

CONSERVATION MEASURE 41-06 (2008)
Limits on the exploratory fishery for *Dissostichus* spp.
on Elan Bank (Statistical Division 58.4.3a) outside areas
of national jurisdiction in the 2008/09 season

Species	toothfish
Area	58.4.3a
Season	2008/09
Gear	longline

The Commission hereby adopts the following conservation measure in accordance with Conservation Measure 21-02:

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| Access | <ol style="list-style-type: none"> 1. Fishing for <i>Dissostichus</i> spp. on Elan Bank (Statistical Division 58.4.3a) outside areas of national jurisdiction shall be limited to the exploratory fishery by Japan. The fishery shall be conducted by one (1) Japanese flagged vessel using longlines only. 2. Fishing is prohibited in depths shallower than 550 m in order to protect benthic communities. |
| Catch limit | <ol style="list-style-type: none"> 3. The total catch of <i>Dissostichus</i> spp. on Elan Bank (Statistical Division 58.4.3a) outside areas of national jurisdiction in the 2008/09 season shall not exceed a precautionary catch limit of 86 tonnes. |
| Season | <ol style="list-style-type: none"> 4. For the purpose of the exploratory longline fishery for <i>Dissostichus</i> spp. on Elan Bank (Statistical Division 58.4.3a) outside areas of national jurisdiction, the 2008/09 season is defined as the period from 1 May to 31 August 2009, or until the catch limit is reached, whichever is sooner. |
| By-catch | <ol style="list-style-type: none"> 5. The by-catch in this fishery shall be regulated as set out in Conservation Measure 33-03. |
| Mitigation | <ol style="list-style-type: none"> 6. 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. 7. The fishery on Elan Bank (Statistical Division 58.4.3a) outside areas of national jurisdiction, may take place outside the prescribed season (paragraph 4) provided that, prior to entry into force of the licence, each vessel shall demonstrate its capacity to comply with longline weighting as approved by the Scientific Committee and described in Conservation Measure 24-02 and such data shall be reported to the Secretariat immediately. 8. Should a total of three (3) seabirds be caught by a vessel outside the normal season (defined in paragraph 4), the vessel shall cease fishing immediately and shall not be permitted to fish outside the normal fishing season for the remainder of the 2008/09 fishing season. |
| Observers | <ol style="list-style-type: none"> 9. 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
10. For the purpose of implementing this conservation measure in the 2008/09 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.
11. 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
12. 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
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.
14. Toothfish shall be tagged at a rate of at least three fish per tonne green weight caught.
15. Skates shall be tagged at a rate of at least one skate per five skates caught, up to a maximum of 500 skates per vessel.
- Environ-mental protection
16. Conservation Measure 26-01 applies.
17. Conservation Measures 22-06 and 22-07 apply.