



Commercial Fishing Guide

Giant Crab Supplement

Edition 2

2023

DISCLAIMER

This publication may be of assistance to you, but the Victorian Fisheries Authority, State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequences which may arise from you relying on any information in this publication.

This publication is a guide only, it does not replace the *Fisheries Act 1995*, the *Fisheries Regulations 2019* or other Acts and subordinate legislation applying to or affecting commercial fishing.

Copies of the Act and Regulations can be downloaded from www.legislation.vic.gov.au

This guide summarises the law at the time of publication and cannot be used as a defence in court.

Fishing laws change from time to time. It is your responsibility to ensure you are acting within the law.

It is the responsibility of fishers to be aware of any changes that are made to fisheries rules and regulations. You can do this by:

- routinely checking the Fisheries Notices on Victorian Fisheries Authority website (www.vfa.vic.gov.au/operational-policy/legislation-and-regulation/fisheries-notices)
- in respect to Giant Crab fishing, contact the Giant Crab fishery manager or
- discuss any queries with your local compliance officers.

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For more information contact Customer Service Centre on 186 386

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GIANT CRAB SUPPLEMENT

This guide summarises and clarifies the specific management arrangements that apply to Victorian Giant Crab Fishery Licence holders and operators. This supplement is to be read in conjunction with *Commercial Fishers User Guide*.

Legislation Box

Fisheries Act 1995
Fisheries Regulations 2019

Information

- www.legislation.vic.gov.au
- www.vfa.vic.gov.au/operational-policy/legislation-and-regulation

Legal framework

Legislation

Legislative requirements for the Giant Crab fishery are detailed in the *Fisheries Act 1995*, the *Fisheries Regulations 2019* and *Fisheries (Fees, Royalties and Levies) Regulations 2008*. Fisheries Notices may also implement management arrangements that supplement or vary current regulations

It is your responsibility to regularly check if any changes have been made to the management arrangements of the fishery.

Management plan

The Victorian Government's primary objective for the Giant Crab fishery is to optimise its long-term value for the Victorian community, in accordance with the objectives and provisions specified in the *Fisheries Act 1995*.

The Victorian Giant Crab Management Plan specifies the objectives, strategies and actions for managing this Fisheries until a new plan is declared or it is cancelled in accordance with the requirements of the *Fisheries Act 1995*.

The objectives of the current management plan are:

- ensure the sustainability of the Giant Crab resource
- resource access and utilisation of the Giant Crab resource
- cost-effective and participatory management.

Information

Victorian Giant Crab Management Plan
<https://vfa.vic.gov.au/operational-policy/fisheries-management-plans/victorian-giant-crab-fishery/giant-crab-management-plan>

Information

Victorian Giant Crab
<https://vfa.vic.gov.au/commercial-fishing/commercial-fisheries/giant-crab>

General information

Further information can be found on the Giant Crab Commercial Fishing page of the Victorian Fisheries Authority's (VFA) website.

DEFINITIONS

Berry

The cluster of tiny berry-like eggs female crustaceans carry on the under surface of their tail during the reproductive cycle.

Biosecurity

Preventive measures to reduce risks associated with the transmission of diseases, pests and exotic species.

Commercial Fishers Duty Officer

A Victorian Fisheries Authority staff member – Duty Officer – is always available to take enquiries from fishers if problems occur with FisherWeb or Vic-eCatch, or if they seek clarification about a specific regulation or process.

Phone: 0418 519 215. They also have the contacts of relevant fisheries officers who may also be able to provide advice if needed.

Regulation detail

Fisheries regulations 2019
Part 1 Preliminary
Regulation 5
Part 2 Commercial fishery
licences
Regulations 50(A)(B)
Part 9 Giant Crab
Regulation 357

Endorsement on eligible access licences to take additional gummy/school shark

A giant crab fishery licence is one of a group of access licences that is eligible to have an endorsement attached to it, which allows the take of five gummy/school shark (of which no more than one can be school shark) in accordance with regulation 50.

The VFA issues an endorsement notice to licence holders with specified conditions.

Holders of non-endorsed licences can only take two gummy shark (of which no more than one may be school shark).

FisherWeb

FisherWeb is a webpage where licence holders can view their licence information (quota balances and transactions).

Fit and Proper

Fit and Proper means you must satisfy the Victorian Fisheries Authority that you will act reasonably and legally when undertaking fishing operations.

Input Controls

Indirect controls on catch including regulation of the amount or type of fishing gear and fishing period (e.g. closed seasons).

Legal Minimum Size Limit

The regulated minimum size required to harvest Giant Crab.

Limited Entry fishery

A fishery where the number of operators or vessels is restricted.

Operations Duty Officer

A fisheries officer – Operations Duty Officer – is always available to take calls from fishers so they can:

- request permission to fish without an operational VMS
- report a protected species interaction
- notify the VFA of a recreational fishing trip in a commercial fishing boat (for abalone)
- or for any other instruction stated in individual licence or permit conditions.

To contact the Operations Duty Officer phone 0419 844 781.

Output Controls

A direct limit on catch in a fishery (e.g. a Total Allowable Catch) or on an Access Licence holder (e.g. individual transferable quota).

Place of Landing

Giant Crab can only be landed at selected ports and moorings (see **Appendix 4** for details).

Landing is the act of removing the Giant Crab from the boat and taking it ashore onto a man-made fixed structure or artificial extension of land, where it is weighed.

Weighing Catch

Giant Crab must be weighed to **an accuracy of 0.1 kg if under 100 kg. If weight is over 100 kg, weighing to an accuracy of 1 kg is required.**

****If for any reason you cannot achieve this then call the commercial duty officer and the relevant fisheries officers at the port of landing.**

For the purposes of Giant Crab fishing, the 'place of landing' is the place nearest to where the Giant Crab is landed that the Licence holder can reasonably comply with the Licence conditions.

Please refer to **Appendix 3**: Guideline for accurate weighing of Giant Crab for more information.

Quota Management System

The number of individual transferable quota units assigned to a Giant Crab Fishery Access Licence is known and tracked in the Quota Management System. As Giant Crabs are landed the weight of the catch is subtracted from the quota balance assigned to the Giant Crab Fishery Access Licence.

When the entire quota assigned to a Licence has been caught, the holder must either acquire more quota units or cease fishing for the remainder of the quota period. When all quota has been caught, all rock lobster pots must be removed from the water.

The Giant Crab Quota Management system is now managed via Vic-eCatch.

If the Vic-eCatch system is ever unavailable on a given day, a manual reporting process is available via a phone call to the commercial duty officer.

Regulation detail

Fisheries Regulations 2019
Part 2 Commercial fishery
licences
Regulation 81(b)
Schedule 19

Regulation detail

Fisheries Regulations 2019
Part 2 Commercial fishery
licences
Regulation 64

Quota Year

The quota year commences 1 July and concludes 30 June each year.

Total Allowable Commercial Catch (TACC)

The weight of Giant Crab that may be taken by Commercial Access Licence holders within the annual quota period.

Regulation detail

Fisheries Regulations 2019
Part 1 Preliminary
Regulation 5 Preliminary
Part 9 Giant Crab
Regulation 359

Information

The Quick Reference Guide for Vic-eCatch for Rock Lobster/ Giant Crab and helpful videos explaining app features can be accessed here:
<https://vfa.vic.gov.au/commercial-fishing/featured/vic-ecatch-support>

Wet Wells

Wet wells are part of the boat and are used to keep live Giant Crab.

