

CONSERVATION MEASURE 228/XX¹
Limitation of By-catch in New and Exploratory Fisheries
in the 2001/02 Season

1. This conservation measure applies to new and exploratory fisheries in all areas containing small-scale research units (SSRUs) in the 2001/02 season except where specific by-catch conservation measures apply.
2. The by-catch of any species other than *Macrourus* spp. shall be limited to the following:
 - in each SSRU in Statistical Subarea 48.6, Statistical Division 58.4.2 and Statistical Subarea 88.1 south of 65°S, and in Statistical Division 58.4.3b, the by-catch of any species shall be limited to 50 tonnes; and
 - in other SSRUs, the by-catch of any species shall be limited to 20 tonnes.
3. The by-catch of *Macrourus* spp. shall be limited to the following:
 - in each SSRU in Statistical Subarea 48.6, Statistical Division 58.4.2 and Statistical Subarea 88.1 south of 65°S, and in Statistical Division 58.4.3b, the by-catch of *Macrourus* spp. shall be limited to 100 tonnes; and
 - in other SSRUs, the by-catch of *Macrourus* spp. shall be limited to 40 tonnes.
4. For the purposes of this measure, ‘*Macrourus* spp.’ and ‘skates and rays’ should each be counted as a single species.
5. 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 miles² 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 days³. The location where the by-catch exceeded 1 tonne is defined as the path followed by the fishing vessel 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.

¹ Except for waters adjacent to the Kerguelen and Crozet Islands

² 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.

³ The specified period is adopted in accordance with the reporting period specified in Conservation Measure 51/XIX, pending the adoption of a more appropriate period by the Commission.