

Fisheries Act 1968

FISHERIES NOTICE No. 3/1991

I, Steve Crabb, Minister for Conservation and Environment, after consultation with the Victorian Fishing Industry Federation, make the following Fisheries notice:

Dated: 1 May 1991

STEVE CRABB

Minister for Conservation and Environment

FISHERIES (SCALLOP FISHING) NOTICE
No. 3 1991

Title

1. This Notice may be cited as the Fisheries (Scallop Fishing) Notice No. 3 1991.

Commencement

2. This Notice comes into operation on 6 May 1991.

Objectives

3. The objectives of this Notice are to open Victorian waters, other than Port Phillip Bay, to scallop dredging and to fix and enforce bag limits and possession limits for scallops taken and/or landed in Victoria.

Authorising Provision

4. This Notice is made under section 80 of the *Fisheries Act 1968*.

Definitions

5. "Act" means *Fisheries Act 1968*.

"Authorised Officer" means an authorised officer appointed under Part 9 of the *Conservation, Forests and Lands Act 1987*.

"Crate" means a wire mesh container with external dimensions not exceeding 100 centimetres by 50 centimetres by 50 centimetres and constructed as specified in the diagrams in Form 1 in the Schedule to this Notice.

"Crate Tag" means a tag as specified in the diagram in Form 2 in the Schedule to this Notice.

"Bag" means a mesh bag of a rectangular shape measuring 900 millimetres high by 580 millimetres wide and having a volume of 0.08 cubic metres.

"Bag Tag" means a tag as specified in the diagram in Form 3 in the Schedule to this Notice.

Open Season

6. Subject to section 15 (1) (h) of the Act the holder of a scallop licence may dredge for or take scallops for sale from Victorian waters, other than Port Phillip Bay, during the period commencing 6 May 1991 and ending 4 August 1991.

Catch Limits

7. A master fisherman operating a registered fishing boat for which a scallop licence has been issued must not take from that boat from Victorian waters more than ten crates of scallops during a seven day period commencing on each Monday of the open season.

Tagging of Crates

8. Every holder of a scallop licence permitting the dredging or taking of scallops from any Victorian waters other than Port Phillip Bay may on production of his or her scallop licence make application to an authorised officer for an allocation of the number and colour of crate tags prescribed in the Table to this clause for the period prescribed in the Table to this clause.

Table

Period	Number of Tags	Colour of Tags
6/5/91 to 12/5/91	10	Yellow
13/5/91 to 19/5/91	10	Blue
20/5/91 to 26/5/91	10	Red
27/5/91 to 2/6/91	10	Black
3/6/91 to 9/6/91	10	Royal Blue
10/6/91 to 16/6/91	10	Orange
17/6/91 to 23/6/91	10	White
24/6/91 to 30/6/91	10	Green
1/7/91 to 7/7/91	10	Yellow
8/7/91 to 14/7/91	10	Blue
15/7/91 to 21/7/91	10	Red
22/7/91 to 28/7/91	10	Black
29/7/91 to 4/8/91	10	Royal Blue

9. (1) Crate tags are only valid for the period set out against the crate tag colour in the Table to clause 8 of this Notice.

(2). Crate tags will be serially numbered and may only be used to secure crates on the licensed scallop boat for which the crate tags were allocated by the authorised officer.

2 S 23 2 May 1991

10. A person in charge of a boat must ensure that—

- (a) in respect of scallops taken from Victorian waters other than Port Phillip Bay that those scallops are not contained on board or landed in any container other than a crate;
- (b) in respect of scallops taken from Commonwealth waters and landed in Victoria that those scallops are not contained on board in Victorian waters or landed in any container other than a bag;
- (c) while a registered fishing boat for which a scallop licence has been issued is on the B^wwaters of the Gippsland Lakes, Corner Inlet, Western Port Bay or Port Phillip Bay, not more than one full or partly filled crate of scallops on board the boat may be unsecured with a crate tag in such a manner that the lid of the crate can be opened without cutting or breaking the crate tag;