A wet well register needs to be maintained recording:

- the number of live Giant Crabs removed from the wet well
- the date and time when Giant Crabs are removed
- the number of dead Giant Crab (if any) removed
- the number of Giant Crab remaining in the wet well.
- See Regulation 5 for definitions of wet wells.

The wet well register is maintained via the Vic-eCatch app.

Vic-eCatch

Vic-eCatch is an electronic reporting system, for catch reporting, fisheries notifications and the creation and distribution of Catch Disposal Records.

Vic-eCatch is available to fishers as a smartphone and tablet app.

See the Vic-eCatch Reference Guide for full details of operational instructions.



GIANT CRAB FISHERY

The State of Victoria owns the wild Giant Crab resource on behalf of the Victorian community.

The Victorian Government manages the commercial harvest of Giant Crab through the allocation of:

- Giant crab Fishery Access Licences and
- Giant Crab Quota Units.

Fishery

The fishery in Victoria is based on the Giant Crab, (*Pseudocarcinus gigas*), and is closely linked to the Rock Lobster fishery.

The fishery is located along the south western coast of Victoria and supports only a commercial fishery.

Fishing gear

Giant Crab fishers can only use boats that are listed against the Giant Crab licence under which they are fishing. Boats used must be registered and display the appropriate markings. (See *Commercial Fishing Guide* pages 11 to 12.)

Giant Crabs are caught with baited rock lobster pots that are often soaked for an average of 5 days.

The dimensions and specifications of the pots can be found in the *Fisheries Regulations*. Pots must be no more than 1.5 metres wide by 1.5 metres long and 1.2 metres high. The pots must have one entrance, one chamber and escape gaps to allow undersize animals to escape.

Escape gaps must be rectangular, at least 25 cm long and at least 6 cm high. The bottom edge of the escape gap must be located not less than 7 cm and no more than 10 cm from the inside surface of the bottom of the pot.

Escape gaps must be made of from either:

- a solid steel bar with a diameter of at least 1.2 cm in square section or 1.2 cm in diameter, **OR**
- a steel plate that is 0.2 cm thick.

There must be a 3cm depth of steel around the actual escape gap. **Escape gaps must remain clear (not obstructed) and be open at all times.**

Pots are tied to lines with identifying buoys or flags that are visible on the surface of the water. Buoys and flags must be marked with the registration number of the boat associated with the licence. Pots are often fished on long-lines that may have 20+ Rock Lobster pots attached in one string.

A Giant Crab Fishery Access Licence can only be operated when it is linked to a Rock Lobster Fishery Access Licence. As a Giant Crab Licence does not generally have a pot entitlement, a Licence holder must use the pot entitlement of the linked Rock Lobster Licence.

🔗 Regulation detail

Fisheries Regulations 2019
Part 2 Commercial fishery
licences
Regulations 21

🔗 Regulation detail

Fisheries Regulations 2019
Part 9 Giant Crab
Regulations 350 and 351
Part 10 Rock Lobster
Regulations 378, 379

🔗 Regulation detail

Fisheries Regulations 2019
Part 2 Commercial fishery
licences
Regulations 75 (1), (2), (5)

🔗 Regulation detail

Fisheries Regulations 2019
Part 9 Giant Crab
Regulations 348, 352

The same boat may be specified on more than one Giant Crab Access Licence so that more than one Licence may be operated from one boat.

A Giant Crab Licence holder with more than 60 Giant Crab quota units can use additional pots in waters deeper than 150 metres, providing the total number being worked from any one boat does not exceed 140 pots.

NOTE: This is the maximum allocation available under the regulations in the fishery. The maximum available for a specific licence is listed in the licence conditions for the licence. Many licences may have a lower maximum pot numbers than what is listed in r.352(1).

Management zones

The Fishery has one management zone:

- Western Zone
- The Eastern Zone fishery is treated as a developing fishery and is managed under permit. The Eastern Zone Giant Crab fishery will continue to be managed as a developing fishery; Rock Lobster Fishery (Eastern Zone) Access Licence holders may apply for a General Permit to operate in the fishery. Consistent with the management of other developing fisheries, specific permit conditions relating to the area of operation, fishing gear, reporting requirements, and operating procedures will be developed on a case-by-case basis.

See table on page 8 for the coordinates for each zone.

Limited entry

No new licences are created for the Giant Crab fishery. Existing licences can be bought, leased, and sold.

There are 10 fishery access licences in the Victorian Giant Crab Fishery.

The Fishery is quota-managed and there is a set number of quota units in each zone. An annual quota is set and once determined; it is divided by the number of quota units to give a kilogram value to each unit.

There are 500 quota units in the Western Zone Giant Crab Fishery.

Giant Crab Fishery Access Licence

A Giant Crab Fishery Access Licence, in conjunction with Giant Crab quota units, entitles the holder to:

- take Giant Crab for sale from specified waters (i.e. from the zone or other waters specified on the licence)
- use or possess commercial Rock Lobster equipment
- take fish (other than Abalone, jellyfish, pipi, rock lobster, scallop and sea urchin) for sale from specified waters
- have other persons carry out activities authorised under the Licence in the zone specified on the Licence.

A maximum of two operators can be named on a Giant Crab Fishery (Western Zone) Access Licence provided they are also nominated on the linked Rock Lobster Fishery Access Licence. One or more crew members can be employed.

Regulation detail

Fisheries Regulations 2019
Part 2 Commercial fishery
licences
Regulations 22 and 23
Schedule 17

Regulation detail

Fisheries Regulations 2019
Part 10 Rock Lobster
Regulations 375
Part 9 Giant Crab
Regulation 348
Part 2 Commercial fishery
licences
Regulation 43

To operate a Giant Crab Fishery Access Licence, the holder is also required to hold an active Western Zone Rock Lobster Access Licence. The minimum quota units and pots are 10 quota units and 20 pots in the Western Rock Lobster Zone.

Giant Crab licence holders are permitted the pot entitlement of the linked rock lobster licence to take Giant Crab within their quota allocations.

Giant Crab can only be taken from waters in the zone specified on a Giant Crab Access Licence.

Licence holders

Licence holders must be Australian resident individuals, single corporations or a co-operative. Licence holders cannot be a partnership or a consortium.

Total Allowable Commercial Catch

Total Allowable Commercial Catch (TACC) is the primary method used to manage the commercial Giant Crab Fishery.

A TACC is set annually for each zone for a 12-month period (1 July to 30 June each year).

Each licence holder is assigned a proportion of the TACC through Individual Transferable Quota units.

A Further Quota Order is Gazetted annually stating:

- the Total Allowable Commercial Catch for each zone
- the kilogram value of each quota; and
- the period for which the quota notice applies.

Minimum quota

There is no minimum number of Giant Crab quota units that are required to be held to activate a Giant Crab licence.

There is no limit on the maximum number of quota units that can be held by an individual.

Trading quota

A licence holder may apply to transfer quota to the holder of another Giant Crab Fishery Access Licence in the same zone.

Individual transferable quota units may be transferred:

- permanently
- or
- for a quota period.

NOTE:

- Licence holders with permanent units attached to their licence are able to transfer units for a quota period only.
- Licence holders with no permanent units on their licence cannot transfer units for a quota period only. As such, these fishers are not able to 'lease in' and 'lease out' quota to activate a licence and fish under the entitlements for a quota period only.

NOTE: A Licence holder can own quota without pots but cannot operate in the fishery unless the minimum number of pots have been allocated.

Tracking quota

As Giant Crab are taken under the authority of a Giant Crab Fishery Access Licence, the net weight of the catch is subtracted from the quota balance of that Licence.

