

**No. 24049**

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**AUSTRALIA  
and  
REPUBLIC OF KOREA**

**Subsidiary Agreement concerning squid jigging by fishing  
vessels of the Republic of Korea (with appendices).  
Signed at Canberra on 23 November 1983**

*Authentic texts: English and Korean.*

*Registered by Australia on 24 April 1986.*

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**AUSTRALIE  
et  
RÉPUBLIQUE DE CORÉE**

**Accord subsidiaire relatif à la pêche au calmar par les navires  
de la République de Corée (avec appendices). Signé à  
Canberra le 23 novembre 1983**

*Textes authentiques : anglais et coréen.*

*Enregistré par l'Australie le 24 avril 1986.*

**SUBSIDIARY AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF AUSTRALIA AND THE GOVERNMENT OF THE REPUBLIC OF KOREA CONCERNING SQUID JIGGING BY FISHING VESSELS OF THE REPUBLIC OF KOREA**

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The Government of Australia and the Government of the Republic of Korea,

Pursuant to the provisions of paragraph 3 of Article IV of the Agreement on Fisheries between the Government of Australia and the Government of the Republic of Korea, signed at Canberra on the twenty-third day of November, 1983<sup>2</sup> (hereinafter referred to as "the Head Agreement"), and

Wishing to establish the detailed procedures for the conduct of squid jigging operations by fishing vessels of the Republic of Korea (hereinafter referred to as "the vessels") within the Australian fishing zone (hereinafter referred to as "the Zone") and for the issuance of licences by the Government of Australia,

Have agreed as follows:

*Article I*

The Government of Australia shall, in accordance with the provisions of the Head Agreement, issue licences for six vessels, subject to payment to the Government of Australia of a fee of 72,000 Australian dollars for all the vessels to be licensed and for the period of validity of this Subsidiary Agreement.

*Article II*

The Government of Australia shall, by the licences issued for the vessels referred to in Article I of this Subsidiary Agreement, permit those vessels to take all species of squid by means of the jigging method of fishing in the authorised fishery area specified in Appendix A to this Subsidiary Agreement.

*Article III*

The vessels shall not take a quantity of the species referred to in Article II of this Subsidiary Agreement exceeding a total weight of 900 tonnes although the Government of Australia may offer in writing to increase the total weight allocated up to a total of 1,800 tonnes. Any such offer may contain a condition requiring the payment of a fee additional to that referred to in Article I.

*Article IV*

1. The Government of Australia, subject to the relevant laws and regulations of Australia, undertakes to permit the vessels licensed under this Subsidiary Agreement to enter the ports of Adelaide, Portland, Geelong, Launceston and Hobart.

2. The Government of Australia shall give due notice to the Government of the Republic of Korea of the procedures relating to the entry of the vessels into those ports.

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<sup>1</sup> Came into force on 24 November 1983, the date of entry into force of the Agreement on fisheries (see footnote 2 below), in accordance with article X.

<sup>2</sup> See p. 129 of this volume.

### *Article V*

1. Masters of Korean vessels licensed under the Agreement to operate in the Australian fishing zone shall offer a quantity of squid species for sale to Australian commercial interests if required by the Department of Primary Industry to do so.

2. The aggregate quantity of squid to be made available for sale in Australia shall not exceed 20 per cent of the total allocation of catch to licensed fishing vessels of Korea.

3. The price to be paid for such squid shall be a matter for mutual agreement between fishermen of Korea and commercial interests of Australia. Korean fishermen shall make every effort to ensure that the prices charged for Korean caught squid are reasonable, having regard to the cost-savings incurred by landing squid in Australia and the needs of Australian processors.

4. Reasonable notification shall be provided of the quantity, quality and destination of squid required to be landed and every effort shall be made to ensure that these requirements minimise any disruption to the fishing operations of the Korean vessels.

5. Landings of squid shall conform with the guidelines for landing of frozen fish caught by foreign operators on the Australian domestic market specified in Appendix B to this Agreement.

