

GAZETTE

No. S36 Tuesday 14 July 1992

By Authority L. V. North, Government Printer Melbourne

SPECIAL

Subordinate Legislation Act 1962
**VERMIN AND NOXIOUS WEEDS
REGULATIONS 1992**
Notice of Decision

I, Barry Pullen, Minister for Conservation and Environment, give notice under section 11 of the *Subordinate Legislation Act 1962*, as follows:

The proposed Vermin and Noxious Weeds Regulations 1992 have been the subject of a Regulatory Impact Statement.

Public comments were invited and four submissions were received.

After consideration of these submissions, I have decided to recommend that the proposed Regulations be made.

BARRY PULLEN

Minister for Conservation and Environment

Fisheries Act 1968
FISHERIES NOTICE No. 10/1992

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

Dated 13 July 1992

BARRY PULLEN

Minister for Conservation and Environment

**FISHERIES (SCALLOP FISHING—PORT
PHILLIP BAY FISHERY) NOTICE**
No. 10/1992

Title

1. This notice may be cited as the Fisheries (Scallop Fishing—Port Phillip Bay Fishery) Notice No. 10/1992.

Commencement

2. This Notice comes into operation on the date of this notice.

Objectives

3. The objectives of this Notice are to:

- (a) fix and enforce crate limits and possession limits; and
- (b) set times when fishing can occur for scallops taken from Port Phillip Bay for the period commencing on the date of this notice and ending on 31 July 1992.

Authorising Provision

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

Definitions

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

Fishing Time

6. Subject to section 15 (1) (h) of the Act, the holder of a scallop licence endorsed—"valid for scallop fishing in all Victorian waters" or "valid for scallop fishing in the waters of Port Phillip Bay only" may only dredge for or take for sale scallops from the waters of Port Phillip Bay—

- (a) on any Tuesday and on any Wednesday, until 31 July 1992; and
- (b) during the hours between 5.00 a.m. and 5.00 p.m. on the days on which dredging for or taking scallops is permitted under paragraph (a).

Catch Limits

7. A master fisherman operating a registered fishing boat for which an appropriately endorsed scallop licence has been issued must not take from that boat from Port Phillip Bay or have on board that boat on Port Phillip Bay more than eight (8) crates on any one day until the end of July.

8. A master fisherman in charge of a boat must ensure that any scallops taken from Port Phillip Bay are not contained on board or landed in any container other than a crate.

9. A master fisherman in charge of a boat must ensure that when a crate containing scallops is landed that the crate lid is closed and the pin inserted.

Penalty

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

Replacement of Regulation

6 (2) (a) of Scallop Regulations 1985

11. The provisions of this Notice replace the provisions of Regulation 6 (2) (a) of the Scallop Regulations 1985 for the duration of this Notice.

Fisheries Act 1968

FISHERIES NOTICE No. 11/1992

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

Dated 13 July 1992

BARRY PULLEN

Minister for Conservation and Environment

FISHERIES (SCALLOP FISHING—

OCEAN FISHERY) NOTICE

No. 11/1992

Title

1. This notice may be cited as the Fisheries (Scallop Fishing—Ocean Fishery) Notice No. 11/1992.

Commencement

2. This notice comes into operation on the date of this notice.

Objectives

3. The objectives of this notice are to—

- (a) fix and enforce bag limits and possession limits; and
- (b) set times for when fishing can occur— for scallops taken from Victorian waters, other than Port Phillip Bay, and/or landed in Victoria, for a period commencing on the date of this notice and ending on 30 August 1992.

Authorising Provision

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

Revocation

5. Fisheries (Scallop Fishing—Ocean Fishery) Notice No. 7/1992 is revoked on 12 July.

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* for the purposes of the *Fisheries Act 1968*.

"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.

Fishing Times

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, on any day during the period commencing on the date of this notice and ending 30 August 1992.

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 other than Port Phillip Bay, or have on board that boat on Victorian waters other than Port Phillip Bay—

- (a) more than ten crates of scallops during a seven day period commencing on 13 July 1992;
- (b) more than twenty crates of scallops during a seven day period commencing on 20 July 1992 and 27 July 1992; and
- (c) more than thirty crates of scallops during a seven day period commencing each Monday from 3 August 1992 for the period this notice is in operation.

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

<i>Period</i>	<i>Number of Tags</i>	<i>Colour of Tags</i>
13/7/92 to 19/7/92	10	Green
20/7/92 to 26/7/92	20	Yellow
27/7/92 to 2/8/92	20	Blue
3/8/92 to 9/8/92	30	Red
10/8/92 to 16/8/92	30	Black
17/8/92 to 23/8/92	30	Royal Blue
24/8/92 to 30/8/92	30	Orange

10. (1) Crate tags are only valid for the period set out against the crate tag colour in the Table to Clause 9 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—