When all of a Licence holder's quota is caught, the Licence holder must:

- acquire more quota units or
- stop fishing until the start of the next quota period (i.e. do not set/immerse Rock Lobster pots)
- not have any Rock Lobster pots on the boat specified on the licence unless:
 - the boat is in port
 - the boat is in transit with the approval of an Authorised officer
 - they own a Rock Lobster Licence with available quota.

NOTE: If the Licence holder holds a Rock Lobster Licence with quota then the Licence holder may set pots to catch Rock Lobster.

Note: An over-catch provision is in place for the fishery.

At no time can a licence holder exceed their quota allocation by more than 20 kilograms, or more than 5% of the licence holder's quota allocation at the commencement of the quota period, whichever is greater, up to maximum amount of 500 kilograms.

If the holder of a Giant Crab Fishery Access Licence has caught or landed in excess of the licence holder's quota allocation then the amount by which the licence holder is in excess will be deducted from the licence holder's quota allocation for the next quota period.

Before the next quota year, licence holders must ensure:

- their Giant Crab Licence has been renewed
- their Rock Lobster Licence has been renewed
 - quota has been allocated to this Licence
 - pots have been allocated to the Licence.

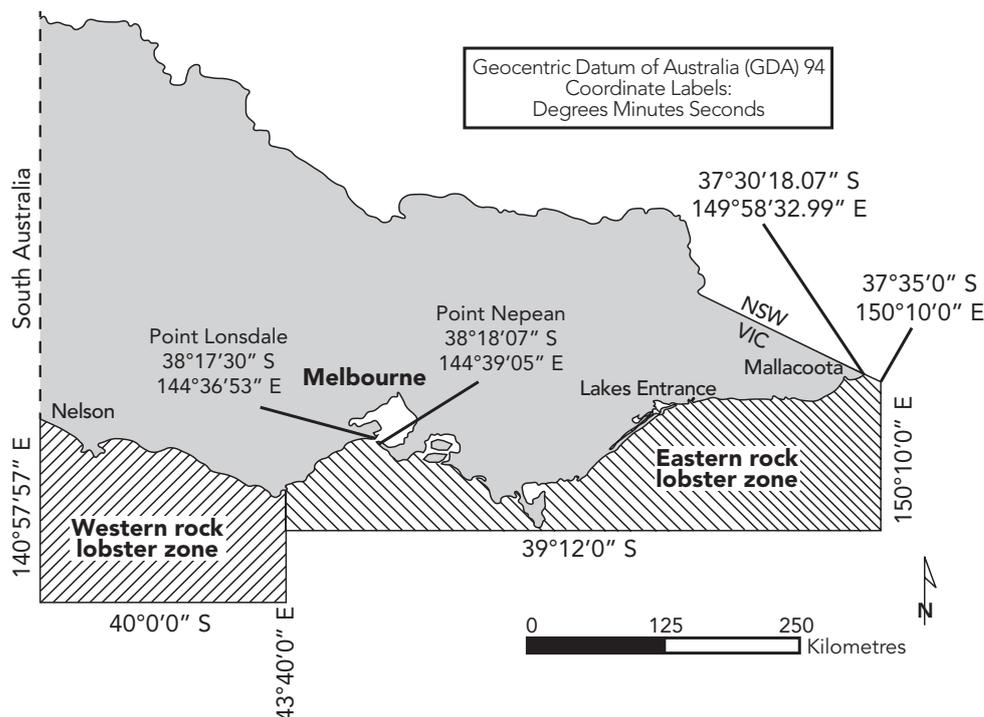
Regulation detail

Fisheries Regulations 2019

Part 9 Giant Crab

Regulations 358

Fishing Areas Summary



Commercial Fishery	Western Zone
Zone boundary	Longitude 143°40'E Longitude 140°57.57'E Latitude 40°S
Maximum number of licences	10
Maximum number of licences per boat	Not limited
Total number of quota units in the fishery	500
Total number of pots in zone	5162
Maximum number of pots per boat	140
Minimum quota holding per Licence	No limit
Maximum quota holding per Licence	No limit

LICENCING

Licence Renewal

There is an automatic right of annual renewal of a Commercial Fishery Licence, subject to the licence holder:

- applying to renew a licence,
- paying the applicable levies, and
- meeting the criteria specified in Section 57 of the *Fisheries Act 1995* to the satisfaction of the VFA.

The VFA sends out information relating to the renewal of Licence, boats and quota. Payment for licences and quota must be received before 30 June or prior to any fishing being conducted in the new quota year. Payment for boats must be received before 31 March. It is illegal to operate on a Licence if payment has not been received.

If a Licence holder is deemed not to be fit and proper to hold a Licence, the Licence is cancelled and cannot be re-issued (see *Commercial Fisher User Guide* for further information).

All people who operate on the Licence are also required to be 'fit and proper'.

Quota Management System (QMS)

The Quota Management System (QMS) is used to monitor the compliance of Licence holders against their quota allocations. This information is submitted via the Vic-eCatch application.

When completed correctly, the Vic-eCatch application automatically notifies the VFA of the post fishing details required by regulation.

NOTE: Different sections of Vic-eCatch must be completed within specified time periods (see Appendix 6).

Additional details on Protected Species (TEP) notifications are required to be submitted to the VFA in hard copy (see Appendix 1).

The fisher must make these notifications using Vic-eCatch (or the Commercial Fishers Duty Officer if experiencing technical issues). The Licence holder/operator must ensure access to the internet is maintained when landing catch, disposing of catch and landing from a wet well.

The Vic-eCatch manual contains detailed Instructions on how to use the Vic-eCatch app for the Giant Crab fishery.

Regulation detail

Fisheries Regulations 2019
Part 2 Commercial fishery
licences
Regulations 62, 63

Search online

Fisheries Act 1995
Section 39
www.legislation.vic.gov.au

Regulation detail

Fisheries Regulations 2019
Part 2: Commercial fishery
licences
Regulations 82, 83(3), 84(3), (4)
and (5), 85, 87
Regulations 95 and 96

Information

Victorian Giant Crab Vic-eCatch guide for Giant Crab

The Quick Reference Guide for Vic-eCatch for rocklobster and helpful videos explaining app features can be accessed here <https://vfa.vic.gov.au/commercial-fishing/featured/vic-ecatch-support>.

VESSEL MONITORING SYSTEMS (VMS)

Regulation detail

Fisheries Regulations 2019
Part 2 Commercial fisheries
licences
Regulation 77
Part 17 General
Regulations 469–477

- VMS must be installed on all vessels listed on the licence.
- VMS unit must be turned on when the vessel leaves the Port on a commercial fishing trip
- VMS unit can be turned off when the vessel returns to Port.
NOTE: VMS units do not have to be turned on when the vessel is not commercially fishing (for e.g. refuelling or traveling to a slipway).

If the VMS system does not operate or malfunctions:

- before a fishing trip commences, fishers can request permission of the VFA to fish and use a manual reporting system.
- during a fishing trip, the fisher must immediately contact the Operations Duty Officer.

