

Dated: January 26, 1998.

Bernard Kulik,

Associate Administrator for Disaster Assistance.

[FR Doc. 98-2510 Filed 2-2-98; 8:45 am]

BILLING CODE 8025-01-P

SMALL BUSINESS ADMINISTRATION

Revocation of License of Small Business Investment Company

Pursuant to the authority granted to the United States Small Business Administration by the Final Order of the United States District Court for the Eastern District of New York, dated September 23, 1997, the United States Small Business Administration hereby revokes the license of Realty Growth Capital Corporation, a New York corporation, to function as a small business investment company under the Small Business Investment Company License No. 02/02-0097 issued to Realty Growth Capital Corporation on March 29, 1963 and said license is hereby declared null and void as of September 30, 1997.

Small Business Administration.

Dated: January 27, 1998.

Don A. Christensen,

Associate Administrator for Investment.

[FR Doc. 98-2513 Filed 2-2-98; 8:45 am]

BILLING CODE 8025-01-P

SMALL BUSINESS ADMINISTRATION

Revocation of License of Small Business Investment Company

Pursuant to a Settlement Agreement between the United States Small Business Administration and Square Deal Venture Capital Corporation, dated January 12, 1998, the United States Small Business Administration hereby revokes the license of Square Deal Venture Capital Corporation, a New York corporation, to function as a small business investment company under the Small Business Investment Company License No. 02/02-5374 issued to Square Deal Venture Capital Corporation on September 28, 1979 and said license is hereby declared null and void as of January 12, 1998.

Small Business Administration.

Dated: January 27, 1998.

Don A. Christensen,

Associate Administrator for Investment.

[FR Doc. 98-2512 Filed 2-2-98; 8:45 am]

BILLING CODE 8025-01-M

SMALL BUSINESS ADMINISTRATION

Notice of the Procurement Marketing and Access Network (PRO-Net) Implementation

AGENCY: Small Business Administration.

ACTION: Notice to implement the Procurement Marketing and Access Network (PRO-Net).

SUMMARY: This notice advises the public that the Small Business Administration's (SBA) Office of Government Contracting (GC) is implementing the Procurement Marketing and Access Network (PRO-Net) as the primary basis for identifying and recommending potential small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women, as sources for both prime, subcontracting, and partnership opportunities. The PRO-Net is replacing the Procurement Automated Source System (PASS) as a nationwide computerized storage and retrieval database. The PRO-Net is an internet-based electronic search engine for Federal Government contracting officers, and other interested parties, to identify small business sources.

The PRO-Net is a one-stop procurement shop for government contracting. The database is free of charge to Federal, State and local government agencies; contractors; and the public. It assists them in identifying and locating small business prime contractors, subcontractors, and partnership opportunities with small businesses. Each PRO-Net small business profile can include the company's products and services, past history, references, and other information pertinent to potential contracting entities. A key feature of the system is that participating companies can continually update their profiles with the most current information, including new products, services, and contract awards. Participating companies with e-mail addresses can be sent communications and procurement opportunities electronically. As an electronic gateway, PRO-Net is linked to the Commerce Business Daily, government agency home pages, and other sources of procurement opportunities. Participating companies with internet home pages can include a link to their web site in their PRO-Net profile, providing additional information to procurement officials about the company.

The PRO-Net internet address (URL) is (<http://pro-net.sba.gov>). Companies that do not currently have access to the internet can register for PRO-Net on any computer that has access to the internet, or at any SBA District Office, Business Information Center (BIC), Small Business Development Center (SBDC), SBA Office of Government Contracting (GC) Area Office, or GC field personnel.

ADDRESSES: Oliver H. Snyder, III, PRO-Net Program Manager, U.S. Small Business Administration, 409 Third Street, S.W., Washington, D.C. 20416.

FOR FURTHER INFORMATION CONTACT: Oliver H. Snyder, III, PRO-Net Program Manager, (202) 205-7650, FAX (202) 205-7324.

SUPPLEMENTARY INFORMATION: You may submit comments by sending electronic mail (e-mail) to: oliver.snyder@sba.gov.

Dated: January 27, 1998.

Judith A. Roussel,

Associate Administrator for Government Contracting.

[FR Doc. 98-2514 Filed 2-2-98; 8:45 am]

BILLING CODE 8025-01-P

DEPARTMENT OF STATE

[Public Notice No. 2709]

Bureau of Oceans and International Environmental and Scientific Affairs; Conservation Measures for Antarctic Fishing Under the Auspices of the Commission for the Conservation of Antarctic Marine Living Resources

AGENCY: Bureau of Oceans and International Environmental and Scientific Affairs, State.

ACTION: Public Notice.

SUMMARY: At its Sixteenth Meeting in Hobart, Tasmania, October 27 to November 7, 1997, the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), of which the United States is a member, adopted conservation measures, pending countries' approval, pertaining to fishing in the CCAMLR Convention Area in Antarctic waters. These were agreed upon in accordance with Article IX of the Convention for the Conservation of Antarctic Marine Living Resources. The measures restrict overall catches of certain species of fish, prohibit the taking of certain species of fish, list the fishing seasons, define the reporting requirements, specify measures that must be taken to minimize the incidental taking of non-target species, require contracting parties to license their flag vessels in

the Convention area, and urge vessel monitoring systems.

This notice lists the conservation measures adopted at the sixteenth meeting of CCAMLR as well as the conservation measures remaining in force from previous years which are not otherwise addressed by U.S. regulations (see **SUPPLEMENTARY INFORMATION**). This notice, therefore, together with the U.S. regulations referenced under Supplementary Information, provide a comprehensive register of all current U.S. obligations under CCAMLR.

DATE: Persons wishing to comment on the measures or desiring more information should submit written comments on or before March 5, 1998.

FOR FURTHER INFORMATION CONTACT: Alfred Schandlbauer, Office of Oceans Affairs (OES/OA), Room 5805, Department of State, Washington, D.C. 20520, 202-736-4928.

SUPPLEMENTARY INFORMATION: Individuals interested in CCAMLR should also see **Federal Register** Vol. 61, No. 244, December 18, 1996; **Federal Register** Vol. 61, No. 130, July 5, 1996; CFR part 902, Subpart G—Antarctic Marine Living Resources, and; CFR Chapter III—International Fishing and Related Activities, part 300—International Fisheries Regulations, Subpart A—General; Subpart B—High Seas Fisheries; and Subpart G—Antarctic Marine Living Resources for other regulatory measures related to conservation and management in the CCAMLR Convention area. These regulations give effect to CCAMLR Conservation Measures which are not expected to change from year to year and describe the process for regulating U.S. fishing in the Convention area. The regulations include sections on: Purpose and scope; Definitions; Relationship to other treaties, conventions, laws, and regulations; Procedure for according protection to CCAMLR Ecosystem Monitoring Program Sites; Scientific research; Initiating a new fishery; Exploratory fisheries; Reporting and record keeping requirements; Vessel and gear identification; Gear disposal; Mesh size; Harvesting permits; Import permits; Appointment of a designated representative; Prohibitions; Facilitation of enforcement and inspection; and Penalties. For copies of the figures and tables mentioned in the conservation measures, contact Alfred Schandlbauer at the Office of Oceans Affairs, Room 5805, Department of State, Washington, D.C. 20520 Tel: 202 736-4928.

Conservation Measures Adopted at the Sixteenth Meeting of the Commission on the Conservation of

Antarctic Marine Living Resources (CCAMLR XVI):

At its Sixteenth Annual Meeting in Hobart, Tasmania, October 27 to November 7, 1997, the Commission on the Conservation of Antarctic Marine Living Resources (CCAMLR) revised several of its previously adopted Conservation Measures and adopted the following additional measures:

Conservation Measure 29/XVI, ^{2, 3, 4, 5}

Minimization of the Incidental Mortality of Seabirds in the Course of Longline Fishing or Longline Fishing Research in the Convention Area

The Commission,
Noting the need to reduce the incidental mortality of seabirds during longline fishing by minimizing their attraction to fishing vessels and by preventing them from attempting to seize baited hooks, particularly during the period when the lines are set,

Adopts the following measures to reduce the possibility of incidental mortality of seabirds during longline fishing.

1. Fishing operations shall be conducted in such a way that the baited hooks sink as soon as possible after they are put in the water. Only thawed bait shall be used.

2. For vessels using the Spanish method of longline fishing, weights should be released before line tension occurs; weights of at least 6 kg mass should be used, spaced at intervals of no more than 20 m.

3. Longlines shall be set at night only (i.e. during the hours of darkness between the times of nautical twilight). During longline fishing at night, only the minimum ship's lights necessary for safety shall be used.

