



Victoria Government Gazette

No. S 61 Friday 9 September 1994
By Authority L. V. North, Government Printer Melbourne

SPECIAL

Fisheries Act 1968

FISHERIES NOTICE No. 21/1994
Fisheries (Scallops—Ocean Fishery)
Notice No. 21/1994

I, Charles Geoffrey Coleman, Minister for Natural Resources, after consultation with the Victorian Fishing Industry Federation, make the following Fisheries Notice:

Dated 7 September 1994

C. G. COLEMAN
Minister for Natural Resources

Objectives

1. The objectives of this Notice are to—
 - (a) fix a catch rate limit (bag limit); and
 - (b) set times when fishing is permitted; and
 - (c) specify other management arrangements—

for scallops taken from Victorian waters other than Port Phillip Bay and/or landed in Victoria, for the period commencing on 11 September 1994 and ending on 10 December 1994.

Commencement

2. This Notice commences on 11 September 1994.

Authorising provision

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

Revocation

4. The *Fishing (Scallop Fishing—Ocean Fishery) Notice No. 13/1994 as amended by the **Fishing (Scallop Fishing—Ocean Fishery) (Amendment) Notice No. 18/1994 is revoked.

* Fisheries Notice No. 13/1994 published in the Government Gazette No. G24 on 16 June 1994, pages 1585–1587.

** Fisheries Notice No. 18/1994 published in Government Gazette No. G32 on 11 August 1994, page 2210 and Corrigendum in Government Gazette No. G33 on 18 August 1994, page 2252.

Definitions

5. "Act" means the Fisheries Act 1968;

"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;

"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 Schedule 2 of the ***Fishing (Scallop) Regulations 1985;

"Crate tag" means a pink ring seal marked with the word "Crate" and a serial number and supplied by the Department of Conservation and Natural Resources via the Victorian Fishing Industry Federation;

"Sack" means a standard jute sack as approved and supplied by the Victorian Fishing Industry Federation and marked with the words "Victorian Scallops" in lettering no less than 30 mm in height across the front and down both sides as outlined in the diagram in Form 1 in the Schedule to this Notice;

"Sack tag" means a grey ring seal marked with the word "Sack" and a serial number and supplied by the Department of Conservation and Natural Resources via the Victorian Fishing Industry Federation.

Fishing times

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, on any day during the period commencing on 11 September 1994 and ending on 10 December 1994.

*** S.R. No. 100/85 reprinted to S.R. No. 125/89 and subsequently amended by S.R. No. 155/92 and Fisheries Notices Nos 5/90, 7/90, 1/91, 3/91, 4/91, 5/91, 6/91, 8/91, 10/91, 1/92, 4/92, 5/92, 6/92, 7/92, 10/92, 11/92, 12/92, 13/92, 14/92, 15/92, 18/92, 19/92, 20/92, 21/92, 22/92, 26/92, 2/93, 3/93, 6/93, 7/93, 8/93, 9/93, 10/93, 14/93, 15/93, 16/93, 17/93, 17/93, 20/93, 21/93, 22/93, 23/93, 26/93, 27/93, 28/93, 29/93, 33/93, 34/93, 3/94, 4/94, 6/94, 11/94, 12/94, 13/94, 17/94, 18/94 and 20/94.

Catch rate limit (bag limit)

7. (1) A master fisherman operating a registered fishing boat for which an appropriately endorsed scallop licence has been issued must not—

- (a) take from that boat from Victorian waters other than Port Phillip Bay; or
- (b) have on board that boat in or upon Victorian waters other than Port Phillip Bay—

more than the fortnightly catch rate limit (bag limit) of scallops specified in sub-clause (2).

(2) For the purposes of sub-clause (1) the fortnightly catch rate limit (bag limit) for the taking of scallops is—

- (a) 30 crates of scallops per fortnight; or
- (b) 80 sacks of scallops per fortnight.

Management Arrangements

8. (1) The Victorian Fishing Industry Federation must distribute quantities of crate tags and sack tags corresponding to the catch rate limits (bag limits) prescribed in clause 7.

(2) Every holder of a scallop licence permitting the dredging or taking of scallops from any Victorian waters, other than Port Phillip Bay is entitled to an allocation of crate tags or sack tags corresponding with the catch rate limit (bag limit) prescribed in clause 7.