VFA contact details

If you have any questions about the VMS system or it's administration, contact:

- Commercial Licencing Unit (business hours)
03 8392 6860

If your VMS is not working and you are seeking approval to manually report during your fishing trip contact:

- Operations Duty Officer (24 hours)
0419 844 781

Information

For use, please refer to the Regulatory Guide for VMS at:

- https://vfa.vic.gov.au/__data/assets/pdf_file/0004/539401/RG-4.2-Vessel-Monitoring-Requirements-July-2020.pdf
- <https://vfa.vic.gov.au/commercial-fishing/vessel-monitoring-systems>

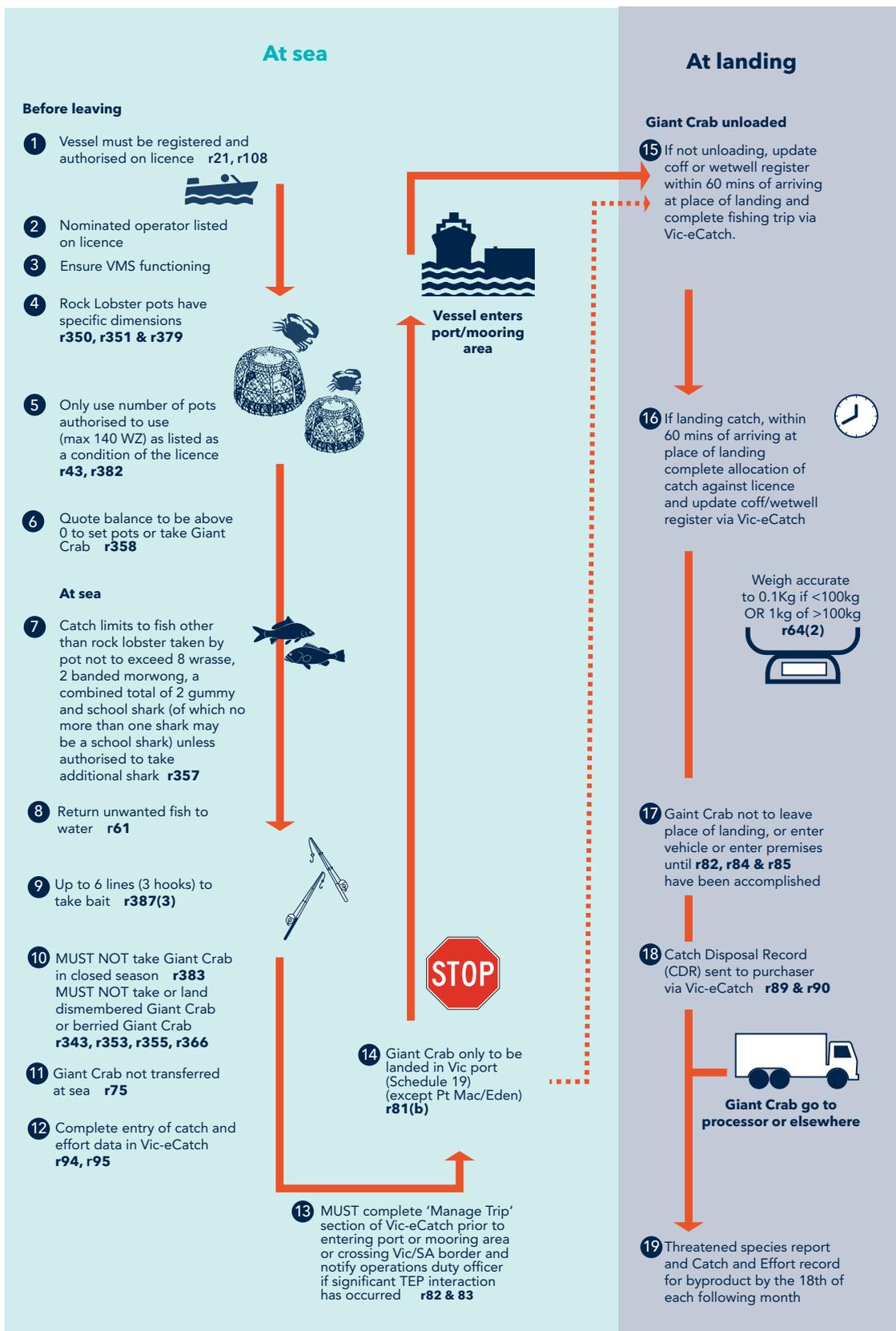
Installing VMS on your Vessel

You must:

- ensure the VMS device is of a type approved by the VFA.
- send the Communication notice to the VFA within 5 days of its installation (and before the boat is used for fishing).
- This notice advises the VFA of the method of communication with the VMS (mobile or satellite phone) and its number.
- ensure the VMS is not interfered with, tampered with or damaged.

OVERVIEW

The diagram below summarises the regulations that apply to each stage of the fishing process. It also summarises key regulations associated with the harvest of Giant Crab.



HARVESTING GIANT CRAB

Regulation detail

Fisheries Regulations 2019
Part 9 Giant Crab
Regulation 348, 354,

Harvest Rules

Commercial fishers:

- **must only take** Giant Crab under a Giant Crab Fishery Access Licence from the western management zone on any fishing trip
- **must only possess** Giant Crab taken from the western management zone on-board any boat being used under a Giant Crab Fishery Access Licence
- **must set, haul and retrieve** Rock Lobster pots using the vessel specified on their Rock Lobster Fishery Access Licence
- **must not haul or retrieve** pots set by another boat.

Minimum Legal Size

The minimum legal size for Giant Crab varies with the sex of the crab.

The minimum legal size for Giant Crab is:

- Male: 14 cm
- Female: 15 cm.

NOTE: Fishers must record separately via Vic-eCatch all male Giant Crab retained between 140–150mm carapace length

Measuring Giant Crab

Giant crabs are measured along a straight line from a point midway between the 2 central horns (between the eyes) to the opposite point at the rear of the carapace. The ligament and any part of the belly flap is not included in this measurement.

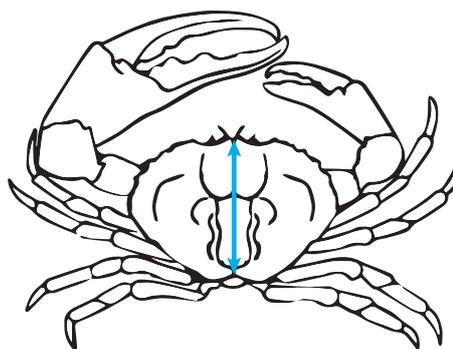


Photo Accreditation:

Tasmanian Giant Crab illustration by John James Wild

Regulation detail

Fisheries Regulations 2019
Part 9 Giant Crab
Regulations 341

Regulation detail

Fisheries Regulations 2019
Part 9 Giant Crab
Regulation 357
Part 10 Rock Lobster
Regulation 386

Catch limits for fish caught with pots

Giant Crab fishers can legally catch and retain for sale some species that have been caught in their pots. Note: bycatch is entered into Vic-eCatch.

In anyone day, Giant Crab fishers can catch and keep (possess) a maximum of:

- eight Wrasse
- two Banded Morwong
- a combined total of two Gummy Shark and School Shark (of which no more than one may be a school shark); or five if endorsed.

NOTE: Licence Holders must have an endorsement against the licence to take five sharks (of which no more than one may be school shark).

Giant crab fishers must not take these species, on any day, if they have already taken the species limit specified in regulation 386 under their Rock Lobster Access Licence. Giant Crab fishers must not catch and keep or possess any other species of fish unless acting in accordance with an additional licence, such as an Ocean Fishery Access Licence, Rock Lobster Access Licence or Wrasse (Ocean) Fishery Access Licence.

Regulation detail

Fisheries Regulations 2019
Part 9 Giant Crab
Regulation 348

Giant Crab fishers are not permitted to use Rock Lobster pots to take (catch and keep) the following fish species: Abalone, Jellyfish, pipi, rock lobster, Scallop and Sea Urchins and the Prohibited Species (see Commercial Fishing Guide page 13).