4. The dumping of offal is prohibited while longlines are being set. The dumping of offal during the haul shall be avoided as far as possible; if discharge of offal during the haul is unavoidable, this discharge shall take

¹ Except for waters adjacent to the Kerguelen and Crozet Islands.

² Except for waters adjacent to the Prince Edward Islands.

³ The exact times of nautical twilight are set forth in the Nautical Almanac tables for the relevant latitude, local time and date. All times, whether for ship operations or observer reporting, shall be referenced to GMT.

⁴ Wherever possible, setting of lines should be completed at least three hours before sunrise (to reduce loss of bait to/catches of white-chinned petrels).

⁵ The streamer lines under test should be constructed and operated taking full account of the principles set out in wg-imalf-94/19 (available from the CCAMLR Secretariat); testing should be carried out independently of actual commercial fishing and in a manner consistent with the spirit of Conservation Measure 65/XII.

place on the opposite side of the vessel to that where longlines are hauled.

5. Every effort should be made to ensure that birds captured alive during longlining are released alive and that wherever possible hooks are removed without jeopardizing the life of the bird concerned.

6. A streamer line designed to discourage birds from settling on baits during deployment of longlines shall be towed. Specification of the streamer line and its method of deployment is given in the Appendix to this Measure. Details of the construction relating to the number and placement of swivels may be varied so long as the effective sea surface covered by the streamers is no less than that covered by the currently specified design. Details of the device dragged in the water in order to create tension in the line may also be varied.

7. Other variations in the design of streamer lines may be tested on vessels carrying two observers, at least one appointed in accordance with the CCAMLR Scheme of International Scientific Observation, providing that all other elements of this Conservation Measure are complied with.

Conservation Measure 72/XVI

*Prohibition of Directed Fishing for Finfish other than Longlining for *Dissostichus* spp. in Statistical Subarea 48.1*

Taking of finfish, other than for scientific research purposes, with the exception of longlining for *Dissostichus* spp. in waters deeper than 600 m in accordance with Conservation Measure UU/XVI, is prohibited in Statistical Subarea 48.1 from 8 November 1997 until at least such time that a survey of stock biomass is carried out, its results reported to and analyzed by the Working Group on Fish Stock Assessment and a decision that the fishery be reopened is made by the Commission based on the advice of the Scientific Committee.

Conservation Measure 73/XVI

*Prohibition of Directed Fishing for Finfish other than Longlining for *Dissostichus* spp. in Statistical Subarea 48.2*

Taking of finfish, other than for scientific research purposes, with the exception of longlining for *Dissostichus* spp. in waters deeper than 600 m in accordance with Conservation Measure VV/XVI, is prohibited in Statistical Subarea 48.2 from 8 November 1997 until at least such time that a survey of stock biomass is carried out, its results reported to and analyzed by the

Working Group on Fish Stock Assessment and a decision that the fishery be reopened is made by the Commission based on the advice of the Scientific Committee.

Conservation Measure 118/XVI

Scheme to Promote Compliance by Non-Contracting Party Vessels with CCAMLR Conservation Measures

The Commission hereby adopts the following Conservation Measure in accordance with Article ix.2(i) of the Convention:

1. A non-Contracting Party vessel which has been sighted engaging in fishing activities in the Convention Area is presumed to be undermining the effectiveness of CCAMLR Conservation Measures. In the case of any transshipment activities involving a sighted non-Contracting Party vessel inside or outside the Convention Area, the presumption of undermining the effectiveness of CCAMLR Conservation Measures applies to any other non-Contracting Party Vessel which has engaged in such activities with that vessel.

2. Information regarding such sightings shall be transmitted immediately to the Commission in accordance with Article xxii of this Convention. The Secretariat shall transmit this information to all Contracting Parties within one business day of receiving this information, and to the flag State of the sighted vessel as soon as possible.

3. The Contracting Party which sights the non-Contracting Party vessel shall attempt to inform the vessel that it has been sighted engaging in fishing activities in the Convention Area and is accordingly presumed to be undermining the objective of the Convention and that this information will be distributed to all Contracting Parties to the Convention and to the flag State of the vessel.

4. When a non-Contracting Party vessel referred to in paragraph 1 enters a port of any Contracting Party, it shall be inspected by authorised Contracting Party officials knowledgeable of CCAMLR Conservation Measures and shall not be allowed to land or tranship any fish until this inspection has taken place. Such inspections shall include the vessel's documents, log books, fishing gear, catch on board and any other matter relating to the vessel's activities in the Convention Area.

5. Landings and transshipments of all fish from a non-Contracting Party vessel which has been inspected pursuant to paragraph 4, shall be prohibited in all Contracting Party ports if such

inspection reveals that the vessel has onboard species subject to CCAMLR Conservation Measures, unless the vessel establishes that the fish were caught outside the Convention Area or in compliance with all relevant CCAMLR Conservation Measures and requirements under the Convention.

6. Contracting Parties shall ensure that their vessels do not receive transshipments of fish from a non-Contracting Party vessel which has been sighted and reported as having engaged in fishing activities in the Convention Area and therefore presumed as having undermined the effectiveness of CCAMLR Conservation Measures.

7. Information on the results of all inspections of non-Contracting Party vessels conducted in the ports of Contracting Parties, and on any subsequent action, shall be transmitted immediately to the Commission. The Secretariat shall transmit this information immediately to all Contracting Parties and to the relevant flag State(s).

Conservation Measure 119/XVI^{1, 2}

Requirement for Contracting Parties to License their Flag Vessels in the Convention Area

The Commission hereby adopts the following Conservation Measure in accordance with Article ix of the Convention:

Each Contracting Party shall prohibit fishing by its flag vessels in the Convention Area except pursuant to a license or permit that the Contracting Party has issued setting forth the specific areas and time periods during which such fishing is authorized and all other specific conditions to which the fishing is subject to give effect to CCAMLR Conservation Measures and requirements under the Convention.

Conservation Measure 120/XVI

Prohibition on Directed Fishing for Dissostichus spp. except in Accordance with Specific Conservation Measures

The Commission,

Concerned to ensure the regulation of directed fishing for Dissostichus spp. in all statistical areas and subareas in the Convention Area, and

Noting that Conservation Measures in respect of the regulation of Dissostichus spp. have been agreed for all areas except Subarea 48.5 and Divisions 58.4.1 and 58.4.2,

hereby adopts the following Conservation Measure in accordance with Article IX of the Convention:

Directed fishing for Dissostichus spp. in Subarea 48.5 and Divisions 58.4.1 and 58.4.2 is prohibited from the close of the 1997 Commission meeting until the close of the 1998 Commission meeting.

Conservation Measure 121/XVI^{1, 2}

Monthly Fine-Scale Biological Data Reporting System for Trawl and Longline Fisheries

This Conservation Measure is adopted in accordance with Conservation Measure 7/V, where appropriate.

This Conservation Measure is invoked by the Conservation Measures to which it is attached.

1. Specification of 'target species' and 'by-catch species' referred to in this Conservation Measure shall be made in the Conservation Measure to which it is attached.

2. At the end of each month each Contracting Party shall obtain from each of its vessels representative samples of length composition measurements of the target species and by-catch species from the fishery (Form B2, latest version). It shall transmit those data in the specified form to the Executive Secretary not later than the end of the following month.

3. For the purpose of implementing this Conservation Measure:

(i) length measurements of fish should be of total length to the nearest centimeter below;

(ii) a representative sample of length composition should be taken from each single fine-scale grid rectangle (0.5° latitude by 1° longitude) in which fishing occurs. In the event that the vessel moves from one fine-scale grid rectangle to another during the course of a month, then a separate length composition should be submitted for each fine-scale grid rectangle.

4. Should a Contracting Party fail to transmit the fine-scale length composition data to the Executive Secretary in the appropriate form by the deadline specified in paragraph 2, the Executive Secretary shall issue a reminder to the Contracting Party. If at the end of a further two months those data have still not been provided, the Executive Secretary shall notify all Contracting Parties of the closure of the fishery to vessels of the Contracting Party which has failed to supply the data as required.

¹ Except for waters adjacent to the Prince Edward Islands.

² Except for waters adjacent to Kerguelen and Crozet islands.

¹ Except for waters adjacent to Kerguelen and Crozet islands.

² Except for waters adjacent to the Prince Edward Islands.

Conservation Measure 122/XVI^{1,2}**Monthly Fine-Scale Catch and Effort Data Reporting System for Trawl and Longline Fisheries**

This Conservation Measure is adopted in accordance with Conservation Measure 7/V, where appropriate.

This Conservation Measure is invoked by the Conservation Measures to which it is attached.

1. Specification of 'target species' and 'by-catch species' referred to in this Conservation Measure shall be made in the Conservation Measure to which it is attached.

