



# Victoria Government Gazette

No. S 89 Monday 29 November 1993  
By Authority L. V. North, Government Printer Melbourne

**SPECIAL**

## *Fisheries Act 1968*

### FISHERIES NOTICE No. 32/1993

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

Dated 25 November 1993

C. G. COLEMAN  
Minister for Natural Resources

### FISHERIES (SHARK FISHING) NOTICE No. 32/1993

#### *Title*

1. This Notice may be cited as the Fisheries (Shark Fishing) Notice No. 32/1993.

#### *Commencement*

2. This Notice commences on 1 December 1993.

#### *Objective*

3. The objective of this Notice is to protect pre-pupping school and gummy sharks in accordance with State and Commonwealth management arrangements by prohibiting the commercial targetting of shark in all Victorian waters for the period commencing on 1 December 1993 and ending on 31 December 1993.

#### *Authorising provision*

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

#### *Revocation*

5. The \*Fisheries (Shark Fishing) Notice No. 24/1993 is revoked on 1 December 1993.

#### *Bag Limit for School and Gummy Shark*

6. (1) A person must not during the period commencing on 1 December 1993 and ending on 31 December 1993—

- (a) take; or
- (b) retain on board any vessel; or
- (c) be in possession of; or
- (d) land—

gummy shark (*Mustelus antarcticus*) or school (snapper) shark (*Galeorhinus galeus*) which has a total combined carcass weight of more than 50 kilograms in or adjacent to Victorian waters, if those shark have been taken by means of trawling.

(2) A person must not during the period commencing on 1 December 1993 and ending on 31 December 1993—

- (a) take; or
- (b) retain on board any vessel; or
- (c) be in possession of; or
- (d) land—

more than a total of 5 shark of the species gummy shark (*Mustelus antarcticus*) or school (snapper) shark (*Galeorhinus galeus*) in or adjacent to Victorian waters, if those shark have been taken by any means other than by trawling.

(3) A person must not land gummy shark (*Mustelus antarcticus*) or school (snapper) shark (*Galeorhinus galeus*) otherwise than in the form of a carcass.

(4) For the purpose of this clause "carcass" means the body of a shark which is not cut or mutilated in any manner whatsoever other than to remove the gut and head forward and clear of the posterior (fifth) gill slit.

#### *Penalty*

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

\* Fisheries Notice No. 24/1993 (Published in *Special Government Gazette* No. S65 dated 20 September 1993).

*Fisheries Act 1968*  
FISHERIES NOTICE No. 33/1993

I, Charles Geoffrey Coleman, Minister for Natural Resources, after consultation with the Victorian Fishing Industry Federation, make the following Fisheries Notice.  
Dated 25 November 1993

C. G. COLEMAN  
Minister for Natural Resources

FISHERIES (SCALLOP FISHING—OCEAN FISHERY) NOTICE No. 33/1993

*Title*

1. This Notice may be cited as the Fisheries (Scallop Fishing—Ocean Fishery) Notice No. 33/1993.

*Commencement*

2. This Notice commences on 28 November 1993.

*Objectives*

3. The objectives of this Notice are to—

- (a) fix a catch rate limit (bag limit);
- (b) set times when fishing is permitted;
- (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 28 November 1993 and ending on 4 December 1993.

*Authorising provision*

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

*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.

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"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 28 November 1993 and ending on 4 December 1993.

*Catch Rate Limits (Bag Limits)*

7. (1) A master fisherman operating a registered fishing boat for which an appropriately endorsed scallop licence has been issued is not permitted to 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 more than the weekly catch rate limit (bag limit) of scallops.

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

- (a) 40 crates of scallops per week; or
- (b) 107 sacks of scallops per week.

*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.

\* 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 7/90, 1/91, 3/91, 4/91, 5/91, 6/91, 8/91, 1/92, 4/92, 5/92, 6/92, 7/92, 10/92, 11/92, 12/92, 13/92, 14/92, 15/92, 18/92, 20/92, 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 and 29/93.

(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, that 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 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, Corner Inlet, Western Port Bay or Port Phillip Bay every crate of scallops, either full or partly filled, 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 closed and secured with a crate tag so that the crate lid cannot be opened without cutting or breaking the tag;
- (e) when a crate containing scallops is landed the crate lid is 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) 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 must be secured in the manner specified in paragraph (g);
- (g) when a sack containing scallops is landed the sack must be securely closed edge to edge at the top in three

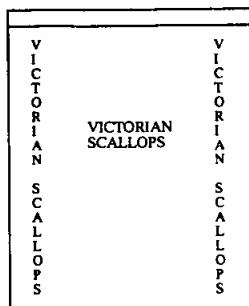
places equidistant apart across the total width of the sack until the scallops are to be removed from the bag at a fish processing premises specified in a processor's licence. The middle fastening is to be by a sack tag and the two other fastenings by either the use of a clip or by sewing as illustrated in the diagram in Form 2 in the Schedule to this Notice;

- (h) 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;
- (i) 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;
- (j) tags are not re-used;
- (k) 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;
- (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 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 processors licence;
- (o) while a registered fishing boat for which a scallop licence has been issued is carrying on board scallops in Commonwealth bags that all scallops on board that boat must be contained in stitched and tagged bags.

*Penalty*

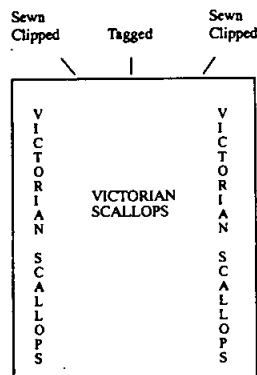
10. Any person who contravenes any part of this Notice is liable to a penalty of 20 penalty units.

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)



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FISHERIES (SCALLOP FISHING  
CLOSURE) NOTICE  
No. 34/1993

*Title*

1. This Notice may be cited as the Fisheries (Scallop Fishing Closure) Notice No. 34/1993.

*Commencement*

2. This Notice commences on 5 December 1993.

*Objective*

3. The objective of this Notice is to close all Victorian waters to commercial scallop fishing until 4 March 1994.

*Authorising provision*

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

*Revocation*

5. The \*Fisheries (Scallop Fishing—Port Phillip Bay Fishery) Notice No. 27/1993 is revoked on 5 December 1993.

*Close Season*

6. A person must not use a dredge for taking scallops from Victorian waters during the period from 5 December 1993 to 4 March 1994 (both dates inclusive).

*Penalty*

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

\* Fisheries Notice No. 27/1993 (Published in *Special Government Gazette* No. S70 dated 4 October 1993).

*Fisheries Act 1968*  
FISHERIES NOTICE No. 34/1993

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

Dated 25 November 1993

C. G. COLEMAN  
Minister for Natural Resources







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

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General and Special—\$165.00 each year

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Periodical—\$110.00 each year

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A Victorian Government Publication

Published by

THE LAW PRINTER

a business unit of

Printing and Publishing Services Victoria (PPSV)

Melbourne Victoria Australia

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PO Box 292 South Melbourne 3205 Victoria Australia

ISSN 0819-548X

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Price Code A

ISBN 0-7306-4332-8



9 780730 643326