NOTE: Rock Lobster may be taken under the linked endorsed Western Zone Rock Lobster licence.

NOTE:

1. If endorsed to take gummy/school shark the licence holder **MUST** have a copy of the endorsement licence on them **AT ALL** times when taking, possessing or transporting gummy/school shark.
2. If VMS is not operating, Licence Holders are required
 - a) to seek permission to fish from the Operations Duty Officer
 - b) if granted, provide the following details to the VFA **BEFORE** landing
 - i. endorsed licence number
 - ii. date and time of proposed landing
 - iii. number of gummy/school shark to be landed
 - iv. Port at which the shark are to be landed.
3. The requirement to report shark does not apply if the licence holder is fishing under an Authority issued by AFMA (under the Commonwealth Act).

Regulation detail

Fisheries Regulations 2019
Part 2 Commercial fishery
licences
Regulation 50(A)(B)

Returning fish to water

Unwanted fish (i.e. in excess of catch limits, species the fisher is not authorised to take, protected species and prohibited species) must be returned to the water immediately and without further harm.

Aquatic noxious species must not be returned to the water alive. (See Commercial Fishing Guide for list of Prohibited and Protected species).

Regulation detail

Fisheries Regulations 2019
Part 2 Commercial fishery
licences
Regulation 61

Minimum and maximum sizes of certain species of fish

The Licence holder/Licence operator must not have on board or land any species of fish that is smaller or larger than the minimum and maximum legal sizes specified in Schedule 25 and Schedule 24.

The size limits for fish set out in Schedule 25 are specific to commercial access licence holders. If the fish species is not listed in this Schedule, then the minimum and maximum size limits set out in Schedule 24 apply.

Regulation detail

Fisheries Regulations 2019
Part 7 Fish other than abalone,
giant crab, rock lobster, scallop
and sea urchin.
Regulation 157 and 158
Schedule 24 and 25

Minimum size limits for some of the fish commonly caught as by-catch are:

snapper	28cm
s, eep	2Hcm
�er�\	2Hcm
�E sra �n sa m[n	2Fcm
� �e�[ac, rasse	H�cm
Uc�er , rasse	2� cm�

WILDLIFE INTERACTIONS

Fishing in designated protected areas to protect seal breeding colonies

In accordance with the Wildlife (Marine Mammals) Regulations 2019, fishers are permitted to operate within a number of designated seal breeding colony exclusion zone across the State as the holder of a Victorian commercial fishery access licence when tending to commercial fishing equipment. Best practice fishing requires that seal mitigation devices or 'seal poles' are used when operating within the exclusion zones.



Seal mitigation measures

The Code of Practice Southern Rock lobster (Responsible fishing guidelines for operators in Victoria) details the measures fishers take to reduce bycatch. The Code recommends the adoption of bait protection devices and seal excluder bars in pots to prevent seals reaching the bait.

The code also details other practices fishers can undertake to reduce bycatch in this fishery. The code also presents detailed maps of each individual seal breeding colony

Whale and Dolphin Entanglements

Entanglements are specific type of Interaction where, usually, marine mammals such as whales and dolphins become entangled in fishing gear

If a whale or dolphin becomes entangled:

- **Move away** and watch its behaviour
- **Record the location**, the species, type of entanglement and any other details
- **DO NOT attempt to remove** any of the entanglement or free the animal
- **Report immediately to the Whale and Dolphin Hotline on 1 300 136 017**
- **Watch the situation.** Do not risk the safety of the vessel nor the entangled animal.

i Information

http://www.siv.com.au/uploads/9/8/7/7/98771034/rl-code-final-2013_2.pdf

i Information

Whale Interaction brochure reproduced in Appendix 5

Information

Link to Protected Species Identification Guide for Victoria's Commercial Fishers
<https://vfa.vic.gov.au/commercial-fishing/reporting-of-fisheries-interactions-with-protected-species>

Reporting interactions with threatened and endangered species.

Reporting of interactions with protected species is a requirement of all commercial fisheries in Victoria.

“Protected” species include all mammal, bird, reptile and amphibian species that are native to Victoria and threatened fish. “Protected” species does not include pest species such as northern pacific seastar. The Protected Species Identification Guide for Victoria’s Commercial Fishers (coastal version) will assist fishers identify these species.

These species are protected under State and Federal legislation, however incidental fishing interactions can and do occur.

An “Interaction” is defined as a fishing vessel, gear or operator coming into contact with a protected species, regardless of the outcome.

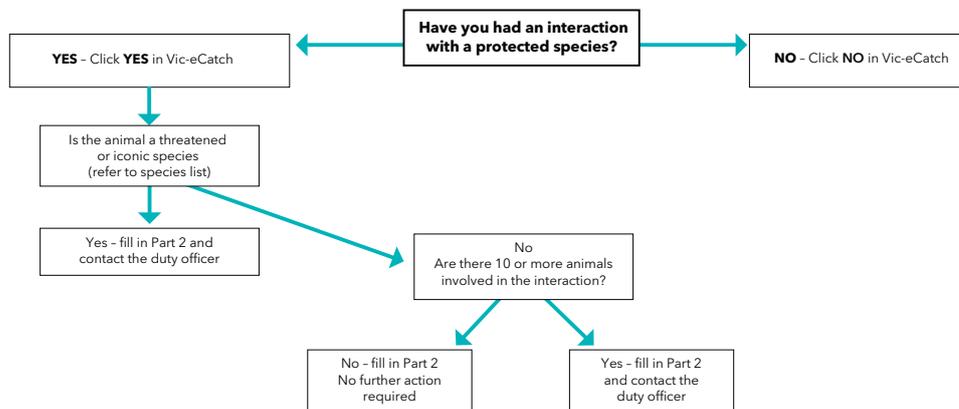
Any interaction with a protected species must be reported via Vic-eCatch and in your Protected Species Interaction form.

Legislation has been implemented to exempt commercial fishers from prosecution where the interaction is accidental and reported.

Deliberate or negligent acts will still be subject to prosecution.

“Significant interactions” are interactions with any iconic species, any species listed as Threatened under the Flora and Fauna Guarantee Act or more than 10 animals of any species. **Significant interactions should be reported to the Operations Duty Officer (0419 844 781) as soon as possible.**

Reporting flow chart



Hard Copy Reporting.

Complete the Protected Species Interactions Form and submit it to the VFA by the 18th of the following month.

Appendix 1 provides an example of the reporting form, instructions for completing the form and an example of a completed form.

LANDING GIANT CRAB

Regulation detail

Fisheries Regulations 2019
Part 2 Commercial fishery
licences
Regulations 82 (a), 83(3), 84(3), (4)
and (5), 85, 87
Regulations 95 and 96

By following the instructions in the Vic-eCatch manual for Giant Crab, fishers will comply with the regulations relating to the:

- reporting of catch and effort data
- quota Management System
- notification of landing intentions
- maintaining the wet well register
- landing from a wet well (when no trip has occurred)
- notification of catch consignment
- consigning catch.

Information

The Quick Reference Guide for Vic-eCatch for Rock Lobster/ Giant Crab and helpful videos explaining app features can be accessed here:
<https://vfa.vic.gov.au/commercial-fishing/featured/vic-ecatch-support>.

Completion of all Vic-eCatch requirements, will ensure that electronic records are forwarded appropriately and constitute a record of catch for both VFA and fisher purposes.

NOTE: Until all the Vic-eCatch reporting has been completed, fishers must not allow their catch (Giant Crab) to:

- enter any vehicle that already contains fish
- be sold or to leave the place of landing
- to enter any premises on which fish is processed or held.

