

VICTORIA GOVERNMENT

G A Z E T T E

No. S 35 Friday 14 June 1991

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SPECIAL

Fisheries Act 1968

FISHERIES NOTICE No. 5/1991

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

Dated 13 June 1991

STEVE CRABB

Minister for Conservation and Environment

FISHERIES (SCALLOP FISHING) NOTICE

No. 5/1991

Title

1. This Notice may be cited as the Fisheries (Scallop Fishing) Notice No. 5/1991.

Commencement

2. This Notice comes into operation on 17 June 1991.

Revocation

3. Fisheries Notice No. 3/1991 is revoked.

Objective

4. The objective of this Notice is to extend the open season for scallops in Victorian waters, other than Port Phillip Bay, until 15 September 1991 and to fix and enforce bag limits and possession limits for scallops taken from Victoria and/or landed in Victoria.

Authorising Provision

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

Definitions

6. "Act" means the *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

7. 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 5 August 1991 and ending 4 November 1991.

Catch Limits

8. 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 or have on board that boat on Victorian waters more than twenty crates of scallops during a seven day period commencing on each Monday of the open season.

Tagging of Crates

9. 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
17.6.91 to 23.6.91	20	Green
24.6.91 to 30.6.91	20	Yellow
1.7.91 to 7.7.91	20	Blue
8.7.91 to 14.7.91	20	Red
15.7.91 to 21.7.91	20	Black
22.7.91 to 28.7.91	20	Royal Blue
29.7.91 to 4.8.91	20	Orange
5.8.91 to 11.8.91	20	White
12.8.91 to 18.8.91	20	Green
19.8.91 to 25.8.91	20	Yellow
26.8.91 to 1.9.91	20	Blue
2.9.91 to 8.9.91	20	Red
9.9.91 to 15.9.91	20	Black

10. (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.

11. (1) A person in charge of a boat must ensure that—

- (a) in respect of scallops taken from Victorian waters 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 a boat on 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 waters of the Gippsland Lakes, Corner Inlet, Western Port Bay or Port Phillip Bay every crate of scallops, except one full or partly filled crate, on board the boat must be secured in the manner specified in paragraph (d);
- (d) when a crate containing scallops is landed the crate lid is so closed and secured with

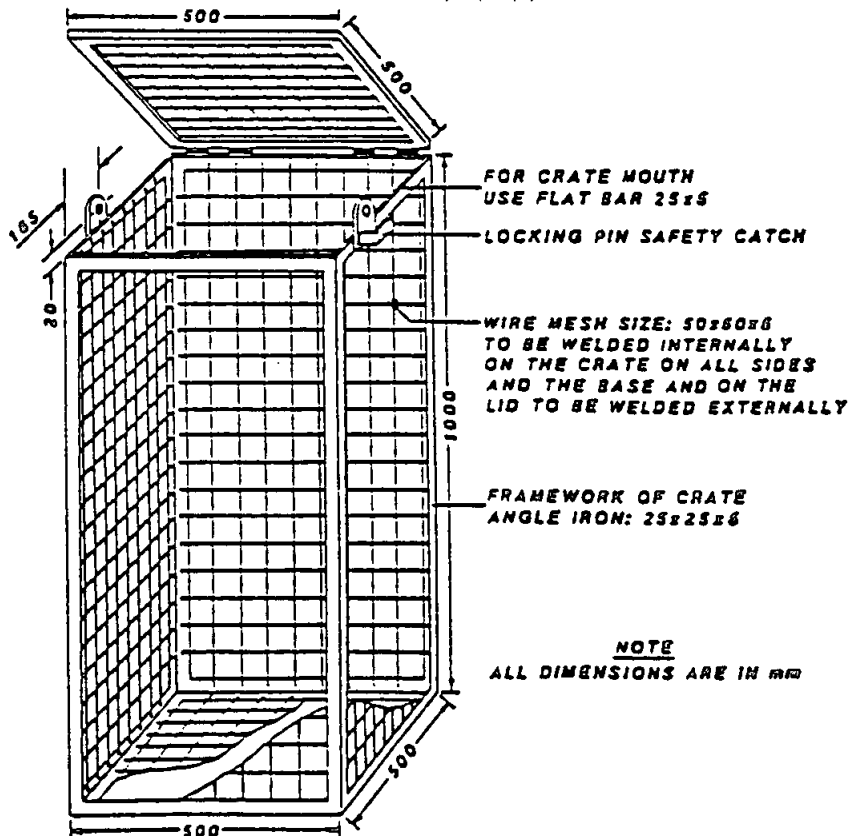
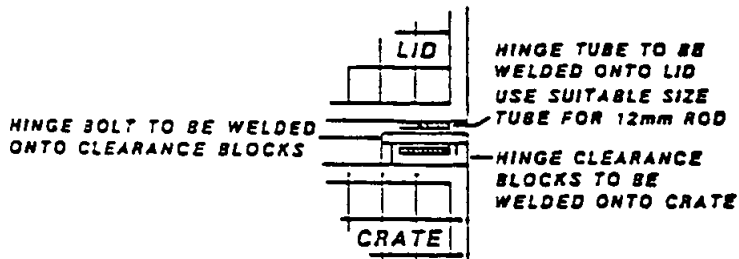
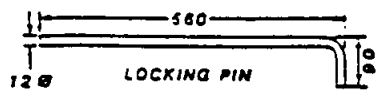
a crate tag so that the crate lid cannot be opened without cutting or breaking the crate tag;

