

Fisheries Management (Sharks taken in the Ocean Trap and Line Fishery Possession Limit) Order 2022

under the

Fisheries Management Act 1994

I, Sean Sloan, Deputy Director General Fisheries, with delegated authority under sections 227 and 228 of the *Fisheries Management Act 1994* (“the Act”), make the following order under section 17C of the Act.

Dated this 8th day of February 2022



SEAN SLOAN

Deputy Director General DPI Fisheries
Department of Regional NSW

Part 1 Preliminary

1 Name of Order

This order is the *Fisheries Management (Sharks taken in the Ocean Trap and Line Fishery Possession Limit) Order 2022*.

2 Commencement and duration

This Order commences on publication and will remain in force for two years.

3 Definitions

(1) In this order:

demersal fish trap endorsement has the same meaning as in clause 5 of the Appendix to the *Fisheries Management (Ocean Trap and Line Share Management Plan) Regulation 2006*.

endorsement holder means the holder of a line fishing western zone endorsement, line fishing eastern zone endorsement or a demersal fish trap endorsement.

line fishing eastern zone endorsement has the same meaning as in clause 5 of the Appendix to the *Fisheries Management (Ocean Trap and Line Share Management Plan) Regulation 2006*.

line fishing western zone endorsement has the same meaning as in clause 5 of the Appendix to the *Fisheries Management (Ocean Trap and Line Share Management Plan) Regulation 2006*.

Ocean Trap and Line Fishery has the same meaning as in Schedule 1 to the Act.

possession has the same meaning as in section 4 of the Act.

processed means headed, gutted, or headed and gutted.

shark means the species of cartilaginous fishes contained within the families in Column 1 and Column 2 of the following table excluding the species in Column 3:

Column 1	Column 2	Column 3
Family	Common Name	Species excluded from notification
ALOPIIDAE	Thresher sharks	
BRACHAELURIDAE	Blind sharks	
CARCHARHINIDAE	Whaler sharks	
CENTROPHORIDAE	Gulper sharks	Harrisson's Dogfish (<i>Centrophorus harrissoni</i>) Endeavour Dogfish (<i>Centrophorus moluccensis</i>) Southern Dogfish (<i>Centrophorus zeehaani</i>)
CETORHINIDAE	Basking sharks	
CHLAMYDOSELACHIDAE	Frill sharks	
DALATIIDAE	Sleeper sharks	
ECHINORHINIDAE	Bramble sharks	
ETMOPTERIDAE	Lantern sharks	
GINGLYMOSTOMATIDAE	Nurse sharks	
HEMIGALEIDAE	Weasel sharks	
HEMISCYLLIDAE	Longtail carpet sharks	
HETERODONTIDAE	Horn sharks	
HEXANCHIDAE	Sixgill, Sevengill and Broadnose sharks	
LAMNIDAE	Mackerel sharks	
MEGACHASMIDAE	Megamouth sharks	
MITSUKURINIDAE	Goblin sharks	
OXYNOTIDAE	Roughsharks / prickly dogfishes	
PARASCYLLIDAE	Collared carpet sharks	
PRISTIOPHORIDAE	Sawsharks	
PSEUDOCARCHARIDAE	Crocodile sharks	
SCYLIORHINIDAE	Catsharks	
SOMNIOSIDAE	Sleeper sharks	
SPHYRNIDAE	Hammerhead sharks	
SQUALIDAE	Dogfishes	Greeneye Spurdog (<i>Squalus choloroculus</i>)
SQUATINIDAE	Angelsharks	
STEGOSTOMATIDAE	Zebra sharks	
TRIAKIDAE	Hound sharks	School Shark (<i>Galeorhinus galeus</i>) Gummy Shark (<i>Mustelus antarcticus</i>)

the Act means the *Fisheries Management Act 1994*.

- (2) In this order, a reference to the common name of a species of fish does not limit the scientific description of that species of fish. If there is any inconsistency between the common name and the scientific description of the species, the scientific description of the species prevails.

Part 2 Possession Limit

4 Possession Limit

- (1) At any time an endorsement holder in the Ocean Trap and Line Fishery must not have possession of more than:
- (a) 750 kilograms of shark comprised of any single species or a combination of species if the sharks are whole, or
 - (b) 500 kilograms of shark comprised of any single species or a combination of species if any of the sharks are processed.
- (2) This possession limit applies when the endorsement holder is in or on or adjacent to any waters or is transporting or storing the fish

Notes:

1. Possession of a thing includes having the thing under control at any place, even though some other person has physical possession of the thing (section 4, *the Act*).
2. This order is made in conjunction with the *Fisheries Management (Sharks taken in the Ocean Trap and Line Fishery Fishing Closure) Notification 2022*.