NOTE Regulation Information - wet well landing details

Regulation 86(1) requires the following information to be communicated to the VFA, when landing from a wet well:

- licence number of the access licence
- the number of giant crabs to be landed
- the port or mooring area where the wet well is located
- the estimated time and date the giant crab are to be retrieved.

The Vic-eCatch app, when correctly used, will provide these details to the VFA.

Note Appendix 6 contains a summary of the reporting time-lines, which are further explained in the Vic-eCatch guide.

RECEIPTS & FISH MOVEMENT RECORDS

Regulation detail

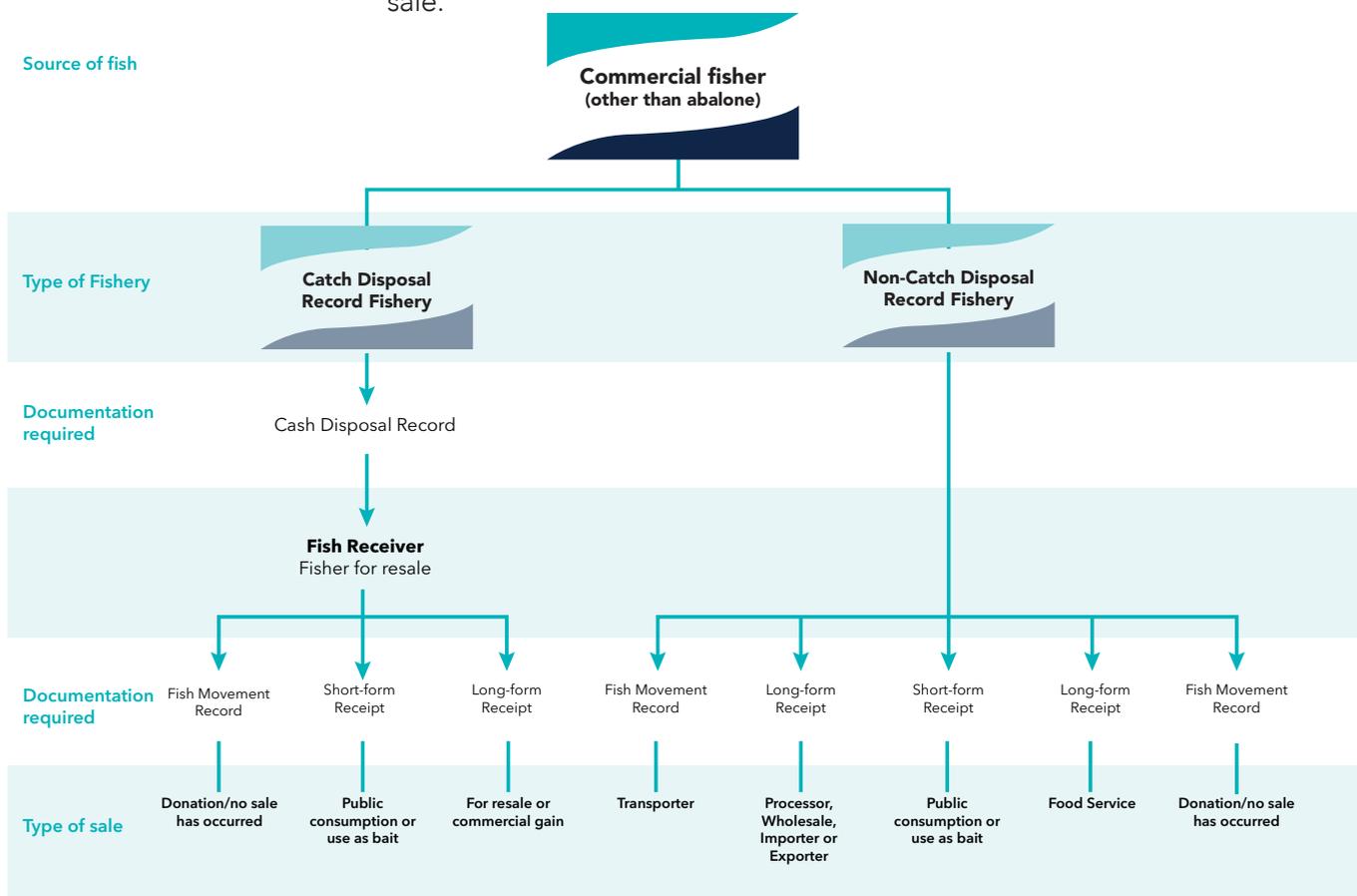
Fisheries Regulations 2019
Part 14 Fish receipt and other documentation requirements
Regulations 448–453

To ensure the integrity of the commercial fish supply chain,

- receipt must be issued for the amount of Giant Crab that has been sold at the time of a sale or
- a fish movement record must be issued to account for the movement of fish outside a sale and for fish located on commercial premises.

For Giant Crab fishers, the nature of the sale dictates the detail required on the receipt (and hence the type of receipt they need to issue).

The flowchart below shows the documentation that must accompany each sale.



NOTE:

1. Electronic records detailing sales are generated by in the Vic-eCatch app when they consign their catch at the point of landing (Catch Disposal Record; CDR). For most Giant Crab fishers, this is the only documentation they will need to accompany Giant Crab sales.
2. Fishers can complete a CDR Giant Crab to themselves (for e.g. if they store fish in tanks at home) for further on-sale. These subsequent sales require receipting details in accordance with reg 450(2) and reg 452(3).
3. The sale of other by-product finfish and invertebrate species will require a receipt in accordance with reg 452(3) and r450(3).
4. Long-form receipts can be completed in a 2-stage process under some circumstances, provided all of the details required by regulation are provided to the purchaser.

For details visit the website listed in the Information Box above or Appendix 2

Receipts

Two types of receipts are used:

- A short form receipt is issued when Giant Crab or by-product are sold to a person for direct consumption
- A long form receipt is issued when on-selling Giant Crab or by-product for other commercial purposes (for e.g. to restaurants).

Fish Movement Records

Fish movement records are issued:

- when Giant Crab or by-product are given to a transporter for delivery to market or co-op where no sale has yet occurred
- when Giant Crab or by-product are donated

OR

- when the licence holder has fish (other than that that accounted for by their licence/permit) on commercial premises

NOTE: The appropriate documentation (e.g. consignment record, sales receipts, and/or fish movement records) is required to be kept to account for all fish purchased, possessed and/or held on the premises.

Receipt or Fish Movement Record are required be possessed if fish are found in, on or attached to any boat, premises, aircraft or vehicle used for the

- Taking of Fish; or
- Sale of fish; or
- Receiving for sale of fish; or
- Processing of fish for sale.
- Seafood Retailers

Note: Examples of Receipts and Fish Movement Records are available at <https://vfa.vic.gov.au/enforcement/buy-safe-and-legal-seafood/receipt-examples> and are listed in **Appendix 2**.

Record keeping requirements

- A copy of each purchase, acquisition or sale record required by the Act and the Fisheries Regulations 2019 must be kept at the place where the fish are sold, received and possessed.
- If requested by an authorised Fisheries Officer, the person must present the record for inspection.
- All records must be kept for 3 years, be legible and in English. This can be in electronic format (such as emailed tax invoices), so long as a copy can be emailed or printed out at the time of request from a Fisheries Officer.
- Any person completing fisheries records must ensure that the information is not false or misleading. It is a serious offence under the Act to make or furnish false or misleading statement or documents.