2. At the end of each month each Contracting Party shall obtain from each of its vessels the data required to complete the CCAMLR fine-scale catch and effort data form (trawl fisheries Form C1, latest version or longline fisheries Form C2, latest version). It shall transmit those data in the specified format to the Executive Secretary not later than the end of the following month.

3. The catch of all target and by-catch species must be reported by species.

4. The numbers of seabirds and marine mammals of each species caught and released or killed must be reported.

5. Should a Contracting Party fail to transmit the fine-scale catch and effort data to the Executive Secretary in the appropriate form by the deadline specified in paragraph 2, the Executive Secretary shall issue a reminder to the Contracting Party. If at the end of a further two months those data have still not been provided, the Executive Secretary shall notify all Contracting Parties of the closure of the fishery to vessels of the Contracting Party which has failed to supply the data as required.

Conservation Measure 123/XVI**Limitation of the Total Catch of Champsocephalus gunnari in Statistical Subarea 48.3 in the 1997/98 Season**

The Commission adopted this Conservation Measure in accordance with Conservation Measure 7/v:

1. The total catch of Champsocephalus gunnari in the 1997/98 season shall be limited to 4,520 tons in Statistical Subarea 48.3.

2. The fishery for Champsocephalus gunnari in Statistical Subarea 48.3 shall close if the by-catch of any of the species listed in Conservation Measure 95/xiv reaches its by-catch limit or if the total catch of Champsocephalus gunnari

reaches 4,520 tons, whichever comes first.

3. If, in the course of the directed fishery for Champsocephalus gunnari, the by-catch in any one haul of any of the species named in Conservation Measure 95/XIV

- is greater than 100 kg and exceeds 5% of the total catch of all fish by weight, or
- is equal to or greater than 2 tons, then

the fishing vessel shall move to another location at least 5 n miles distant. The fishing vessel shall not return to any point within 5 n miles of the location where the by-catch of species named in Conservation Measure 95/XV exceeded 5% for a period of at least five days. The location where the by-catch exceeded 5% 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.

4. Where any haul contains more than 100 kg of Champsocephalus gunnari, and more than 10% of the Champsocephalus gunnari by number are smaller than 240 mm total length, the fishing vessel shall move to another fishing location at least 5 n miles distant. The fishing vessel shall not return to any point within 5 n miles of the location where the catch of small Champsocephalus gunnari exceeded 10%, for a period of at least five days. The location where the catch of small Champsocephalus gunnari exceeded 10% 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.

5. The use of bottom trawls in the directed fishery for Champsocephalus gunnari in Statistical Subarea 48.3 is prohibited.

6. The fishery for Champsocephalus gunnari in Statistical Subarea 48.3 shall be closed from 1 April 1998 until the end of the Commission meeting in 1998.

7. Each vessel participating in the directed fishery for Champsocephalus gunnari in Subarea 48.3 in the 1997/98 season shall have a scientific observer, appointed in accordance with the CCAMLR Scheme of International Scientific Observation, on board throughout all fishing activities within the fishing period.

8. For the purpose of implementing paragraphs 1 and 2 of this Conservation Measure:

- (i) the Five-day Catch and Effort Reporting System set out in

Conservation Measure 51/XII shall apply in the 1997/98 season; and

(ii) the Monthly Fine-scale Catch and Effort Data Reporting System set out in Conservation Measure 117B/XV shall apply for Champsocephalus gunnari. Data shall be reported on a haul-by-haul basis.

9. Fine-scale biological data, as required under Conservation Measure 117A/XVI shall be collected and recorded. Such data shall be reported in accordance with the Scheme of International Scientific Observation.

[This provision is adopted pending the adoption of a more appropriate definition of a fishing location by the Commission. The specified period is adopted in accordance with the reporting period specified in Conservation Measure 51/XII, pending the adoption of a more appropriate period by the Commission.]

Conservation Measure 124/XVI**Limits on the Fishery for Dissostichus eleginoides in Statistical Subarea 48.3 for the 1997/98 Season**

This Conservation Measure is adopted in accordance with Conservation Measure 7/V:

1. The total catch of Dissostichus eleginoides in Statistical Subarea 48.3 in the 1997/98 season shall be limited to 3300 tons.

2. For the purposes of the fishery for Dissostichus eleginoides in Statistical Subarea 48.3, the 1997/98 fishing season is defined as the period from 1 April to 31 August 1998, or until the catch limit is reached, whichever is the sooner.

3. Each vessel participating in the Dissostichus eleginoides fishery in Statistical Subarea 48.3 in the 1997/98 season shall have at least one scientific observer, including one appointed in accordance with the CCAMLR Scheme of International Scientific Observation, on board throughout all fishing activities within the fishing period.

4. For the purpose of implementing this Conservation Measure:

(i) the Five-day Catch and Effort Reporting System set out in Conservation Measure 51/XII shall apply in the 1997/98 season, commencing on 1 April 1998; and

(ii) the Monthly Fine-scale Catch and Effort Reporting System set out in Conservation Measure 117B/XVI shall apply in the 1997/98 season, commencing on 1 April 1998. Data shall be submitted on a haul-by-haul basis. For the purpose of Conservation Measure 117B/XVI the target species is Dissostichus eleginoides and 'by-catch

¹ Except for waters adjacent to the Kerguelen and Crozet Islands.

² Except for waters adjacent to the Prince Edward Islands.

species' are defined as any species other than *Dissostichus eleginoides*.

5. Fine-scale biological data, as required under Conservation Measure 117A/XVI shall be collected and recorded. Such data shall be reported in accordance with the System of International Scientific Observation.

6. Directed fishing shall be by longlines only. The use of all other methods of directed fishing for *Dissostichus eleginoides* in Statistical Subarea 48.3 shall be prohibited.

Conservation Measure 125/XVI

Precautionary Catch Limit for Electrona carlsbergi in Statistical Subarea 48.3 for the 1997/98 Season

This Conservation Measure is adopted in accordance with Conservation Measure 7/V:

1. For the purposes of this Conservation Measure the fishing season for *Electrona carlsbergi* is defined as the period from 8 November 1997 to the end of the Commission meeting in 1998.

2. The total catch of *Electrona carlsbergi* in the 1997/98 season shall be limited to 109,000 tons in Statistical Subarea 48.3.

3. In addition, the total catch of *Electrona carlsbergi* in the 1997/98 season shall be limited to 14,500 tons in the Shag Rocks region, defined as the area bounded by 52°30'S, 40°W; 52°30'S, 44°W; 54°30'S, 40°W and 54°30'S, 44°W.

4. In the event that the catch of *Electrona carlsbergi* is expected to exceed 20,000 tons in the 1997/98 season, a survey of stock biomass and age structure shall be conducted during that season by the principal fishing nations involved. A full report of this survey including data on stock biomass (specifically including area surveyed, survey design and density estimates), age structure and the biological characteristics of the by-catch shall be made available in advance for discussion at the 1998 meeting of the Working Group on Fish Stock Assessment.

5. The directed fishery for *Electrona carlsbergi* in Statistical Subarea 48.3 shall close if the by-catch of any of the species named in Conservation Measure 95/xiv reaches its by-catch limit or if the total catch of *Electrona carlsbergi* reaches 109,000 tons, whichever comes first.

6. The directed fishery for *Electrona carlsbergi* in the Shag Rocks region shall close if the by-catch of any of the species named in Conservation Measure 95/XIV reaches its by-catch limit or if the total catch of *Electrona carlsbergi*

reaches 14,500 tons, whichever comes first.

7. If, in the course of the directed fishery for *Electrona carlsbergi*, the by-catch in any one haul of any species other than the target species.

- is greater than 100 kg and exceeds 5% of the total catch of all fish by weight, or
- is equal to or greater than 2 tons, then

the fishing vessel shall move to another fishing location at least 5 n miles distant. The fishing vessel shall not return to any point within 5 n miles of the location where the by-catch of species, other than the target species, exceeded 5%, for a period of at least five days². The location where the by-catch exceeded 5% 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.

8. For the purpose of implementing this Conservation Measure:

(i) the Catch Reporting System set out in Conservation Measure 40/x shall apply in the 1997/98 season; and

(ii) the Monthly Fine-scale Catch and Effort Data Reporting System set out in Conservation Measure 117B/XVI shall also apply in the 1997/98 season. For the purposes of Conservation Measure 117B/XVI, the target species is *Electrona carlsbergi*, and 'by-catch species' are defined as any cephalopod, crustacean or fish species other than *Electrona carlsbergi*.

(iii) the Monthly Fine-scale Biological Data Reporting System set out in Conservation Measure A/XVI shall also apply in the 1997/98 season. For the purposes of Conservation Measure 117A/XVI, the target species is *Electrona carlsbergi*, and 'by-catch species' are defined as any cephalopod, crustacean or fish species other than *Electrona carlsbergi*. For the purposes of paragraph 8(ii) of Conservation Measure 117A/xVI a representative sample shall be a minimum of 500 fish.