6. To facilitate compliance with paragraphs 1 and 2 of this Article, licensed Korean fishing vessels shall be authorised to land at Australian ports in addition to those mentioned in Article IV with the approval of the Department of Primary Industry.

### *Article VI*

The Government of Australia shall permit the lodgement of bulk applications for licences in respect of persons intending to engage in fishing on board each of the vessels licensed under this Subsidiary Agreement and shall, in accordance with the relevant laws and regulations of Australia, issue licences in respect of those persons.

### *Article VII*

1. The Government of Australia shall determine, after consultation between the two Governments, the methods of and the terms and conditions with respect to:

- (a) Applying for and issuing licences in respect of the vessels and persons;
- (b) Preparing and reporting of catch and effort data in respect of the vessels;
- (c) Pre- and post-fishing inspections to be undertaken by competent Australian authorities; and
- (d) Communicating between the vessels and the competent Australian authorities.

2. The Government of Australia shall notify the Government of the Republic of Korea of determinations under paragraph 1 of this Article within a reasonable time.

### Article VIII

The Government of the Republic of Korea shall, in accordance with the relevant laws and regulations of the Republic of Korea, provide the Government of Australia with available current economic and marketing information relevant to the operations of the vessels within the Zone.

### Article IX

1. The Government of Australia and the Government of the Republic of Korea shall, in accordance with the provisions of Article XI of the Head Agreement, consult in Canberra not later than three months before the expiry of this Subsidiary Agreement for the purposes of:

- (a) Reviewing the operations of the vessels under this Subsidiary Agreement including any problems identified by either Government; and
- (b) Discussing the terms and conditions under which a subsidiary agreement might be concluded for the following period of one year.

2. Upon request by either Government, consultations shall be undertaken at any time during the period of validity of this Subsidiary Agreement on any aspect of the implementation of this Subsidiary Agreement.

### Article X

This Subsidiary Agreement shall enter into force on the date on which the Head Agreement enters into force and shall remain in force for a period of one year.

IN WITNESS WHEREOF, the undersigned being duly authorised by their respective Governments, have signed this Subsidiary Agreement.

DONE in duplicate at Canberra, this 23rd day of November 1983, in the English and Korean languages both texts being equally authentic.

For the Government  
of Australia:

[Signed — Signé]<sup>1</sup>

For the Government  
of the Republic of Korea:

[Signed — Signé]<sup>2</sup>

## APPENDIX A

### AUTHORISED AREA OF THE AUSTRALIAN FISHING ZONE FOR KOREAN SQUID JIGGING VESSELS

A. Vessels of the Republic of Korea may take squid by use of the squid jigging method of fishing in that part of the Australian fishing zone to the south of Australia, with the exception of waters specified under sections B, C, D and E below, within the area bounded by a line

- (1) Commencing at the point of intersection of the meridian of Longitude 129°00' East by the line every point of which is 12 international nautical miles seaward from the nearest point of the baselines from which the breadth of the territorial sea is measured;

<sup>1</sup> Signed by John Kerin — Signé par John Kerin.

<sup>2</sup> Signed by Sang Koo Kim — Signé par Sang Koo Kim.