Regulation detail

Fisheries Regulations 2019
Part 9 Giant Crab
Regulation 358

Legislation Box

Search online

National Parks Act 1975
Part V; Division 2
Regulations 45A
www.legislation.vic.gov.au

FISHING RESTRICTIONS

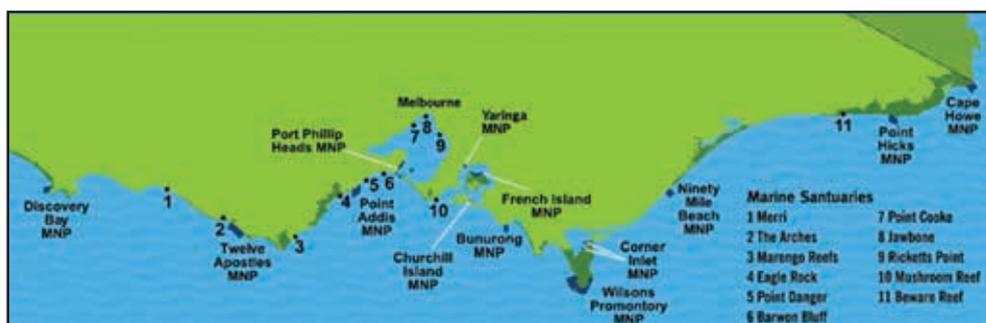
Other fish species

Giant Crab fishers can only take fish for sale when using a rock lobster pot or when acting in accordance with an additional licence or permit, such as an Ocean Fishery Access Licence, Rock Lobster Access Licence or Wrasse (Ocean) Fishery Access Licence or specific endorsements on their licence.

No fishing in Marine National Parks and Sanctuaries

Commercial and recreational fishing is prohibited in Marine National Parks and Sanctuaries under the *National Parks Act 1975*.

- Two Marine National Parks and three Marine Sanctuaries are located in the Western Zone.



Traversing (crossing) Marine National Parks

Commercial fishing vessels specified on a Giant Crab Access licence are authorised to travel through Marine National Parks whilst carrying Giant Crab, when undertaking activities authorised by that licence.

No fishing in Closed Seasons

Fishing for Giant Crab is prohibited during closed season. Possession of Giant Crab is prohibited during the closed season. Rock Lobster pots must not be left Immersed during closed season.

Female

The closed season for female Giant Crab is from 1 June to 15 November. This protects females with eggs attached during the spawning period. The removal of eggs, spawn, setae or fibres from females is prohibited.

Male/total closure

The closed season for male Giant Crab is from 15 September to 15 November.

This protects males during the moulting period when soft shells increase their vulnerability.

Regulation detail

Fisheries Regulations 2019
Part 9 Giant Crab
Regulations 342, 343

Rock Lobster pots must not be used if there is zero quota allocation

When the entire quota assigned to a Licence has been caught, the holder must either acquire more quota units or cease fishing for the remainder of the quota period.

NOTE: Lobster pots may be moved (i.e. on board the vessel specified on the licence) during this time **ONLY** with the approval of an authorised fisheries officer.

Rock Lobster pots must not be used during the total closure

From the start of the closed season on 15 September until 9 am on 15 November, fishers must not:

- use any rock lobster pot in any Victorian waters
- leave or have any rock lobster pot immersed or set in any Victorian waters
- have a rock lobster pot on board a boat in any Victorian waters **other than in a port or mooring area** specified in Schedule 19.

No take of berried Giant Crab

Female Giant Crab in berry (carrying eggs on the under surface of her tail) cannot be taken or possessed at **any** time.

It is also prohibited to:

- possess a female Giant Crab with berry
- remove the berry (eggs) from the female Giant Crab.

Must not possess or land dismembered Giant Crab or parts of Giant Crab

Giant Crab must only be landed whole.

It is an offence to possess or land dismembered Giant Crabs.

Commercial Giant Crabs fishers must not:

- possess dismembered Giant Crab
- possess parts of Giant Crab.

Must not transfer Giant Crab to unlicensed people or a boat not specified on the Licence

Giant Crab fishers:

- **must not transfer Giant Crab to a boat** not specified on the Licence, when in, under or on Victorian waters
- **must not sell, transfer or deliver** Giant Crab to another person in, under or on Victorian waters
- **must not take or possess Giant Crab collected by other people** (not acting on behalf of the Licence holder) when in, under or on Victorian waters.

Giant Crab fishers may place Giant Crab collected under their Licence into a tender vessel so long as it proceeds directly to the mooring area or port specified in the Vic-eCatch notification.

Regulation detail

Fisheries Regulations 2019
Part 9 Giant Crab
Regulations 353

Regulation detail

Fisheries Regulations 2019
Part 9 Giant Crab
Regulations 355

Regulation detail

Fisheries Regulations 2019
Part 9 Giant Crab
Regulations 356

Regulation detail

Fisheries Regulations 2019
Part 2 Commercial fishery
licences
Regulation 70

EMERGENCY CONTACTS

Victorian Fisheries Authority

Commercial Fishers Duty Officer	0418 519 215
Operations Duty Officer	0419 844 781
13FISH Offence Report Line	13 34 74

Victoria Police

Rescue Coordination Centre / Water Police	(03) 9399 7500
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Department of Energy, Environment and Climate Action

Whale and Dolphin Emergency Hotline	1300 136 017
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KEY VFA CONTACTS

Luke O’Sullivan

Director Fisheries Management, Policy, Science and Licensing
luke.osullivan@vfa.vic.gov.au

Toby Jeavons

Manager, Marine and Estuarine Fisheries
toby.jeavons@vfa.vic.gov.au

Paul Shea

Fisheries Operations Manager
enforcement@vfa.vic.gov.au

Commercial Licensing Enquiries

Commercial Fisheries Licensing
commercial.licensing@vfa.vic.gov.au
 03 9392 6860

Example of a completed Protected Species Interaction Record



Victorian Fisheries Authority
PO Box 114, Queenscliff, Victoria 3225

099990999

DAILY CATCH RECORD – PART 2
– PROTECTED SPECIES INTERACTIONS

Version No. 2	
Month	
Year	
ALN	
PFN	

Name: _____ Address: _____

Please complete this report at the end of each fishing day that an interaction has occurred. Please submit your completed monthly forms to VFA by the 18th day of the following month. If you have had a **significant interaction** please contact the duty officer (0419 844 781) as soon as possible to report the details of the incident.

1	2	3	4	5	6	7	8	9	10	11		12	13	14	15	16-19				20	21	22
										Area Code	Location & gear					Time of interaction (HHMM) or unknown (U)	Fishing (F) Retrieval (R) Unknown (U)	Hooked (H) Captured (C) Entangled (E) Other (O)	Life status (number)			
Day of Month	OFFICE USE ONLY	Southern right whale	Turtle unidentified	Muttonbird	Species - specify (number)	Age (number)	Adult (A)	Juvenile (J)	Unknown (U)	Area Code	Location & gear	Time of interaction (HHMM) or unknown (U)	Fishing (F) Retrieval (R) Unknown (U)	Hooked (H) Captured (C) Entangled (E) Other (O)	Life status (number)	Dead (D)	Injured (I)	Released (R)	Euthanised (E)	Taken to vet/shelter (S)	Disposed of (D)	
1	PI	1					1			F5	n/a	0520	S	E	1			1				
15		3					3			D11	n/a	1630	R	C	3			3				
22				3			3			F2	n/a	0100	S	E	3							3
One interaction involving two animals with different outcomes e.g. two turtles – one dead, one alive																						
15			2				2			D46	n/a	U	R	C	1	1		1				1
Two separate interactions on the same day in different areas																						
18			1				1			F7	n/a	U	R	E	1			1				
18			1				1			F7	n/a	1230	S	E	1			1				

Name of operator: _____
 Signature: _____ / _____ / _____
 Date: _____ / _____ / _____

Name of operator: _____
 Signature: _____ / _____ / _____
 Date: _____ / _____ / _____

Comments:
 Significant interaction involving 1 South right whale reported to the duty officer on the 1st.

