

Fisheries Act 1995

FISHERIES (WESTERN PORT/PORT PHILLIP BAY FISHERY CATCH LIMIT) NOTICE 2019

I, Travis Dowling, Chief Executive Officer of the Victorian Fisheries Authority, as delegate of the Minister for Agriculture and having undertaken consultation in accordance with section 3A of the **Fisheries Act 1995** make the following Fisheries Notice:

TRAVIS DOWLING

Chief Executive Officer, Victorian Fisheries Authority

Date:

1. ***Title***

This Fisheries Notice may be cited as the Fisheries (Western Port / Port Phillip Bay Fishery Catch Limit) Notice 2019.

2. ***Objectives***

The objective of this Fisheries Notice is to fix and enforce annual catch limits for the taking of certain species of fish under a relevant access licence.

3. ***Authorising provision***

This Fisheries Notice is made under section 152(1)(a) of the Act.

4. ***Commencement***

This Fisheries Notice comes into operation on the day it is published in the Government Gazette and the Victorian Fisheries Authority Internet site, in accordance with the requirements of section 152(5) of the Act.

5. ***Revocation***

Unless sooner revoked, this Fisheries Notice is automatically revoked twelve (12) months after the date on which it comes into operation.

6. ***Definitions***

In this Fisheries Notice –

licensing year means a period from 1 April in any year to 31 March of the following year inclusive;

relevant access licence means a Western Port/Port Phillip Bay Fishery Access Licence;

relevant catch period means either the period from 1 April 2009 to 31 March 2014 (inclusive), or the period from 1 April 2011 to 31 March 2014 (inclusive), whichever period reflects a higher average annual catch in kilograms based on the record of catch history for the relevant access licence as recorded in the Integrated Catch and Effort System maintained by the Victorian Fisheries Authority;

specified amount means the annual average catch (not including anchovy, pilchard or sprat), in kilograms taken by the holder of a relevant access licence for the relevant catch period; and

the Act means the **Fisheries Act 1995**.

7. Annual catch limit – general

- (1) A holder of a relevant access licence must not take more than 11 tonnes or the specified amount (whichever is greater) of any species of fish, in a licensing year, subject to the further catch limits specified in clause 8.
- (2) The catch limit specified in clause 7(1) does not apply to the following species of fish:
 - (a) anchovy;
 - (b) pilchard;
 - (c) sprat.

8. Annual catch limits - specific

- (1) A holder of a relevant access licence may only take up to the quantity of fish specified in Column 2 in the table below, for each corresponding species of fish specified in Column 1 in the table below., in a licensing year.

<i>Column 1</i>	<i>Column 2</i>
<i>Species</i>	<i>Quantity</i>
Calamari	Y x 3,000 (kilograms)
Flathead (all species)	Y x 3,000 (kilograms)
King George whiting	Y x 4,500 (kilograms)
Snapper	Y x 11,000 (kilograms)

- (2) For the purposes of the above table:

Y = The annual catch limit for a relevant access licence calculated in accordance with clause 7 of this Fisheries Notice *divided by* 11,000 kilograms.

9. Total catch limit specified in the Regulations continues to apply

This Fisheries Notice applies in addition to regulation 219K of the **Fisheries Regulations 2009**.

Note: It is an offence under section 68A of the Act to take more fish than the catch limit for that species of fish. Various penalties apply.