

Proposed amendments to the Heard Island and McDonald Islands Fishery Management Plan 2002

Fishing in the Heard Island and McDonald Islands (HIMI) Fishery is managed under the provisions of the *Heard Island and McDonald Islands Fishery Management Plan 2002* (the Plan).

Proposed amendments

AFMA is proposing to amend some of the provisions in the Plan. The amendments are administrative in nature and do not substantially alter the existing arrangements. The proposed amendments are:

Changing the date for finalising the Fisheries Assessment Plan

It is proposed to amend paragraph 9(2)(c) by changing the dates for finalising the Fisheries Assessment Plan. Currently the monitoring responsibilities under the Fisheries Assessment Plan need to be finalised before the beginning of each fishing year, on 1 December.

This date has proven to be impractical as the personnel involved in developing the monitoring requirements are involved in annual meetings of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) and the Sub-Antarctic Resource Assessment Group (SARAG) and the Sub-Antarctic Fisheries Management Advisory Committee (SouthMAC) meetings until mid November. These meetings determine a number of the management arrangements for the HIMI Fishery and can dictate the fishery monitoring work. It is not practical to finalise the monitoring arrangements before 1 December, as the Fisheries Assessment Plan needs to be developed and signed by all statutory fishing right holders in the HIMI Fishery, who are located in different parts of Australia.

As the monitoring work is not undertaken until later in the fishing year it is proposed to provide more time for the monitoring requirements to be developed and agreed to by stakeholders. Accordingly a 1 March date for finalisation is recommended, which is prior to the date the monitoring work starts.

Capacity to determine catch limits for non-target species

The changes to subsections 11(2) and 11(3) will allow AFMA to determine catch limits for non-target species. Currently the Plan has the Fishery defined in terms of target species alone. This amendment will allow AFMA to determine the bycatch levels adopted by CCAMLR each year for the HIMI Fishery.

The consequential change to subsection 31(1) allows AFMA to issue a direction to restrict or prohibit further fishing if a total allowable catch or catch limit is reached.

Amending the overcatch provision

The changes to subsection 14(1), paragraph 14(1)(a), paragraph 14(1)(b) and subsection 14(2) will bring the overcatch provisions into line with those determined in the *Macquarie Island Toothfish Fishery Management Plan 2006*. It is proposed that any overcatch from 0 – 10 tonnes would come off the following season's quota on a one for one basis, and any overcatch from 10 – 20 tonnes would come off the following season's quota on a three for one basis. Any overcatch above 20 tonnes would be subject to the three for one reduction and possible prosecution. This amends the existing provision which has any catch taken above the quota allocation coming off the following year's quota on a three for one basis.

The overcatch provision is included to allow for any inadvertent catch above the quota allocation which may be taken on the last operation for a boat in the season.

Number of statutory fishing rights

The change adds a note after section 19 which states that the grant process for statutory fishing rights (SFRs) is complete. AFMA has granted 30,000 SFRs for each of the two target species, Patagonian toothfish and mackerel icefish, and does not intend to grant any further SFRs for these species.