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

- (a) in respect of scallops taken from Victorian waters, other than Port Phillip Bay, those scallops are not contained on board or landed in any container other than a crate or sack;
- (b) in respect of scallops taken from Commonwealth waters and landed in Victoria, those scallops are not contained 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, either full or partly filled, on board the boat, is secured in the manner specified in paragraph (d);
- (d) when a crate containing scallops is landed, the crate lid is closed and secured with a crate tag—

Victoria Government Gazette

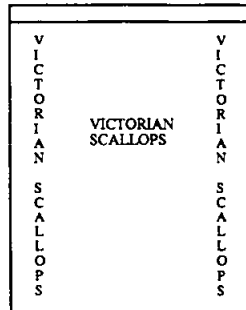
- (i) so that the crate lid cannot be opened without cutting or breaking the tag; and
 - (ii) until the scallops are to be removed from the crate at a fish processing premises specified in a processor's licence;
- (e) while a registered fishing boat for which a scallop licence has been issued is on the waters of the Gippsland Lakes, Corner Inlet, Western Port Bay or Port Phillip Bay every sack of scallops, either full or partly filled, on board the boat is secured in the manner specified in paragraph (f);
- (f) when a sack containing scallops is landed, the sack must be securely closed edge to edge at the top in three places equidistant apart across the total width of the sack until the scallops are to be removed from the bag at a fish processing premises specified in a processor's licence. The middle fastening is to be by a sack tag and the two other fastenings by either the use of a clip or by sewing as illustrated in the diagram in Form 2 in the Schedule to this Notice;
- (g) only crate tags are used to secure crates on a licensed scallop boat for which crate tags have been issued by the Victorian Fishing Industry Federation;
- (h) only sack tags are used to secure sacks on a licensed scallop boat for which sack tags have been issued by the Victorian Fishing Industry Federation;
- (i) tags are used only during the period corresponding with the tag numbers allocated for that period by the Victorian Fishing Industry Federation;
- (j) tags are not re-used;
- (k) in respect of scallops taken from any waters, the entire catch of scallops is contained on board and landed in only one of the types of containers specified in this Notice;
- (l) all sacks containing scallops are intact at all times and are not patched or mended in any way;
- (m) crate tags and sack tags are not attached to empty crates and sacks;

- (n) when a bag containing scallops taken from Commonwealth waters is landed, the bag is 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 processors licence;
- (o) while a registered fishing boat for which a scallop licence has been issued is carrying on board scallops in Commonwealth bags, scallops on board that boat are contained in stitched and tagged bags;
- (p) tags are not tampered with, altered, defaced or otherwise changed.

Penalty

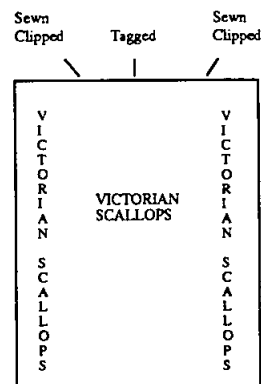
10. Any person who contravenes clauses 6, 7 or 9 of this Notice is liable to a penalty of 20 penalty units.

SCHEDULE
Form 1
DESCRIPTION OF A SACK



*All lettering on the sack is to be at least 30 mm in height

Form 2
METHOD OF CLOSING
(For illustrative purposes only)



Gazette Services

The *Victoria Government Gazette* (VGG) is published by THE LAW PRINTER (PPSV) for the State of Victoria and is produced in three editions.

VGG General is published each Thursday and provides information regarding Acts of Parliament and their effective date of operation; Government notices; requests for tenders; as well as contracts accepted. Private notices are also published.

VGG Special is published any day when required for urgent or special Government notices. VGG Special is made available automatically to subscribers of VGG General.

VGG Periodical is published on Monday when required and includes specialised information eg. Medical, Dental, Pharmacist's Registers, etc.

Subscriptions

VGG is available by three subscription services:

General and Special—\$165.00 each year

General, Special and Periodical—\$220.00 each year

Periodical—\$110.00 each year

Subscriptions are payable in advance and accepted for a period of one year. All subscriptions are on a firm basis and refunds for cancellations will not be given.

All payments should be made payable to THE LAW PRINTER.

Subscription inquiries (03) 242 4600

Fax (03) 242 4699

A Victorian Government Publication

Published by

THE LAW PRINTER

a business unit of

Printing and Publishing Services Victoria (PPSV)

Melbourne Victoria Australia

© State of Victoria 1994

This publication is copyright. No parts may be reproduced by any process except in accordance with the provisions of the Copyright Act.

Address all inquiries to the Government Printer

for the State of Victoria

PO Box 292 South Melbourne 3205 Victoria Australia

ISSN 0819—548X

L. V. North, Government Printer Melbourne

Mail and Bulk Order Sales

The Law Printer

PO Box 292 South Melbourne 3205

28 Queensbridge Street, South Melbourne 3205

Telephone inquiries (03) 242 4600

Fax (03) 242 4699

Counter Sales

The Law Printer Book Shop

28 Queensbridge Street, South Melbourne 3205

Information Victoria Bookshop

318 Lt. Bourke Street Melbourne 3000

Telephone inquiries (03) 651 4100

Price Code A