[This provision is adopted pending the adoption of a more appropriate definition of a fishing location by the Commission. The specified period is adopted in accordance with the reporting period specified in Conservation Measure 51/XII, pending the adoption of a more appropriate period by the Commission.]

Conservation Measure 126/XVI

Limits on the Crab Fishery in Statistical Subarea 48.3 in the 1997/98 Season

The following Conservation Measure is adopted in accordance with Conservation Measure 7/V:

1. The crab fishery is defined as any commercial harvest activity in which the target species is any member of the crab group (Order Decapoda, Suborder Reptantia).

2. In Statistical Subarea 48.3, the crab fishing season is defined as the period from 8 November 1997 to end of the Commission meeting in 1998, or until the catch limit is reached, whichever is sooner.

3. The crab fishery shall be limited to one vessel per Member.

4. The total catch of crab from Statistical Subarea 48.3 shall be limited to 1,600 tons during the 1997/98 crab fishing season.

5. Each vessel participating in the crab fishery in Subarea 48.3 in the 1997/98 season shall have a scientific observer, appointed in accordance with the CCAMLR Scheme of International Scientific Observation, on board throughout all fishing activities within the fishing period.

6. Each Member intending to participate in the crab fishery shall notify the CCAMLR Secretariat at least three months in advance of starting fishing of the name, type, size, registration number, radio call sign, and research and fishing operations plan of the vessel that the Member has authorized to participate in the crab fishery.

7. All vessels fishing for crab shall report the following data to CCAMLR by 31 August 1998 for crabs caught prior to 31 July 1998:

(i) the location, date, depth, fishing effort (number and spacing of pots and soak time), and catch (numbers and weight) of commercially sized crabs (reported on as fine a scale as possible, but no coarser than 0.5° latitude by 1.0° longitude) for each 10-day period;

(ii) the species, size, and sex of a representative subsample of crab sampled according to the procedure set out in Annex 126/A (between 35 and 50 crabs shall be sampled every day from the line hauled just prior to noon) and by-catch caught in traps; and

(iii) other relevant data, as possible, according to the requirements set out in Annex 126/A.

8. For the purposes of implementing this Conservation Measure, the Ten-day Catch and Effort Reporting System set out in Conservation Measure 61/XII shall apply.

9. Data on catches taken between 31 July 1998 and 31 August 1998 shall be reported to CCAMLR by 30 September 1998 so that the data will be available to the Working Group on Fish Stock Assessment.

10. Crab fishing gear shall be limited to the use of crab pots (traps). The use of all other methods of catching crabs (e.g., bottom trawls) shall be prohibited.

11. The crab fishery shall be limited to sexually mature male crabs—all female and undersized male crabs caught shall be released unharmed. In the case of *Paralomis spinosissima* and *P. formosa*, males with a minimum carapace width of 102 mm and 90 mm, respectively, may be retained in the catch.

12. Crab processed at sea shall be frozen as crab sections (minimum size of crabs can be determined using crab sections).

Annex 126/A

Data Requirements on the Crab Fishery in Statistical Subarea 48.3

Catch and Effort Data

Cruise Descriptions

cruise code, vessel code, permit number, year.

Pot Descriptions

diagrams and other information, including pot shape, dimensions, mesh size, funnel position, aperture and orientation, number of chambers, presence of an escape port.

Effort Descriptions

date, time, latitude and longitude of the start of the set, compass bearing of the set, total number of pots set, spacing of pots on the line, number of pots lost, depth, soak time, bait type.

Catch Descriptions

retained catch in numbers and weight, by-catch of all species (see Table 1), incremental record number for linking with sample information.

Table 1: Data requirements for by-catch species in the crab fishery in Statistical Subarea 48.3.

Species

Data Requirements

Dissostichus eleginoides

Numbers and estimated total weight

Notothenia rossii

Numbers and estimated total weight

Other Species

Estimated total weight

Biological Data

For these data, crabs are to be sampled from the line hauled just prior to noon, by collecting the entire contents of a number of pots spaced at

intervals along the line so that between 35 and 50 specimens are represented in the subsample.

Cruise Descriptions

cruise code, vessel code, permit number.

Sample Descriptions

date, position at start of the set, compass bearing of the set, line number.

Data

species, sex, length of at least 35 individuals, presence/absence of rhizocephalan parasites, record of the destination of the crab (kept, discarded, destroyed), record of the pot number from which the crab comes.

Conservation Measure 127/XVI

Prohibition of Directed Fishery on Gobionotothen gibberifrons, Chaenocephalus aceratus, Pseudochaenichthys georgianus, Lepidonotothen squamifrons and Patagonotothen guntheri in Statistical Subarea 48.3 for the 1997/98 Season

This Conservation Measure is adopted in accordance with Conservation Measure 7/V:

Directed fishing on *Gobionotothen gibberifrons*, *Chaenocephalus aceratus*, *Pseudochaenichthys georgianus*, *Lepidonotothen squamifrons* and *Patagonotothen guntheri* in Statistical Subarea 48.3 is prohibited in the 1997/98 season, defined as the period from 8 November 1997 to the end of the Commission meeting in 1998.

Conservation Measure 128/XVI

Catch Limit on Dissostichus eleginoides and D. mawsoni in Statistical Subarea 48.4 for the 1997/98 Season

1. The total catch of *Dissostichus eleginoides* in Statistical Subarea 48.4 in the 1997/98 season shall be limited to 28 tons.

2. Taking of *Dissostichus mawsoni*, other than for scientific research purposes, is prohibited.

3. For the purposes of the fishery for *Dissostichus eleginoides* in Statistical Subarea 48.4, the 1997/98 fishing season is defined as the period from 1 April to 31 August 1998, or until the catch limit for *Dissostichus eleginoides* in Subarea 48.4 is reached, or until the catch limit for *Dissostichus eleginoides* in Subarea 48.3, as specified in Conservation Measure E/xvi is reached, whichever is sooner.

4. Each vessel participating in the *Dissostichus eleginoides* fishery in Statistical Subarea 48.4 in the 1997/98 season shall have at least one scientific observer, including one appointed in

accordance with the CCAMLR Scheme of International Scientific Observation, on board throughout all fishing activities within the fishing period.

5. For the purpose of implementing this Conservation Measure:

(i) the Five-day Catch and Effort Reporting System set out in

Conservation Measure 51/XII shall apply in the 1997/98 season, commencing on 1 April 1998; and

(ii) the Monthly Fine-scale Catch and Effort Data Reporting System set out in Conservation Measure 117B/XVI shall apply in the 1997/98 season, commencing on 1 April 1998. Data shall be reported on a haul-by-haul basis. For the purposes of Conservation Measure 117B/XVI, the target species is *Dissostichus eleginoides*, and 'by-catch species' are defined as any species other than *Dissostichus eleginoides*.

6. Fine-scale biological data, as required under Conservation Measure 117A/XVI shall be collected and recorded. Such data shall be reported in accordance with the Scheme of International Scientific Observation.

7. Directed fishing shall be by longlines only. The use of all other methods of directed fishing for *Dissostichus eleginoides* in Statistical Subarea 48.4 shall be prohibited.

Conservation Measure 129/XVI

Prohibition of Directed Fishing for Lepidonotothen squamifrons in Statistical Division 58.4.4 (Ob and Lena Banks)

Directed fishing for *Lepidonotothen squamifrons*, other than for scientific research purposes, is prohibited in Statistical Division 58.4.4 from 8 November 1997 until at least such time that a survey of stock biomass is carried out, its results reported to and analyzed by the Working Group on Fish Stock Assessment and a decision that the fishery be reopened is made by the Commission based on the advice of the Scientific Committee.

Conservation Measure 130/XVI^{1, 2, 3}

Fishery for Champsocephalus gunnari in Statistical Division 58.5.2 in the 1997/98 Fishing Season

1. The total catch for *Champsocephalus gunnari* on the Heard Island plateau shall be limited to 900 tons in the 1997/98 fishing season.

¹ This provision is adopted pending the adoption of a more appropriate definition of a fishing location by the Commission.

² The specified period is adopted in accordance with the reporting period specified in Conservation Measure 51/XII, pending the adoption of a more appropriate period by the Commission.

³ As described in Resolution 12/XVI.

2. Fishing shall cease if the by-catch of any of the species listed in Conservation Measure MMM/XVI (other species) reaches its by-catch limit.