- (e) when a crate containing scallops is landed the crate lid is so 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 processor's 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;
- (i) in respect of scallops taken from any waters the entire catch of scallops must be contained on board and landed in only one of the types of containers specified in this Notice.

Penalty

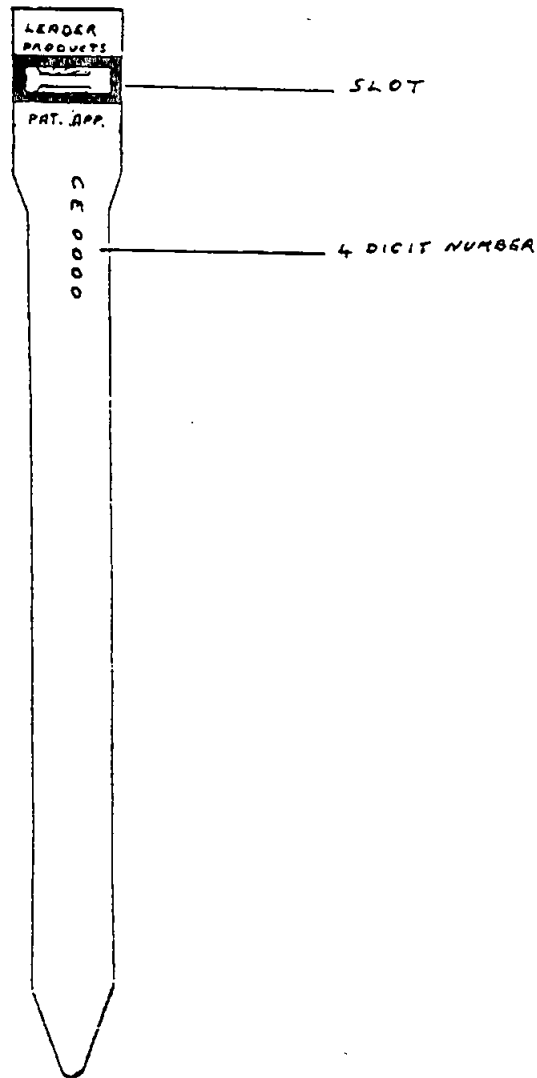
12. Any person who contravenes this Notice is liable to a penalty of 20 penalty units.

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>Cut along dotted line to remove return slip 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>MERCHANT : All bags must be marked with valid tags. Tags expire at 12 midnight at the end of each fortnight. Vessels must be in port at the wharf prior to tag expiry. Fishermen are advised to be aware of the expiry dates before using tags.</small>		





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