



Victoria Government Gazette

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SPECIAL

Subordinate Legislation Act 1994

NOTICE OF PREPARATION OF REGULATORY IMPACT STATEMENT Fisheries (Commercial) (Bream) Regulations 1997

Notice is given under section 11 of the **Subordinate Legislation Act 1994**, that a Regulatory Impact Statement (RIS) has been prepared in relation to the proposed Fisheries (Commercial) (Bream) Regulations 1997.

The objective to be achieved by the proposed Regulations is to ensure the long term sustainability of bream stocks in Victoria by facilitating recovery of declining bream stocks.

The reason for the proposed Regulations is to make changes to the Fisheries (Commercial) Regulations 1992 to increase the minimum size limit on bream taken commercially from Victorian waters from 25.5 cm (total length) to 26 cm (total length).

The RIS examined two alternatives to the proposed Fisheries (Commercial) (Bream) Regulations 1997:

- (a) an increase in size in the minimum size limit for taking bream in the Gippsland Lakes area only; and
- (b) introduction of a monthly catch limit for bream in the Gippsland Lakes only.

The RIS clearly demonstrates that the proposed Regulations are the most effective means of meeting the objective.

Copies of the RIS and the proposed Regulations may be obtained by contacting Dr Murray MacDonald on (03) 9412 4870 between 9am and 5pm weekdays, or collected from Level 6, 250 Victoria Parade, East Melbourne, 3002.

Public comments or submissions on the proposed Regulations and RIS are invited. All comments or submissions must be in writing and must be received at the above address by no later than 5pm on 4 July 1997.

All submissions will be treated as public documents.

PATRICK McNAMARA
Minister for Agriculture and Resources

Subordinate Legislation Act 1994

NOTICE OF PREPARATION OF REGULATORY IMPACT STATEMENT Fisheries (Recreational) (Bream) Regulations 1997

Notice is given under section 11 of the **Subordinate Legislation Act 1994**, that a Regulatory Impact Statement (RIS) has been prepared in relation to the proposed Fisheries (Recreational) (Bream) Regulations 1997.

The objective to be achieved by the proposed Regulations is to ensure the long term sustainability of bream stocks in Victoria by facilitating recovery of declining bream stocks.

The reason for the proposed Regulations is to make changes to the Fisheries (Recreational) Regulations 1992 to increase the minimum size limit on bream taken recreationally from Victorian waters from 24 cm (total length) to 26 cm (total length). In addition, it is proposed to introduce a bag limit applicable to all Victorian waters of a maximum of 10 bream per day including no more than 2 bream measuring 36 cm total length or greater.

The RIS examined three alternatives to the proposed Fisheries (Recreational) (Bream) Regulations 1997:

- (a) use of voluntary measures (e.g. Code of Practice) to achieve compliance with a bream bag limit and minimum size limit controls; and
- (b) implementation of a bream bag limit and minimum size limit controls in the Gippsland Lakes only; and
- (c) use of other measures to control bream fishing such as maximum size limits, area/season closures.

The RIS clearly demonstrates that the proposed Regulations are the most effective means of meeting the objective.

Copies of the RIS and the proposed Regulations may be obtained by contacting Dr Murray MacDonald on (03) 9412 4870 between 9am and 5pm weekdays, or collected from Level 6, 250 Victoria Parade, East Melbourne, 3002.

Public comments or submissions on the proposed Regulations and RIS are invited. All comments or submissions must be in writing and must be received at the above address by no later than 5pm on 4 July 1997.

All submissions will be treated as public documents.

PATRICK McNAMARA
Minister for Agriculture and Resources

Fisheries Act 1968
FISHERIES NOTICE No. 4/1997

I, Patrick McNamara, Minister for Agriculture and Resources, after consultation with the Victorian Fishing Industry Federation, make the following Fisheries Notice:

Dated 5 June 1997

PATRICK McNAMARA
Minister for Agriculture and Resources

FISHERIES (SCALLOP - OCEAN FISHERY)
NOTICE No. 4/1997

Title

1. This Notice may be cited as the Fisheries (Scallop - Ocean Fishery) Notice No. 4/1997.

Commencement

2. This Notice commences on 9 June 1997.

Objective

3. The objective of this Notice is to fix an open season and a catch rate limit (bag limit) for the taking of scallops from Victorian Waters, other than Port Phillip Bay and other specified waters.

Authorising provision

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

Revocation

5. The Fisheries (Scallop - Ocean Fishery) (Close Season) Notice No. 13/1996, published in Special Government Gazette No. S139 on Friday 13 December 1996, is revoked.

Definitions

6. In this Notice—

“Act” means the Fisheries Act 1968;

“Crate” has the same meaning as in the Fisheries (Scallop) Regulations 1995;

“Crate Tag” has the same meaning as in the Fisheries (Scallop) Regulations 1995;

“Sack” has the same meaning as in the Fisheries (Scallop) Regulations 1995;

“Sack Tag” has the same meaning as in the Fisheries (Scallop) Regulations 1995.

Period when fishing is permitted

7. The holder of a scallop licence or a master fisherman operating a registered fishing boat for which an appropriately endorsed scallop licence has been issued under the Act may, during the period commencing on 9 June 1997 and ending on 26 August 1997, dredge for or take scallops fromⁱⁱ Victorian waters other than the waters west of Longitude 146 East.

Catch rate limit (Bag limit)

8. (1) The holder of a scallop licence or a master fisherman operating a registered fishing boat for which an appropriately endorsed scallop licence has been issued under the Act must not—

(a) take from that boat from Victorian waters; or

(b) have on board that boat in or upon Victorian Waters—

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

(2) For the purposes of sub-clause (1) the catch rate limit (bag limit) for the taking of scallops during the period commencing on 9 June 1997 and ending on 26 August 1997, is—

(a) 20 crates of scallops per fortnight; or

(b) 53 sacks of scallops per fortnight.

Returning unused scallop tags

9. For the purposes of enforcing the catch rate limit (bag limit) specified in clause 8, the owner of a registered fishing boat for which an appropriately endorsed scallop licence has been issued under the Act must, no later than four

weeks after the last day of the period for which a sack tag or crate tag was issued, return any unused sack tag or crate tag to the Secretary by mailing to the following address:

Catch & Effort Unit
Marine And Freshwater Resources Institute
PO Box 114
Queenscliffe Vic 3225.

Penalty

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

i S.R. No. 84/1995

ii Under section 17(1C) of the Fisheries Act 1968, the taking of scallops in the waters of Port Phillip Bay is prohibited.

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