- (2) Running thence generally easterly and south-easterly along that line to its intersection by the meridian of Longitude 136°10' East;
- (3) Thence south along that meridian to its intersection by the parallel of Latitude 36°30' South;
- (4) Thence south-easterly along the rhumb line to the point of Latitude 37°00' South, Longitude 138°00' East;
- (5) Thence south-easterly along the rhumb line to the point of Latitude 37°10' South, Longitude 139°00' East;
- (6) Thence south-easterly along the rhumb line to the point of Latitude 38°00' South, Longitude 139°30' East;
- (7) Thence south-easterly along the rhumb line to the point of Latitude 38°20' South, Longitude 140°35' East;
- (8) Thence south-easterly along the rhumb line to the point of Latitude 38°47' South, Longitude 141°35' East;
- (9) Thence south-easterly along the rhumb line to the point of Latitude 38°55' South, Longitude 142°20' East;
- (10) Thence south-easterly along the rhumb line to the point of Latitude 39°20' South, Longitude 143°31' East;
- (11) Thence north along the meridian of Longitude 143°31' East to its intersection by the line every point of which is 6 international nautical miles seaward from the nearest point of the baselines from which the breadth of the territorial sea is measured;
- (12) Thence generally north-easterly, easterly and south-easterly along that line to its intersection by the meridian of Longitude 144°40' East;
- (13) Thence south along that meridian to its intersection by the line every point of which is 12 international nautical miles seaward from the nearest point of the baselines from which the breadth of the territorial sea is measured, adjacent to the mainland of the State of Victoria;
- (14) Thence generally easterly, south-easterly and north-easterly along that line to its intersection by the parallel of Latitude 38°41' South;
- (15) Thence east along that parallel to its intersection by the meridian of Longitude 148°13' East;
- (16) Thence north-easterly along the rhumb line to the point of Latitude 38°32' South, Longitude 148°26' East;
- (17) Thence north-easterly along the rhumb line to the point of Latitude 38°19' South, Longitude 148°35' East;
- (18) Thence north-westerly along the rhumb line to the point of Latitude 38°08' South, Longitude 148°31' East;
- (19) Thence north along the meridian of Longitude 148°31' East to its intersection by the line every point of which is 12 international nautical miles seaward from the nearest point of the baselines from which the breadth of the territorial sea is measured;
- (20) Thence easterly and north-easterly along that line to its intersection by the line which is 12 international nautical miles south-westerly from and parallel to, the seaward extension of the border between the States of Victoria and New South Wales;
- (21) Thence south-easterly along that line to its intersection by the outer limit of the Australian fishing zone;
- (22) Thence generally southerly, south-westerly, westerly, north-westerly, northerly and north-westerly along that outer limit to its intersection by the meridian of Longitude 129°00' East; and

(23) Thence north along that meridian to the point of commencement.

#### EXCEPTED AREAS

B. At all times waters within 3 international nautical miles seaward of the baselines from which the breadth of the territorial sea is measured.

C. At all times waters within 12 international nautical miles seaward of the baselines from which the breadth of the territorial sea of the mainland of Tasmania is measured.

D. At all times waters within 12 international nautical miles seaward of the baselines from which the breadth of the territorial sea of the Furneaux Group of islands is measured. (See attached list.)

E. At all times waters within 12 international nautical miles seaward of the baselines from which the breadth of the territorial sea of King Island, in the State of Tasmania, is measured.

#### THE FURNEAUX GROUP

Consists of the following islands:

Flinders Island	Badger Island
Cape Barren Island	Little Badger Islet
Clarke Island	Beagle Islet
The Sisters	Double Rock
Roydon (Roden) Island	Boxen Islet
North Pasco Island	Mount Chappell Island
Middle Pasco Island	Ann Islet
Chalky Island	Long Island
Little Chalky Islet	Dough Bay Islet
Reef Islet	Oyster Rocks
Mile Islet	Little Anderson Islet
Isabella Islet	Anderson Island
Big Green Island	Tin Kettle Island
Prime Seal (Hummock) Island	Little Dog Island
Low Islets	Great Dog Island
Babel Island	Little Green Island
Cat Island	Vansittart Island
Storehouse Island	Briggs Islet
Parrys Rock	Flat Rock
East Kangaroo Island	Gull Islet
Chappell Islands	Gull Rock
Little Goose Islet	

Refer to pages 140-144, *Australian Pilot*, Volume II, Sixth Edition, 1982.

#### APPENDIX B

##### GUIDELINES FOR LANDING OF FROZEN FISH CAUGHT BY FOREIGN OPERATORS ON THE AUSTRALIAN DOMESTIC MARKET

The following guidelines shall apply to the landing of product from foreign vessels for sale on the domestic market:

(i) Product from foreign fishing vessels shall be permitted to land for further processing or export.

(ii) Product landed shall not be sold fresh on Australian fish markets.

(iii) Such landings to be allowed only if they are not detrimental to the Australian fishing industry. The Department of Primary Industry will undertake an annual review of these landings and report to the Australian Fisheries Council, with specific emphasis on the effects of the landings on the Australian industry.

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