

Fisheries Act 1996

Part 3 Sustainability measures

Section 14B Alternative total allowable catch for certain stocks

(1) Despite section 13, in the case of any quota management stock to which this section applies, the Minister must, by notice in the Gazette, set a total allowable catch for that stock in accordance with this section.

(2) Subject to subsection (3), the Minister must set a total allowable catch under subsection (1) that is no greater than a level that will allow the taking of another stock or stocks in accordance with the total allowable catch and the total allowable commercial catch set for that other stock or stocks.

(3) The Minister must set a total allowable catch that maintains the stock above a level that ensures its long-term viability.

(4) When setting a total allowable catch under subsection (1), the Minister must be satisfied that quota owners have taken, and will continue to take, all reasonable steps (including, but not limited to, modifying fishing methods, fishing areas, and times of fishing) to minimise take of the stock.

(5) Every total allowable catch set under subsection (1) for any stock continues to apply in each fishing year for the stock unless varied under subsection (6).

(6) The Minister may from time to time, by notice in the Gazette, vary any total allowable catch set under subsection (1) for any stock by increasing or reducing the total allowable catch.

(7) Without limiting subsection (1) or subsection (6), the Minister may set or vary any total allowable catch at, or to, zero.

(8) The setting or variation of a total allowable catch under this section has effect on and from the first day of the next fishing year for the stock concerned.