3. For the purposes of this Conservation Measure, the Heard Island plateau is defined as that portion of Statistical Division 58.5.2 that lies within the area bounded by the following limits:

(i) starting at the point where the 72°15'E meridian intersects the Australia-France Maritime Delimitation Agreement Boundary southwards to the point 53°25'S:72°15'E;

(ii) then eastwards along the parallel of 53°25'S to 74°00'E;

(iii) then to the point 52°40'S:76°00'E;

(iv) then northwards along the meridian 76°00'E to 52°00'S;

(v) then to the point 51°00'S:74°30'E; and

(vi) then westwards along the parallel of 51°00'S to connect with the starting point.

A chart illustrating the above definition is appended to this Conservation Measure.

4. For the purposes of this fishery on *C. gunnari*, the 1997/98 fishing season is defined as the period from 8 November 1997 to the end of the Commission meeting in 1998.

5. The catch limit may only be taken by trawling.

6. Where any haul contains more than 100kg of *C. gunnari*, and more than 10% of the *C. gunnari* by number are smaller than 240mm total length, the fishing vessel shall move to another fishing location at least 5 n miles distant¹. The fishing vessel shall not return to any point within 5 n miles of the location where the catch of small *C. gunnari* exceeded 10% for a period of at least five days². The location where the catch of small *C. gunnari* exceeded 10% 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.

7. Each vessel participating in the fishery shall have at least one scientific observer, and include, if available, one appointed in accordance with the CCAMLR Scheme of International Scientific Observation, on board throughout all fishing activities.

8. Each vessel operating in the *C. gunnari* fishery in Statistical Division 58.5.2 shall have a VMS3 at all times.

9. A ten-day catch and effort reporting system shall be implemented:

(i) for the purposes of implementing this system, the calendar month shall be divided into three reporting periods, viz: day 1 to day 10, day 11 to day 20

and day 21 to the last day of the month. The reporting periods are hereafter referred to as periods A, B and C;

(ii) at the end of each reporting period, each Contracting Party participating in the fishery shall obtain from each of its vessels its total catch and total days and hours fished for that period and shall, by cable, telex, facsimile or electronic transmission, transmit the aggregated catch and days and hours fished for its vessels so as to reach the Executive Secretary no later than the end of the next reporting period;

(iii) a report must be submitted by every Contracting Party taking part in the fishery for each reporting period for the duration of the fishery, even if no catches are taken;

(iv) the catch of *C. gunnari* and of all by-catch species must be reported;

(v) such reports shall specify the month and reporting period (A, B and C) to which each report refers;

(vi) immediately after the deadline has passed for receipt of the reports for each period, the Executive Secretary shall notify all Contracting Parties engaged in fishing activities in the division of the total catch taken during the reporting period and the total aggregate catch for the season to date; and

(vii) at the end of every three reporting periods, the Executive Secretary shall inform all Contracting Parties of the total catch taken during the three most recent reporting periods and the total aggregate catch for the season to date.

10. A fine-scale effort and biological data reporting system shall be implemented:

(i) the scientific observer(s) aboard each vessel shall collect the data required to complete the CCAMLR fine-scale catch and effort data form C1, latest version. These data shall be submitted to the CCAMLR Secretariat not later than one month after the vessel returns to port;

(ii) the catch of *C. gunnari* and all by-catch species must be reported;

(iii) the numbers of seabirds and marine mammals of each species caught and released or killed must be reported;

(iv) the scientific observer(s) aboard each vessel shall collect data on the length composition from representative samples of *C. gunnari* and by-catch species:

(a) length measurements shall be to the nearest centimeter below; and

(b) representative samples of length composition shall be taken from each fine-scale grid rectangle (0.5° latitude by 1° longitude) fished in each calendar month; and

(v) the above data shall be submitted to the CCAMLR Secretariat not later than one month after the vessel returns to port.

11. If, in the course of the directed fishery for *C. gunnari*, the by-catch in any one haul of any one of the species *Notothenia rossii*, *Lepidonotothen squamifrons*, *Channichthys rhinoceratus* or *Bathyrhaja* spp. either,

- is greater than 100 kg and exceeds 5% of the total catch of all fish by weight, or,

- is equal to, or greater than 2 tons, then

the fishing vessel shall move to another fishing location at least 5 n miles distant. The fishing vessel shall not return to any point within 5 n miles of the location where the by-catch exceeded 5% for a period of at least five days. The location where the by-catch exceeded 5% 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.

Conservation Measure 131/XVI

Precautionary Catch Limits on the Fishery for Dissostichus eleginoides in Statistical Division 58.5.2 for the 1997/98 Season

1. The total catch of *Dissostichus eleginoides* in Statistical Division 58.5.2 in the 1997/98 season shall be limited to 3700 tons.

2. For the purposes of this Conservation Measure the 1997/98 season is defined as the period from 8 November 1997 until the close of the Commission meeting in 1998.

3. Fishing shall cease if the by-catch of any of the species listed in Conservation Measure 127/XVI (measure for other species) reaches its by-catch limit.

4. The catch limit may only be taken by trawling.

5. Each vessel participating in the *Dissostichus eleginoides* fishery in Statistical Division 58.5.2 shall have at least one scientific observer and, if available, one appointed in accordance with the CCAMLR Scheme of International Scientific Observation on board throughout all fishing activities.

6. Each vessel operating in the *Dissostichus eleginoides* fishery in Statistical Division 58.5.2 shall have a VMS1 at all times.

7. A ten-day catch and effort reporting system shall be implemented:

(i) for the purpose of implementing this system, the calendar month shall be divided into three reporting periods: day 1 to day 10, day 11 to day 20, day

21 to the last day of the month. These reporting periods are hereinafter referred to as periods A, B and C;

(ii) at the end of each reporting period, each Contracting Party participating in the fishery shall obtain from each of its vessels its total catch and total days and hours fished for the period and shall, by electronic transmission, cable, telex or facsimile, transmit the aggregated catch and days and hours fished for its vessels so as to reach the Executive Secretary not later than the end of the next reporting period;

(iii) a report must be submitted by every Contracting Party taking part in the fishery for each reporting period for the duration of the fishery, even if no catches are taken;

(iv) the catch of *Dissostichus eleginoides* and by-catch species must be reported;

(v) such reports will specify the month and reporting period (A, B and C) to which each report refers;

(vi) immediately after the deadline has passed for receipt of the reports for each period, the Executive Secretary shall notify all Contracting Parties engaged in fishing activities in the division of the total catch taken during the reporting period and the total aggregate catch for the season to date; and

(vii) at the end of every three reporting periods, the Executive Secretary shall inform all Contracting Parties of the total catch taken during the three most recent reporting periods and the total aggregate catch for the season to date.

8. A fine-scale effort and biological data reporting system shall be implemented:

(i) the scientific observer(s) aboard each vessel shall collect the data required to complete the CCAMLR fine-scale catch and effort data form C1, latest version. These data shall be submitted to the CCAMLR Secretariat not later than one month after the vessel returns to port;

(ii) the catch of *Dissostichus eleginoides* and all by-catch species must be reported;

(iii) the numbers of seabirds and marine mammals of each species caught and released or killed must be reported;

(iv) the scientific observer(s) aboard each vessel shall collect data on the length composition from representative samples of *Dissostichus eleginoides* and by-catch species;

(a) length measurements shall be to the nearest centimeter below; and

(b) representative samples of length composition shall be taken from each fine-scale grid rectangle (0.5° latitude by

1° longitude) fished in each calendar month.

The above data shall be submitted to the CCAMLR Secretariat not later than one month after the vessel returns to port.

9. If in the course of a directed fishery for *Dissostichus eleginoides*, the by-catch in any one haul of the species *Lepidonotothen squamifrons*, *Notothenia rossii*, *Channichthys rhinoceratus* or *Bathyrāja* spp. either,

(i) is greater than 100 kgs and exceeds 5% of the total catch of fish species by weight, or,

(ii) is equal to, or greater than 2 tons, then

the fishing vessel shall move to another fishing location at least 5 n miles distant. The fishing vessel shall not return to any point within 5 n miles of the location where the by-catch exceeded 5% for a period of at least five days. The location where the by-catch exceeded 5% 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.

10. The total number and weight of *Dissostichus eleginoides* discarded, including those with the jellymeat condition, shall be reported. These fish will count towards the total allowable catch.

[As described in Resolution 12/XVI, this provision is adopted pending the adoption of a more appropriate definition of a fishing location by the Commission. The specified period is adopted in accordance with the reporting period specified in Conservation Measure 51/XII, pending the adoption of a more appropriate period by the Commission.]

Conservation Measure 132/XVI

Limitation of the Catch of Lepidonotothen squamifrons, Notothenia rossii, Channichthys rhinoceratus and Bathyrāja spp. and other Species in Statistical Division 58.5.2 in the 1997/98 Fishing Season

1. There shall be no directed fishing for *Lepidonotothen squamifrons*, *Notothenia rossii*, *Channichthys rhinoceratus* or *Bathyrāja* spp. in Statistical Division 58.5.2 in the 1997/98 fishing season.