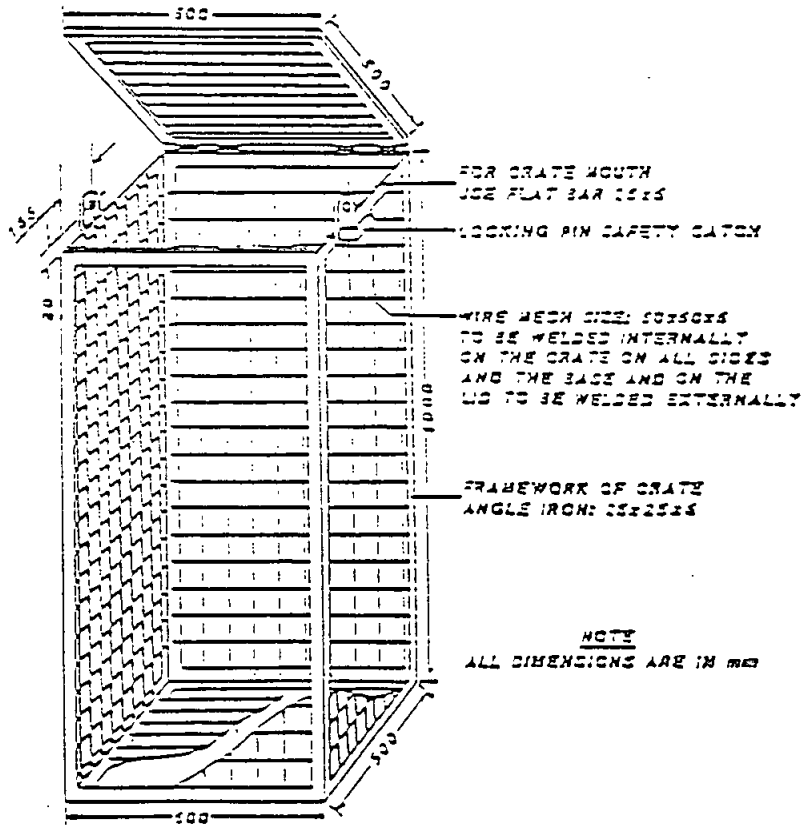
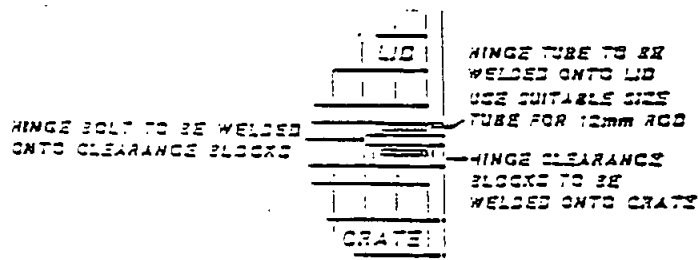
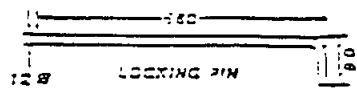
- (a) in respect of scallops taken from Victorian waters, other than Port Phillip Bay, that those scallops are not contained on board or landed in any container other than a crate;
- (b) in respect of scallops taken from Commonwealth waters and landed in Victoria that those scallops are not contained on board 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, Comer 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.

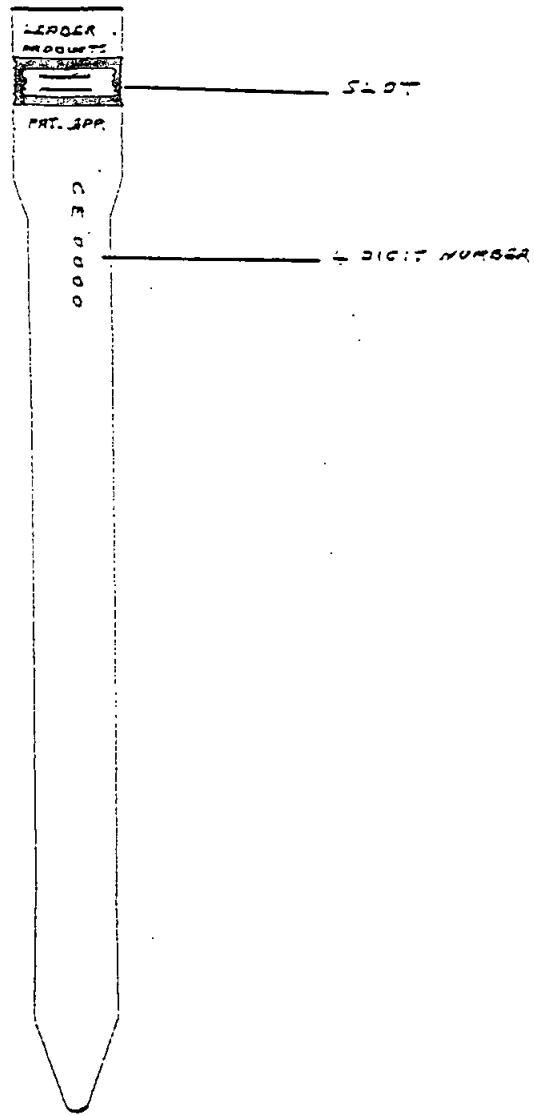
Penalty

11. Any person who contravenes any provision of this notice is liable to a penalty of 20 penalty units.

SCHEDULE
Form 1
CONSTRUCTION OF CRATE




Form 2
CONSTRUCTION OF CRATE TAG



FORM 3

CONSTRUCTION OF BAG TAG

 SCALLOPS	090001 "Vessel Name"
<small>--- Long dashed line to remove return tag prior to processing scallops ---</small>	
090001 "Vessel Name"	Valid from Month Fished Port Landed
PLEASE RETURN THIS TAG TO Statistics Section Sea Fisheries Division Department of Primary Industry (P.O. Box 9197, HOBART 7001)	Date Landed Processor

REMARKS: All tags must be finished with valid tags. Tags expire at 12 midnight at the end of each month. Vessels must be in Port at the relevant date to tag expiry. Fishermen are advised to be aware of the expiry dates before using tags.



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