

CONSERVATION MEASURE 41-05 (2003)

Limits on the Exploratory Fishery for *Dissostichus* spp. in Statistical Division 58.4.2 in the 2003/04 Season

Species	toothfish
Area	58.4.2
Season	2003/04
Gear	longline

The Commission hereby adopts the following conservation measure in accordance with Conservation Measure 21-02, and notes that this measure would be for one year and that data arising from these activities would be reviewed by the Scientific Committee in 2004:

- Access
1. Fishing for *Dissostichus* spp. in Statistical Division 58.4.2 shall be limited to the exploratory longline fishery by Argentina, Australia, Ukraine, Russia and the USA. The fishery shall be conducted by Argentine, Australian, Ukrainian, Russian and US flagged vessels using longlines only.
- Catch limit
2. The total catch of *Dissostichus* spp. in Statistical Division 58.4.2 in the 2003/04 season shall not exceed a precautionary catch limit of 500 tonnes, of which no more 100 tonnes shall be taken in any one of the five small-scale research units (SSRUs) defined in Conservation Measure 41-01, Annex B for Statistical Division 58.4.2.
 3. In order to distribute effort throughout the division, to ensure that sufficient data are collected from toothfish populations in various areas, and also to afford some protection to the benthic communities, either the eastern or western half (5° of longitude) of each SSRU in which fishing takes place will be defined as 'open' at the discretion of a 'designating vessel's' master according to the actions specified below. The other half of the SSRU shall remain closed to fishing.
 4. On entry to an SSRU a vessel must:
 - (i) notify the Secretariat that it has entered that SSRU with an intention to fish before exiting;
 - (ii) seek notification from the Secretariat of which half of the SSRU is open or that the SSRU remains to be designated according to the steps below;
 - (iii) determine from the Secretariat whether it is the first vessel to enter that SSRU and therefore establishes a 'designating vessel right' to determine which half of the SSRU will be open;
 - (iv) should the vessel be the 'designating vessel' in that SSRU then
 - (a) it should choose which half is to be open;
 - (b) immediately notify the Secretariat of its choice prior to its first line being set;

- (v) if a 'designating vessel' for an SSRU exists that SSRU without fishing then it should notify immediately the Secretariat and forfeit the right as a 'designating vessel' for that SSRU;
 - (vi) if the vessel is not the 'designating vessel' then it must not fish until the 'designating vessel' has selected the half of the SSRU to be opened.
- Season 5. For the purpose of the exploratory longline fishery for *Dissostichus* spp. in Statistical Division 58.4.2, the 2003/04 season is defined as the period from 1 December 2003 to 30 November 2004.
- Fishing operations 6. The exploratory longline fishery for *Dissostichus* spp. in Statistical Division 58.4.2 shall be carried out in accordance with the provisions of Conservation Measure 41-01, except paragraph 6.
7. Fishing will be prohibited in depths less than 550 m in order to protect benthic communities.
- By-catch 8. The by-catch in this fishery shall be regulated as set out in Conservation Measure 33-03.
- Mitigation 9. The exploratory longline fishery for *Dissostichus* spp. in Statistical Division 58.4.2 shall be carried out in accordance with the provisions of Conservation Measure 25-02, except paragraph 4 (night setting) shall not apply. Prior to entry into force of the licence and prior to entering the Convention Area, each vessel shall demonstrate its capacity to comply with experimental line-weighting trials as approved by the Scientific Committee and described in Conservation Measure 24-02 and such data shall be reported to the Secretariat immediately.
10. In Statistical Division 58.4.2, longlines may be set during daylight hours only if the vessel demonstrates a consistent minimum line sink rate of 0.3 m/s in accordance with Conservation Measure 24-02. Should a total of three (3) seabirds be caught, the vessel shall immediately revert to night setting in accordance with Conservation Measure 25-02.
11. There shall be no offal discharge in this fishery.
- Observers 12. Each vessel participating in the fishery shall have at least two scientific observers, one of whom shall be an observer appointed in accordance with the CCAMLR Scheme of International Scientific Observation, on board throughout all fishing activities within the fishing period.
- Research 13. Each vessel participating in this exploratory fishery shall conduct fishery-based research in accordance with the Research Plan and Tagging Program described in Conservation Measure 41-01, Annex B and Annex C respectively.

- Data: catch/effort
14. For the purpose of implementing this conservation measure in the 2003/04 season, 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.
 15. For the purpose of Conservation Measures 23-01 and 23-04, the target species is *Dissostichus* spp. and by-catch species are defined as any species other than *Dissostichus* spp.
- 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 Scheme of International Scientific Observation.