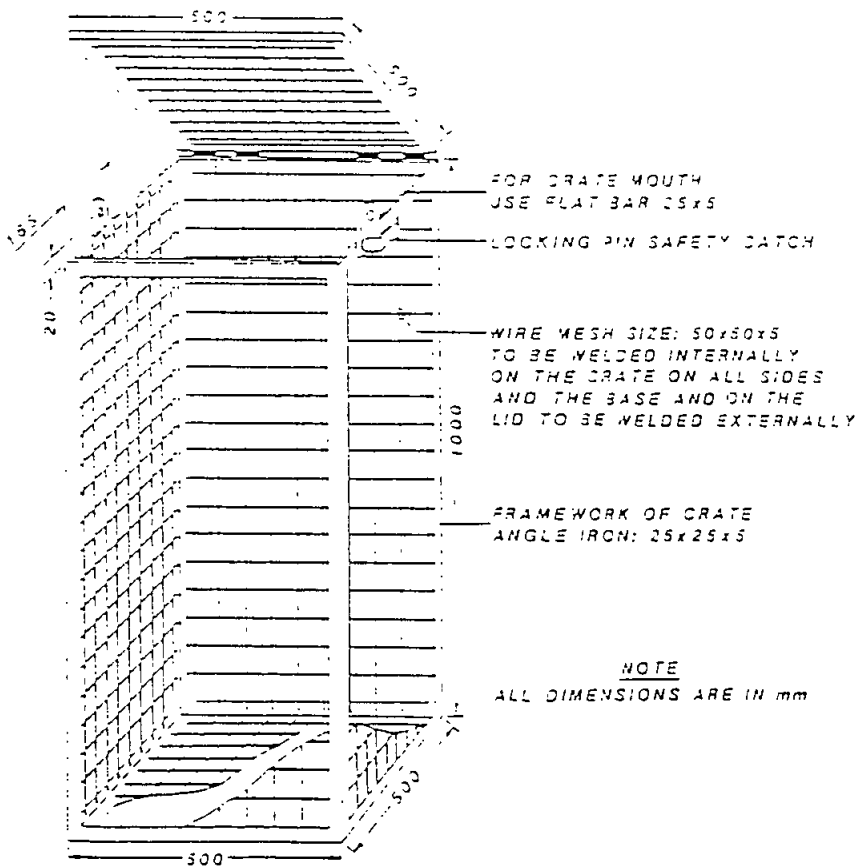
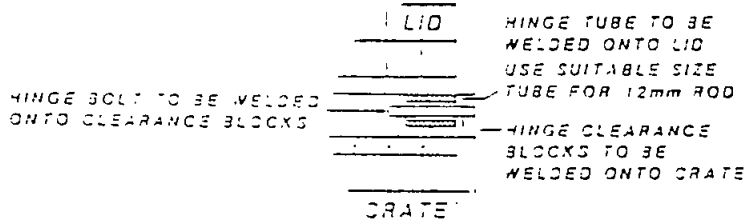
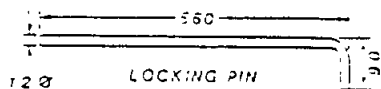
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- (d) when a crate containing scallops is landed the crate lid is so closed and secured with a crate tag so that the crate lid cannot be opened without cutting or breaking the crate tag;
- (e) when a crate containing scallops is landed the crate lid is closed and secured with a crate tag until the scallops are to be removed from the crate at a fish processing premises specified in a processors licence;
- (f) when a bag containing scallops taken from Commonwealth waters is landed the bag must be stitched along its upper edges with both sides meeting and secured with a bag tag until the scallops are to be removed from the bag at a fish processing premises specified in a processor's licence.
- (g) crate tags are not transferred to any other person; and
- (h) crate tags are not re-used.

Penalty

11. Any person who contravenes this Notice is liable to a penalty of 20 penalty units.

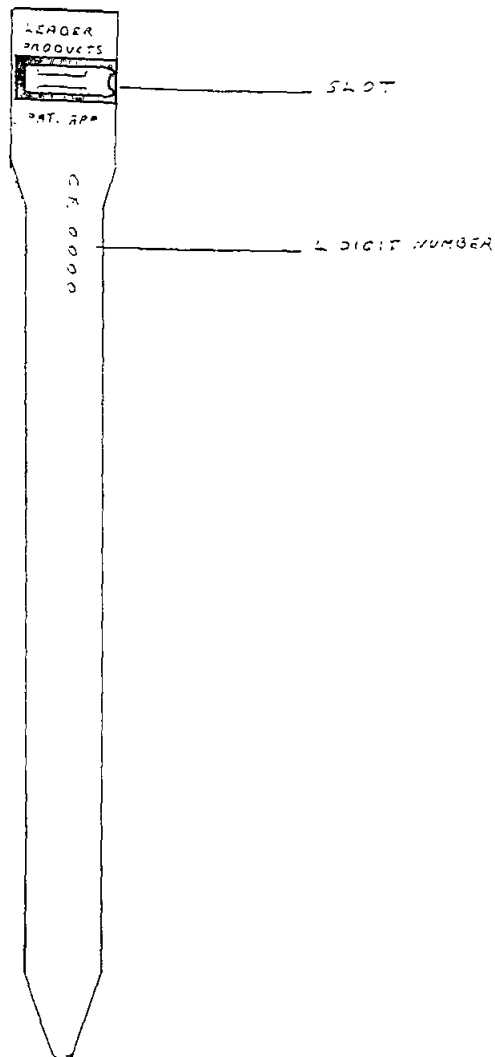
SCHEDULE
FORM 1
CONSTRUCTION OF CRATE




NOTE
ALL DIMENSIONS ARE IN mm

FORM 2

CONSTRUCTION OF CRATE TAG



FORM 3
CONSTRUCTION OF BAG TAG

 SCALLOPS	"Vessel Name" 000001
<small>Use a one cented line to remove returns etc prior to processing scallops</small>	
Valid from Area Fished Port Landed	"Vessel Name" 000001
Date Landed Processor	PLEASE RETURN THIS TAG TO Statistics Section Sea Fisheries Division Department of Primary Industry GPO Box 619F, HOBART 7001
<small>IMPORTANT - All tags must be marked with valid tags. Tags expire at 12 midnight at the end of each fortnight. Vessels must be in Port at the when prior to tag expiry. Fishermen are advised to be aware of the expiry date before using tags</small>	





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