



Victoria Government Gazette

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By Authority L. V. North, Government Printer Melbourne



Subordinate Legislation Act 1962
**REGULATORY IMPACT STATEMENT
FISHERIES (SHELL FISH PROTECTION)
REGULATIONS 1993**

A Regulatory Impact Statement has been prepared in relation to the proposed Fisheries (Shell Fish Protection) Regulations 1993.

The proposed Regulations are required to replace the current Shell Fish Protection Regulations 1983 which are due to sunset on 2 August 1993, in accordance with the sunset provisions of the *Subordinate Legislation Act 1962*.

The objective of the proposed Regulations is to protect marine organisms (principally shellfish) in sensitive habitats in the intertidal zone along the Victorian coast.

The Regulatory Impact Statement examined two alternatives to the proposed Regulations. These were—

- (1) self-regulation or codes of practice; and
- (2) a total prohibition on the taking of shell fish from intertidal zones.

The Regulatory Impact Statement concluded that, in regard to the first alternative, voluntary codes alone would not be sufficient to meet the objective and that supporting regulations would therefore still be required. With regard to the second alternative, a total prohibition was considered to be unnecessary and unfair to recreational users of intertidal areas. The proposed Regulations were considered the most effective means of achieving the objective.

Copies of the Regulatory Impact Statement and the proposed Regulations may be obtained from: Allan McPherson, Fisheries Branch, 5th Floor, 240 Victoria Parade, East Melbourne, 3002 (Telephone 412 4773).

Public comments on the Regulatory Impact Statement and accompanying Regulations are invited. Written submissions will be received at the above address until 21 July 1993. All

submissions will be treated as public documents.

ALAN THOMPSON
Secretary to the Department of
Conservation and Natural Resources

Fisheries Act 1968
FISHERIES NOTICE No. 15/1993

I, Peter Sheehan, Director of Flora, Fauna and Fisheries in the Department of Conservation and Natural Resources, after consultation with the Victorian Fishing Industry Federation, make the following Fisheries Notice, for and on behalf of the Minister for Natural Resources.

Dated 28 June 1993

P. G. SHEEHAN
Director

Flora, Fauna and Fisheries

**FISHERIES (SCALLOP FISHING—PORT
PHILLIP BAY FISHERY) (AMENDMENT)
NOTICE No. 15/1993**

Title

1. This notice may be cited as the Fisheries (Scallop Fishing—Port Phillip Bay Fishery) (Amendment) Notice No. 15/1993

Commencement

2. This Notice comes into operation on 28 June 1993.

Objective

3. The objective of this Notice is to amend the weekly catch rate limit (bag limit) for the taking of scallops from the waters of Port Phillip Bay.

Authorising provision

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

Amendment of weekly catch rate limit

5. In the *Fisheries (Scallop Fishing—Port Phillip Bay Fishery) Notice No. 9/1993, for clause 6 (1) substitute—

*Fisheries Notice No. 9/1993 published in the *Government Gazette* No. G931331 on 31 May 1993 (page 4).

"6. (1) 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 fishing in the waters of Port Phillip Bay" must only dredge for or take scallops for sale from the waters of Port Phillip Bay—

- (a) on any Monday, on any Tuesday, on any Wednesday and on any Thursday; 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).
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