught during the extension periods in the 2009/10 season, the 2010/11 season shall start on 26 April 2011; or
 - (iii) if, on average, more than three birds per vessel, or more than 15 birds in total, are caught during the extension periods in the 2009/10 season, the 2010/11 season shall start on 1 May 2011.
7. The extensions to the seasons in 2009/10 and 2010/11 shall be subject to a combined catch limit of three (3) seabirds per vessel per season. If a total of three seabirds is caught during the two extension periods in any one season, fishing shall cease immediately for that vessel. In the case of the extension at the start of the season, fishing shall not resume until 1 May of the corresponding season and the extension at the end of that season shall not apply.
- By-catch
8. The by-catch of crab in any pot fishery undertaken shall be counted against the catch limit in the crab fishery in Statistical Subarea 48.3.
9. The by-catch of finfish in the fishery for *Dissostichus eleginoides* in Statistical Subarea 48.3 in the 2009/10 and 2010/11 seasons shall not exceed 150 tonnes for skates and rays and 150 tonnes for *Macrourus* spp. in each season. For the purpose of these by-catch limits, 'Macrourus spp.' and 'skates and rays' shall each be counted as a single species.
10. 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 miles¹ 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 days². The location where the by-catch exceeded 1 tonne is defined as the path³ followed by the fishing vessel.
- Mitigation
11. The operation of this fishery shall be carried out in accordance with Conservation Measure 25-02 so as to minimise the incidental mortality of seabirds in the course of fishing.
- Observers
12. Each vessel participating in this fishery shall have at least one scientific observer appointed in accordance with the CCAMLR Scheme of International Scientific Observation and, where possible, one additional scientific observer, on board throughout all fishing activities within the fishing period.
- Data:
catch/effort
13. For the purpose of implementing this conservation measure, the following shall apply:
- (i) the Five-day Catch and Effort Reporting System set out in Conservation Measure 23-01;

(ii) the Monthly Fine-scale Catch and Effort Reporting System set out in Conservation Measure 23-04. Fine-scale data shall be submitted on a haul-by-haul basis.

14. For the purpose of Conservation Measures 23-01 and 23-04, the target species is *Dissostichus eleginoides* and 'by-catch species' are defined as any species other than *Dissostichus eleginoides*.

15. The total number and weight of *Dissostichus eleginoides* discarded, including those with the 'jellymeat' condition, shall be reported. These fish will count towards the total allowable catch.

Data:
biological 16. Fine-scale biological data, as required under Conservation Measure 23-05, shall be collected and recorded. Such data shall be reported in accordance with the CCAMLR Scheme of International Scientific Observation.

Research
fishing 17. Catches of *Dissostichus eleginoides* taken under the provisions of Conservation Measure 24-01 in the area of the fishery defined in this conservation measure shall be considered as part of the catch limit.

Environ-
mental
protection 18. Conservation Measure 26-01 applies.

¹ 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.

² 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.

³ 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.

Statistical Subarea 48.3 – the area of the fishery and the three management areas for catch allocation according to paragraph 4. 1 000 and 2 000 m contours are shown.

