



Victoria Government Gazette

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SPECIAL

Fisheries Act 1968

FISHERIES NOTICE No. 7/1995 Fisheries (Scallops—Ocean Fishery) Notice No. 7/1995

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

Dated 28 February 1995

C. G. COLEMAN
Minister for Natural Resources

1. Objectives

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 6 March 1995 and ending on 5 June 1995.

2. Commencement

This Notice comes into operation on 6 March 1995.

3. Authorising provision

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

4. Definitions

“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.

5. Fishing times

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 6 March 1995 and ending on 5 June 1995.

6. Catch rate limit (bag limit)

(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) 20 crates of scallops per fortnight; or
- (b) 53 sacks of scallops per fortnight.

7. Management Arrangements

(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 6.

(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 6.

8. 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 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 so that the crate lid cannot be opened without cutting or breaking the tag 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 is 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

9. Any person who contravenes clauses 5, 6 or 8 of this Notice is liable to a penalty of 20 penalty units.

* 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, 19/93, 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, 20/94, 21/94, 27/94, 29/94, 30/94 and 4/95.

SCHEDULE

Form 1

DESCRIPTION OF A SACK

V I C T O R I A N S C A L L O P S	VICTORIAN SCALLOPS	V I C T O R I A N S C A L L O P S
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*All lettering on the sack is to be at least 30 mm in height

Form 2

METHOD OF CLOSING

(For illustrative purposes only)

Sewn Clipped	Tagged	Sewn Clipped
V I C T O R I A N S C A L L O P S	VICTORIAN SCALLOPS	V I C T O R I A N S C A L L O P S

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