2. In directed fisheries in Statistical Division 58.5.2 in the 1997/98 fishing season, the by-catch of *Lepidonotothen squamifrons* shall not exceed 325 tons; the by-catch of *Channichthys rhinoceratus* shall not exceed 80 tons;

and the by-catch of *Bathyrāja* spp. shall not exceed 120 tons.

3. The by-catch of any fish species not mentioned in paragraph 2, and for which there is no other catch limit in force, shall not exceed 50 tons in Statistical Division 58.5.2.

Conservation Measure 133/XVI^{1,2}

General Measures for New and Exploratory Longline Fisheries for Dissostichus spp. in the Convention Area for the 1997/98 Season

The Commission,

Noting the need for the distribution of fishing effort and appropriate catch levels in fine-scale rectangles in these new fisheries,

Adopts the following Conservation Measure:

1. Fishing should take place over as large a geographical and bathymetric range as possible to obtain the information necessary to determine fishery potential and to avoid over-concentration of catch and effort. To this end, fishing in any fine-scale rectangle shall cease when the reported catch reaches 100 tons and that rectangle shall be closed to fishing for the remainder of the season. Fishing in any fine-scale rectangle shall be restricted to one vessel at any one time.

2. In order to give effect to paragraph 1 above:

(i) the precise geographic position of the mid-point between the start and end of the longline shall be determined using appropriate means;

(ii) catch and effort information for each species by fine-scale rectangle shall be reported to the Executive Secretary every five days using the Five-Day Catch and Effort Reporting System set out in Conservation Measure 51/XII; and

(iii) the Secretariat shall notify Contracting Parties participating in these fisheries when the total longline catch for *Dissostichus eleginoides* and *D. mawsoni* combined in any fine-scale rectangle exceeds 100 tons.

3. The by-catch of any species in the new and exploratory fisheries other than *Dissostichus* spp. in the Statistical Subareas and Divisions concerned shall be limited to 50 tons.

4. The total number and weight of *Dissostichus eleginoides* and *D. mawsoni* discarded, including those

¹ Except for waters adjacent to Kerguelen and Crozet and Prince Edward Islands.

² A fine-scale rectangle is defined as an area of 0.5° latitude by 1° longitude with respect to the northwest corner of the Statistical Subarea or Division. The identification of each rectangle is by the latitude of its northernmost boundary and the longitude of the boundary closest to 0°.

with the "jellicmeat" condition, shall be reported.

5. Each vessel participating in the new and exploratory fisheries for *Dissostichus* spp. during the 1997/98 season shall have on board at least one scientific observer, appointed in accordance with the CCAMLR Scheme of International Scientific Observation, throughout all fishing activities within the fishing season.

6. The data collection plan (Annex 133/A to Conservation Measures in Force) shall be implemented. Data collected pursuant to the plan for the period up to 31 August 1998 shall be reported to CCAMLR by 30 September 1998 so that the data will be available to the 1998 meeting of the Working Group on Fish Stock Assessment. Such data taken after 31 August shall be reported to CCAMLR not later than three months after the closure of the fishery.

Annex 133/A

Data Collection Plan for New and Exploratory Longline Fisheries

1. All vessels will comply with conditions set by CCAMLR. These include five-day catch and effort reporting system (Conservation Measure 51/XII) and monthly fine-scale effort and biological data reporting system (Conservation Measures A/XVI and b/xvi) will be followed.

2. All data required by the CCAMLR Scientific Observers Manual for fin fisheries will be collected. These include:

- (i) haul-by-haul catch and catch per effort by species;
- (ii) haul-by-haul length frequency of common species;
- (iii) sex and gonad state of common species;
- (iv) diet and stomach fullness;
- (v) scales and/or otoliths for age determination;
- (vi) by-catch of fish and other organisms; and
- (vii) observation on occurrence and incidental mortality of seabirds and mammals in relation to fishing operations.

3. Data specific to longline fisheries will be collected. These include:

- (i) number of fish lost at surface;
- (ii) number of hooks set;
- (iii) bait type;
- (iv) baiting success (%);
- (v) hook type;
- (vi) setting, soak, and hauling times;
- (vii) sea depth at each end of line on hauling; and
- (viii) bottom type.

Conservation Measure 134/XVI

New Fishery for Dissostichus eleginoides and D. mawsoni in Statistical Subarea 48.1 in the 1997/98 Season

The Commission,

Welcoming the notification of Chile of its intention to conduct a new fishery in Statistical Subarea 48.1 for *Dissostichus eleginoides* and *D. mawsoni* in the 1997/98 season,

Adopts the following Conservation Measure in accordance with Conservation Measure 31/X:

1. Fishing for *Dissostichus eleginoides* and *D. mawsoni* in Statistical Subarea 48.1 shall be limited to the new fishery by Chile. The fishery shall be conducted by Chilean flagged vessels using longlining only.

2. The precautionary catch for Subarea 48.1 shall be limited to 1 863 tons of *Dissostichus* spp. north of 65°S and 94 tons of *Dissostichus* spp. south of 65°S. In the event that these limits are reached, the fishery shall be closed.

3. For the purpose of this new fishery, the fishing season is defined as the period from 1 April until 31 August 1998.

4. The directed fisheries for the above species shall be carried out in accordance with Conservation Measures 29/XVI and I/XVI.

5. Each vessel participating in the new fishery will be required to operate VMS2 at all times.

However, a first prospective cruise will be carried out between 15 February until 31 March 1998, as described in Resolution 12/XVI.

Conservation Measure 135/XVI

New Fishery for Dissostichus eleginoides and D. mawsoni in Statistical Subarea 48.2 in the 1997/98 Season

The Commission,

Welcoming the notification of Chile of its intention to conduct a new fishery in Statistical Subarea 48.2 for *Dissostichus eleginoides* and *D. mawsoni* in the 1997/98 season,

Adopts the following Conservation Measure in accordance with Conservation Measure 31/X:

1. Fishing for *Dissostichus eleginoides* and *D. mawsoni* in Statistical Subarea 48.2 shall be limited to the new fishery by Chile. The fishery shall be conducted by Chilean flagged vessels using longlining only.

2. The precautionary catch for Subarea 48.2 shall be limited to 429 tons of *Dissostichus* spp. north of 60°S and 972 tons of *Dissostichus* spp. south of 60°S. In the event that these limits are reached, the fishery shall be closed.

3. For the purpose of this new fishery, the fishing season is defined as the period from 1 April until 31 August 1998.

4. The directed fisheries for the above species shall be carried out in accordance with Conservation Measures 29/XVI and I/XVI.

5. Each vessel participating in the new fishery will be required to operate VMS2 at all times.

However, a first prospective cruise will be carried out between 15 February until 31 March 1998, as described in Resolution 12/XVI.

Conservation Measure 136/XVI

New Fishery for Dissostichus eleginoides and D. mawsoni in Statistical Subarea 48.6 in the 1997/98 Season

The Commission,

Welcoming the notification of Norway and South Africa of its intention to conduct new fishery in Statistical Subarea 48.6 for *Dissostichus eleginoides* and *D. mawsoni* in the 1997/98 season,

Adopts the following Conservation Measure in accordance with Conservation Measure 31/X:

1. Fishing for *Dissostichus eleginoides* and *D. mawsoni* in Statistical Subarea 48.6 shall be limited to the new fisheries by Norway and South Africa. The fisheries shall be conducted by Norwegian and South African flagged vessels using longlining only.

2. The precautionary catch for Subarea 48.6 shall be limited to 888 tons of *Dissostichus* spp. north of 65°S and 648 tons of *Dissostichus* spp. south of 65°S. In the event that these limits are reached, the fisheries shall be closed.

3. For the purpose of these new fisheries, the fishing season to the north of 60°S is defined as the period from 1 March until 31 August 1998. The fishing season south of 60°S is defined as the period from 15 February until 15 October 1998.

4. The directed fisheries for the above species shall be carried out in accordance with Conservation Measures 29/XVI and I/XVI.

5. Each vessel participating in the new fisheries will be required to operate VMS1 at all times.

As described in Resolution 12/XVI

Conservation Measure 137/XVI

New Longline Fishery for Dissostichus eleginoides and D. mawsoni in Statistical Division 58.4.3 in the 1997/98 Season

The Commission,

Welcoming the notification of South Africa of its intention to conduct a new

longline fishery in Statistical Division 58.4.3 for *Dissostichus eleginoides* and *D. mawsoni* in the 1997/98 season,

Adopts the following Conservation Measure in accordance with Conservation Measure 31/X:

1. Fishing for *Dissostichus eleginoides* and *D. mawsoni* in Statistical Division 58.4.3 shall be limited to the new fishery by South Africa. The fishery shall be conducted by South African flagged vessels using longlining only.

