

## Fisheries (Reporting) Amendment Regulations (No 4) 2004

Pursuant to section 297(1)(h) of the Fisheries Act 1996, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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### 1 Title

- (1) These regulations are the Fisheries (Reporting) Amendment Regulations (No 4) 2004.
- (2) In these regulations, the Fisheries (Reporting) Regulations 2001<sup>1</sup> are called “the principal regulations”.

### 2 Commencement

These regulations come into force on 14 January 2005.

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<sup>1</sup> SR 2001/188

**3 Catch, effort, and landing returns**

- (1) Regulation 5 of the principal regulations is amended by revoking subclause (1), and substituting the following subclause:
- “(1) A permit holder who takes fish, or on whose behalf fish are taken, must complete and provide to the chief executive catch, effort, and landing returns for each particular type of fishing activity undertaken that does not require the permit holder to provide a return under regulation 6, 8, 9, 10, 11, 11A, 12, or 13.”
- (2) Regulation 5 of the principal regulations is amended by revoking subclause (2).

**4 New regulation 28 substituted**

The principal regulations are amended by revoking regulation 28, and substituting the following regulation:

**“28 Separate returns required for each vessel or method**

A person who is required to provide returns under these regulations must provide appropriate returns under regulation 5, 6, 8, 9, 10, 11, 11A, 12, or 13 for—

- “(a) each vessel; and
- “(b) each method or group of methods—
- “(i) used from each vessel:
- “(ii) used otherwise than from a vessel.”

**5 Use of codes for certain entries**

Regulation 37(c) of the principal regulations is amended by revoking subparagraph (ii), and substituting the following subparagraph:

- “(ii) if no statistical area code applies, or if the permit holder required to provide the return has been advised in writing by the chief executive to do so, or if the return requires or allows, the latitude and longitude of each place where the fish were taken or where the fishing commenced.”

**6 Form 1 of Schedule 2 amended**

- (1) The notes to Form 1 of Schedule 2 of the principal regulations are amended by inserting, after the paragraphs with the heading “A Effort data” (before the heading “1 Trawling”), the following heading and note:

“**B Catch data:** The information to be entered under the heading ‘For each change of day, method, or stat area, enter estimated greenweight catch by species in order of quantity’ will vary according to the fishing method involved. For ‘Lining methods: bottom and surface long-lining, drop or dahn lining, and trot lining’ (note 5) and ‘Other lining methods: handlining, trolling, and pole and lining’ (note 6), these columns should be completed in the manner indicated in notes 5(c) and 6(d) below. For all other methods, catch data should be recorded as greenweight kilograms for all species excluding scallops (to be recorded in meatweight) and Foveaux Strait dredge oysters (to be recorded as the number of individual oysters taken).”

(2) Note 5 of Form 1 of Schedule 2 of the principal regulations is amended by adding the following paragraph:

“(c) Catch/effort data, species code/weight column—recording catch: for albacore tuna, bigeye tuna, butterfly tuna, northern bluefin tuna, Pacific bluefin tuna, southern bluefin tuna, swordfish, and yellowfin tuna, enter the number of fish caught in the box immediately under the box with the species code entered by the person completing the return. When calculating the total catch, add the numbers of these fish to the weights (kg) of other species.”

(3) Note 6 of Form 1 of Schedule 2 of the principal regulations is also amended by adding the following paragraph:

“(d) Catch/effort data, species code/weight column—recording catch: for albacore tuna, bigeye tuna, butterfly tuna, northern bluefin tuna, Pacific bluefin tuna, southern bluefin tuna, swordfish, and yellowfin tuna, enter the number of fish caught in the box immediately under the box with the species code entered by the person completing the return. When calculating the total catch, add the numbers of these fish to the weights (kg) of other species.”

#### 7 **Part 1 of Schedule 3 amended**

Table 1 of Part 1 of Schedule 3 is amended by omitting both items relating to scampi, and substituting the following item:

Species or class of fish	Quota management area reference number set out in table 2 of this Part	Other area reference number set out in tables 3 to 18 of this Part	Fishstock code to be used (species/area)
Scampi	1		SCI 1
	2		SCI 2
		3	SCI 3
		4A	SCI 4A
	5		SCI 5
		6A	SCI 6A
		6B	SCI 6B
	7		SCI 7
	8		SCI 8
	9		SCI 9
10		SCI 10	

Diane Morcom,  
Clerk of the Executive Council.

### **Explanatory note**

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations amend the Fisheries (Reporting) Regulations 2001 (“the principal regulations”). They come into force on 14 January 2005.

The amendments to regulation 5 of the principal regulations clarify that returns must be made for each particular type of fishing activity to which the reporting requirements do not otherwise apply. Regulation 28 of the principal regulations is amended to ensure that the reporting requirements apply in circumstances where 1 or more than

1 vessel is used for fishing, where 1 or more than 1 method of fishing is used on a vessel, or where fish is taken otherwise than from a vessel. Regulation 37 of the principal regulations is amended to clarify the requirements relating to the use of statistical area codes on returns.

The notes to Form 1 of Schedule 2 of the principal regulations are amended in order to make provision for the reporting of catch/effort data in terms of the number of fish caught for the specified species.

Part 1 of Schedule 3 of the principal regulations is amended to clarify the correct fishstock codes for scampi.

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