2. The precautionary catch for Division 58.4.3 shall be limited to 1 782 tons of *Dissostichus* spp. north of 60°S, to be taken by longline. In the event that this limit is reached, the longline fishery shall be closed.

3. For the purpose of this new longline fishery, the fishing season is defined as the period from 1 April until 31 August 1998.

4. The directed longline fishery for the above species shall be carried out in accordance with Conservation Measures 29/XVI and I/XVI.

5. Each vessel participating in the new longline fishery will be required to operate VMS1 at all times.

[As described in Resolution 12/XVI]

Conservation Measure 138/XVI

New Fisheries for Dissostichus eleginoides in Statistical Division 58.4.4 in the 1997/98 Season

The Commission,

Welcoming the notification of South Africa and Ukraine of its intention to conduct new fisheries in Statistical Division 58.4.4 for *Dissostichus eleginoides* in the 1997/98 season,

Adopts the following Conservation Measure in accordance with Conservation Measure 31/X:

1. Fishing for *Dissostichus eleginoides* in Statistical Division 58.4.4 shall be limited to the new fisheries by South Africa and Ukraine. The fisheries shall be conducted by South African and Ukrainian flagged vessels using longlining only.

2. The precautionary catch for Division 58.4.4 shall be limited to 580 tons of *Dissostichus* spp. north of 60°S, to be taken by longline. In the event that this limit is reached, the fisheries shall be closed.

3. For the purpose of these new fisheries, the fishing season is defined as the period from 1 April until 31 August 1998.

4. The directed fisheries for the above species shall be carried out in accordance with Conservation Measures 29/XVI and I/XVI.

[Except for waters adjacent to the Prince Edward Islands]

Conservation Measure 139/XVI

New Fishery for Dissostichus eleginoides and D. mawsoni in Statistical Subarea 88.2 in the 1997/98 Season

The Commission,

Welcoming the notification of New Zealand of its intention to conduct a new fishery in Statistical Subarea 88.2 for *Dissostichus eleginoides* and *D. mawsoni* in the 1997/98 season,

Adopts the following Conservation Measure in accordance with Conservation Measure 31/X:

1. Fishing for *Dissostichus eleginoides* and *D. mawsoni* in Statistical Subarea 88.2 shall be limited to the new fishery by New Zealand. The fishery shall be conducted by New Zealand flagged vessels using longlining only.

2. The precautionary catch for Subarea 88.2 shall be limited to 25 tons of *Dissostichus* spp. north of 65°S and 38 tons of *Dissostichus* spp. south of 65°S. In the event that these limits are reached, the fishery shall be closed.

3. For the purpose of this new fishery, the fishing season is defined as the period from 15 February until 31 August 1998.

4. The directed fishery for the above species shall be carried out in accordance with Conservation Measures 29/XVI and I/XVI.

5. Each vessel participating in the new fishery will be required to operate VMS1 at all times.

As described in Resolution 12/XVI

Conservation Measure 140/XVI

New Fishery for Dissostichus eleginoides and D. mawsoni in Statistical Subarea 88.3 in the 1997/98 Season

The Commission,

Welcoming the notification of Chile of its intention to conduct a new fishery in Statistical Subarea 88.3 for *Dissostichus eleginoides* and *D. mawsoni* in the 1997/98 season,

Adopts the following Conservation Measure in accordance with Conservation Measure 31/X:

1. Fishing for *Dissostichus eleginoides* and *D. mawsoni* in Statistical Subarea 88.3 shall be limited to the new fishery by Chile. The fishery shall be conducted by Chilean flagged vessels using longlining only.

2. The precautionary catch for Subarea 88.3 shall be limited to 455 tons of *Dissostichus* spp. south of 65°S. In the event that this limit is reached, the fishery shall be closed.

3. For the purpose of this new fishery, the fishing season is defined as the period from 15 February until 31 October 1998.

4. The directed fishery for the above species shall be carried out in accordance with Conservation Measures 29/XVI and I/XVI.

5. Each vessel participating in the new fishery will be required to operate VMS2 at all times.

[A first prospective cruise will be carried out between 15 February until 31 March 1998, as described in Resolution 12/XVI.]

Conservation Measure 141/XVI^{1,2}

Exploratory Fisheries for Dissostichus eleginoides in Statistical Subarea 58.6 in the 1997/98 Season

The Commission adopts the following Conservation Measure in accordance with Conservation Measure 65/XII:

1. Fishing for *Dissostichus eleginoides* in Statistical Subarea 58.6 shall be limited to the exploratory fisheries by Russia, South Africa and Ukraine. The fisheries shall be conducted by no more than two flagged vessels of each of these Contracting Parties using longlining only.

2. The precautionary catch limit for these exploratory fisheries in Statistical Subarea 58.6 shall be limited to 658 tons of *Dissostichus eleginoides*. In the event that the catch by these vessels reaches the catch limit, the fisheries shall be closed.

3. For the purpose of these exploratory fisheries, the fishing season is defined as the period from 1 April until 31 August 1998.

4. The directed fisheries for the above species shall be carried out in accordance with Conservation Measures 29/XVI and I/XVI.

Conservation Measure 142/XVI¹

Exploratory Fisheries for Dissostichus eleginoides in Statistical Subarea 58.7 in the 1997/98 Season

The Commission adopts the following Conservation Measure in accordance with Conservation Measure 65/XII:

1. Fishing for *Dissostichus eleginoides* in Statistical Subarea 58.7 shall be limited to the exploratory fisheries by Russia, South Africa and Ukraine. The fisheries shall be conducted by one flagged vessel of each of these Contracting Parties using longlining only.

2. The precautionary catch limit for these exploratory fisheries in Statistical Subarea 58.7 shall be limited to 312 tons of *Dissostichus eleginoides*. In the event

¹ Except for waters adjacent to the Crozet Islands.

² Except for waters adjacent to the Prince Edward Islands.

¹ Except for waters adjacent to the Prince Edward Islands.

that the catch by these vessels reaches the catch limit, the fisheries shall be closed.

3. For the purpose of these exploratory fisheries, the fishing season is defined as the period from 1 April until 31 August 1998.

4. The directed fisheries for the above species shall be carried out in accordance with Conservation Measures 29/XVI and I/XVI.

Conservation Measure 143/XVI

Exploratory Fishery for Dissostichus eleginoides and D. mawsoni in Statistical Subarea 88.1 in the 1997/98 Season

The Commission adopts the following Conservation Measure in accordance with Conservation Measure 65/XII:

1. Fishing for *Dissostichus eleginoides* and *D. mawsoni* in Statistical Subarea 88.1 shall be limited to the exploratory fishery by New Zealand. The fishery shall be conducted by New Zealand flagged vessels using longlining only.

2. The precautionary catch for Subarea 88.1 shall be limited to 338 tons of *Dissostichus* spp. north of 65°S and 1,172 tons of *Dissostichus* spp. south of 65°S. In the event that these limits are reached, the fishery shall be closed.

3. For the purpose of this exploratory fishery, the fishing season is defined as the period from 15 February until 31 August 1998.

4. The directed fishery for the above species shall be carried out in accordance with Conservation Measures 29/XVI and I/XVI.

5. Each vessel participating in the exploratory fishery will be required to operate VMS1 at all times.

[As described in Resolution 12/XVI]

Conservation Measure 144/XVI

Exploratory Fishery for Dissostichus spp. taken by the Trawl Method in Statistical Division 58.4.3 in the 1997/98 Season

The Commission, adopts the following Conservation measure in accordance with Conservation Measure 65/XII:

1. Fishing for *Dissostichus* spp. by trawl in Statistical Division 58.4.3 north of 60°S shall be limited to the exploratory fishery by Australian flagged vessels only. The total catch of *Dissostichus* spp. in the 1997/98 season shall not exceed 963 tons taken by the trawl method.

2. For the purposes of this Conservation Measure the 1997/98 season is defined as the period from 8 November 1997 and finishes at the close of the Commission meeting in 1998 or

when the catch limit is reached, whichever is the sooner.

3. Each vessel participating in the exploratory fishery for *Dissostichus* spp. in Statistical Division 58.4.3 shall have at least one scientific observer appointed in accordance with the CCAMLR Scheme of International Scientific Observation on board throughout all fishing activities within the Division.

4. Each vessel operating in the exploratory fishery for *Dissostichus* spp. in Statistical Division 58.4.3 shall have a VMS1 at all times.

5. For the purpose of implementing this Conservation Measure:

(i) the five-day catch and effort

Reporting System set out in Conservation Measure 51/XII;

(ii) the monthly Fine-Scale Biological Data as required under Conservation Measure 117A/XVI, shall be recorded and reported in accordance with the System of International Scientific Observation;

shall apply.

6. If in the course of a directed fishery for *Dissostichus* spp., the by-catch in any one haul of the species *Lepidonotothen squamifrons*, *Notothenia rossii*, *Channichthys rhinoceratus* or *Bathyraja* spp. either,

(i) is greater than 100 kgs and exceeds 5% of the total catch of fish species by weight; or,

(ii) is equal to, or greater than 2 tons, then

the fishing vessel shall move to another fishing location at least 5 n miles distant. The fishing vessel shall not return to any point within 5 n miles of the location where the by-catch exceeded 5% for a period of at least five days. The location where the by-catch exceeded 5% 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.

7. The total number and weight of *Dissostichus* spp. discarded, including those with the jellymeat condition, shall be reported. These fish will count towards the total allowable catch.

8. The data collection plan in Annex 144/A will be implemented and the results reported to CCAMLR not later than three months after the closure of the fishery.

[As described in Resolution 12/XVI, this provision is adopted pending the adoption of a more appropriate definition of a fishing location by the Commission. The specified period is adopted in accordance with the reporting period specified in

Conservation Measure 51/XII, pending the adoption of a more appropriate period by the Commission.]

Annex 144/A

Research and Fishery Operations Plan

During the early stages of exploratory fishing on the Elan and BANZARE Banks, subject to the TACs set by CCAMLR, Australian vessels will conduct a trawl survey to assess the biomass of commercially important species on each of the banks down to 1,500 m depth. Exploration and surveys might not occur on both banks in the same season, but commercial exploration will not occur unless a survey is conducted at the same time. The survey, once commenced, will be completed in as short a time period as possible.

The survey on each bank will comprise 40 hauls at randomly chosen positions. Because the suitability of the bottom on these banks for fishing is not well known, and even the positions of some parts of the banks are not precisely known, it is likely that a high proportion of the sites will be unsuitable for trawling. To make the survey as practicable as possible, the ground shallower than 1500m on each bank has been divided into just over 40 squares, each of 15 n miles square for Elan Bank and 25 n miles square for BANZARE Bank (Figures 1 and 2). Within each square, five randomly chosen trawling positions have been nominated (Tables 1 and 2), and the vessel will trawl at one of the five positions in each square. If no nominated trawl position in a square is suitable, then that square will be abandoned. More accurate charts of these areas will be available soon, and it may be necessary to alter the positions of the sampling squares.

Permit Conditions and Data Collection Plan

The vessels will comply with all express and implied conditions set by CCAMLR. General conditions include 120 mm minimum mesh size (Conservation Measure 2/III), and no net monitor cables to be used (Conservation Measure 30/X). The five-day catch and effort reporting system and the monthly effort and biological data reporting required by Conservation Measure 78/XIV will also apply in Division 58.4.3.

In addition to conditions set by CCAMLR, the Australian Fisheries Management Authority will require that the vessels carry an operating Vessel Monitoring System which will enable AFMA to know its position at any time.

An inspector/scientific observer will also be aboard all vessels at all times to monitor activities and catches and to collect biological data.

The following data and material will be collected from both the survey and commercial fishing operations, as required by the CCAMLR Scientific Observers Manual for fin fisheries:

- Haul-by-haul catch and catch per effort by species
- Haul-by-haul length frequency of common species
- Sex and gonad state of common species
- Diet and stomach fullness
- Scales and/or otoliths for age determination
- By-catch of fish and other organisms
- Observations on the occurrence of seabirds and mammals in relation to fishing operations, and details of any incidental mortality of these animals.

Conservation Measure 145/XVI

*Exploratory Fishery for *Martialia hyadesi* in Statistical Subarea 48.3 in the 1997/98 Season*

The Commission,

Adopts the following Conservation Measure in accordance with Conservation Measures 7/v and 65/XII:

1. Fishing for *Martialia hyadesi* in Statistical Subarea 48.3 shall be limited to the exploratory fishery by flagged vessels of the Republic of Korea and the U.K. The catch shall be limited to 2500 tons.

2. For the purposes of this fishery, the fishing season is defined as the period between 8 November 1997 and the end of the Commission meeting in 1998 or until the catch limit is reached, whichever is sooner.

3. For the purposes of implementing this Conservation Measure:

(i) the Ten-day Catch and Effort Reporting System, as set out in Conservation Measure 61/xii shall apply;

(ii) the data required to complete the CCAMLR standard fine-scale catch and effort data form for squid jig fisheries (Form C3) shall be reported from each vessel. These data shall include numbers of seabirds and marine mammals of each species caught and released or killed. These data shall be reported to CCAMLR by 31 August 1998 for catches taken prior to 31 July 1998; and

(iii) data on catches taken between 31 July 1998 and 31 August 1998 shall be reported to CCAMLR by 30 September 1998 so that the data will be available to the 1998 meeting of the Working Group on Fish Stock Assessment.

4. Each vessel participating in the fishery for *Martialia hyadesi* during the

1997/98 season shall have a scientific observer on board appointed in accordance with the CCAMLR Scheme of International Scientific Observation.

5. The data collection plan (Annex 145/A) shall be implemented. Data collected pursuant to the plan for the period up to 31 August 1998 shall be reported to CCAMLR by 30 September 1998 so that the data will be available to the 1998 meeting of the Working Group on Fish Stock Assessment. Such data taken after 31 August shall be reported to CCAMLR not later than three months after the closure of the fishery.

Annex 145/A

*Data collection Plan for Exploratory Squid (*M. hyadesi*) Fisheries in Subarea 48.3*

1. All vessels will comply with conditions set by CCAMLR. These include data required to complete the Ten-day Catch and Effort Reporting System, as specified by Conservation Measure 61/XII; and data required to complete the CCAMLR standard fine-scale catch and effort data form for a squid jig fishery (Form C3, version 3). This includes numbers of seabirds and marine mammals of each species caught and released or killed.

2. All data required by the CCAMLR Scientific Observers Manual for squid fisheries will be collected. These include:

- (i) vessel and observer program details (Form S1);
- (ii) catch information (Form S2); and
- (iii) biological data (Form S3).

Resolution 12/XVI

*Automated Satellite-Linked Vessel Monitoring Systems (VMSs)*¹

The Commission,

Noting the extreme concern over high levels of illegal, unregulated and unreported fishing for *Dissostichus eleginoides* and other marine living resources,

Considers that:

1. Subject to paragraphs 2 and 3, Members shall endeavour, by the end of

¹ For this purpose, VMS means a system where, inter alia:

- (i) information collected shall include the vessel identifier, location, date and time, which shall be collected with a required frequency to ensure that the member can effectively monitor its vessel; and
- (ii) performance standards shall, at a minimum, include a system that:
 - (a) is tamper proof;
 - (b) is fully automatic and operational at all times regardless of environment conditions;
 - (c) provides real time data; and
 - (d) provides latitude and longitude with a position accuracy of 500 m or better, with the format to be determined by the Flag State.

the Commission meeting in 1998, to establish an automated vessel monitoring system (VMS) to monitor the position of its flag vessels licensed or permitted in accordance with Conservation Measure B(SCOI)/XVI to harvest *Dissostichus* species or other marine living resources in the Convention Area for which catch limits, fishing seasons or area restrictions have been set by Conservation Measures adopted by the Commission.

2. Any Member not in a position to establish a VMS by the date specified in paragraph 1 shall so inform the CCAMLR Secretariat in advance of the 1998 annual meeting and, if possible, notify its intended alternative timetable for the implementation of a VMS.

3. The implementation of VMS on vessels while participating in the krill fishery is not currently necessary.

4. Once its VMS is established, each Member should monitor the position of its Flag vessels licensed or permitted in accordance with Conservation Measure B(SCOI)/XVI. Should the VMS cease to transmit, the member should take immediate steps to ensure that the transmission is swiftly restored.

5. Members should report to the Secretariat before the start of the annual meeting of the Commission on:

- (i) any VMS in operation, including its technical details; and
- (ii) in accordance with paragraph XI of the System of Inspection, all cases where they have determined with the assistance of VMS that vessels of their flag had fished in the Convention Area in possible contravention of CCAMLR Conservation Measures.

Dated: January 15, 1998.

Raymond V. Arnaudo,

Deputy Director, Office of Oceans Affairs.

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OFFICE OF THE UNITED STATE TRADE REPRESENTATIVE

Identification of Countries Under Section 182 of the Trade Act of 1974; Request for Public Comment

AGENCY: Office of the United States Trade Representative.

ACTION: Request for written submissions from the public.

SUMMARY: Section 182 of the Trade Act of 1974 (Trade Act) (19 U.S.C. 2242), requires the United States Trade Representative (USTR) to identify countries that deny adequate and effective protection of intellectual property rights or deny fair and