APPENDIX 3: GUIDELINES FOR ACCURATE WEIGHING OF GIANT CRAB

When weighing consideration should be given to the following:

Weigh the Giant Crab in the presence of the consignee. In doing so ensure:

- The scales are on a stable and on a solid surface out of the wind if possible
- Scales are level, certified, accurate and in good working order. This can be done by placing certified weights on the scales prior to weighing off catch
- That tare weights for bins and lids are worked out prior to weighing off catch
- Bin tare weights can vary depending on size, configuration, age and design. It is the responsibility of the fisher to ensure that their weights are accurate. This should be taken into consideration when working out tare weights of bins prior to weighing off catch.

In determining the net weight, the gross weight of all of the consignment should be weighed and the tare weight should then be subtracted.

The VFA encourages all bins, bin lids and inserts be placed on the scales and be tared to 'zero' before weighing the Giant Crab. This is best practice and will ensure an accurate representation of the catch.

In both situations each weight should be recorded as displayed and the sum of the weight can then be determined.

The practice of rounding up or down on individual bin tallies is to be avoided. If a situation occurs where the accurate weight of the catch cannot be determined due to environmental or other factors creating variance in the scale readings, the fisher should call the Operations Duty Officer to seek guidance.

Reminder: Quantities over 100kg must be accurate to within 1kg of the actual weight, quantities less than 100kg must be correct to within 0.1kg of the actual weight.

Glossary

tare weight sometimes called unladen **weight**, is the **weight** of an empty container. By subtracting it from the gross **weight** (laden **weight**), the **weight** of the goods carried (the net **weight**) may be determined.

APPENDIX 4: FISHING PORTS

Regulation detail

Fisheries Regulations 2019
Part 2 Commercial fishery
licences
Regulation 81c
Schedule 19
Part 9 Giant Crab
Regulation 353(c)

Fishing operations mainly occur from the following coastal ports:

1. Port MacDonnell (South Australia)	996
Note: requires special endorsement on Licence to land outside Victoria	
2. Portland	300
3. Port Fairy	280
4. Warrnambool	440
5. Port Campbell	270
6. Apollo Bay	20
7. Queenscliff	330
8. San Remo	360
9. Port Welshpool	320
10. Lakes Entrance	160
11. Mallacoota	190.

Rock Lobster can also be landed at the following locations:

1. Anglesea	10
2. BarwonHeads	30
3. Cape Bridgewater	305
4. Cape Conran	402
5. Cowes	70
6. Eden (New South Wales)	997
Note: requires special endorsement on licence to land outside Victoria	
7. Flinders	100
8. Hastings	140
9. Inverloch	150
10. Lorne	180
11. Marlo Jetty	404
12. McLoughlins Beach	255
13. Ocean Grove	32
14. Port Albert	250
15. Portsea Pier	380
16. Seaworks (Williamstown)	460
17. Sorrento	380
18. Torquay	420
19. Ventnor (Cowes Jetty)	70
20. Walkerville South	432

APPENDIX 5: WHALE INTERACTION BROCHURE

Minimising whale entanglements in Victoria

Information for rock lobster fishers

What is an entanglement?

Whales or dolphins can get tangled and caught in fishing gear like ropes and nets. Entangled whales or dolphins can drag fishing gear long distances.

Entanglements inhibit the whale's or dolphin's normal behaviour. It can limit or prevent feeding or swimming. Entanglements cause significant injuries and can be fatal.

Who responds to entanglement?

Victoria's Emergency Management Framework classifies whale and dolphin entanglements as declared emergencies.

Victoria's Department of Environment, Land, Water and Planning (DELWP) is the lead government agency that responds to entanglements. Parks Victoria and the Victorian Fisheries Authority support DELWP.

Established protocols direct the response to entanglements. Disentanglement requires trained and accredited staff, specialised equipment and vessels. Fishers should never attempt to approach or free an entangled animal.

Whale and dolphins in Victoria

A variety of whale and dolphin species inhabit Victorian waters. Entanglements can occur when whales and dolphins move into rock lobster fishing areas.

Whales most likely to entangle in rock lobster gear are:

Southern right whale



- slow swimming and migrate through coastal waters
- breed in-shore in coastal waters during winter (between May to October)

- have rough callosities on its head and very long baleen plates, which can get tangled in gear
- are uncooperative and often aggressive making it difficult to disentangle.

Humpback whale



- slow swimming
- migrate through Victorian waters during May to July and November to December
- have increased in numbers in recent years and are now more likely to entangle
- have very long flippers with knobby leading edges, which get caught in gear.

Blue Whale



- quick swimming
- feed in Victorian waters from December to May
- co-exist alongside Rock lobster fisheries in the Bonney Up-welling
- are at risk of having gear tangled in their baleen plates and flippers when they feed
- are large and powerful making it very difficult to disentangle.



Environment, Land, Water and Planning

Minimising whale entanglements in Victoria

Minimising entanglements

To reduce the risk of entanglement with rock lobster fishing gear, fishers must:

- Understand species at high risk of entanglement, their migratory patterns and routes
- Consider the placement of fishing gear and whenever possible, move it away from headlands
- Keep pot ropes tight to minimise likelihood of entanglement. Slack pot ropes increase risk of entanglement.

Adjust rope to the smallest length appropriate to the depth and strength of tide. This reduces the risk of entanglement, especially in inshore waters. Coil the excess slack and tie-up close to floats. The amount of slack in the rope should be the minimum required to allow for the safe recovery and lifting of pots.

- Regularly check pots, as per standard fishing practice
- Do not leave pots in the water when you are not fishing for long periods of time
- Avoid setting pots in clusters and consider the use of negatively buoyant rope

What do I do if I find an entangled whale or dolphin?

If a whale or dolphin becomes entangled:

- **Move away** and watch its behaviour
- **Record the location**, the species, type of entanglement and any other details
- **DO NOT** attempt to remove any of the entanglement or free the animal
- **Report immediately to the Whale and Dolphin Hotline on 1300 136 017.**

- **Watch the situation.** Do not risk the safety of the vessel nor the entangled animal.

Whale strandings and vessel strikes are also classified as declared emergencies and must be reported.

[Follow the same procedure to report a stranding or injured animal.](#)

Where else do I need to report the entanglement?

Notify the VFA that you have had an interaction via Vic-eCatch and report the entanglement in your protected species interaction form. You must also notify the Operations Duty Officer as soon as possible on 0419 844 781.

What other things do I need to report?

Fishers may interact with a range of protected species. When they do, it is known as an incidental interaction. This includes ship strike and by-catch.

You must report all Incidental interactions on the Protected Species Interactions form.

Is there a penalty for an incidental interaction?

There is no penalty for incidental interactions:

- if they are accidents (i.e. not deliberate)
- if they occur in the normal course of fishing
- if you report the incident via Vic-eCatch and in the protected species interaction form.

This protection arises from orders under the *Fisheries Act 1989*, the *Wildlife Act 1975* and the *Flora and Fauna Guarantee Act 1988*.

Further information

For further information on whale and dolphin emergencies go to <https://www.wildlife.vic.gov.au/wildlife-emergencies/whale-and-dolphin-emergencies> or contact your local Victorian Fisheries Office.

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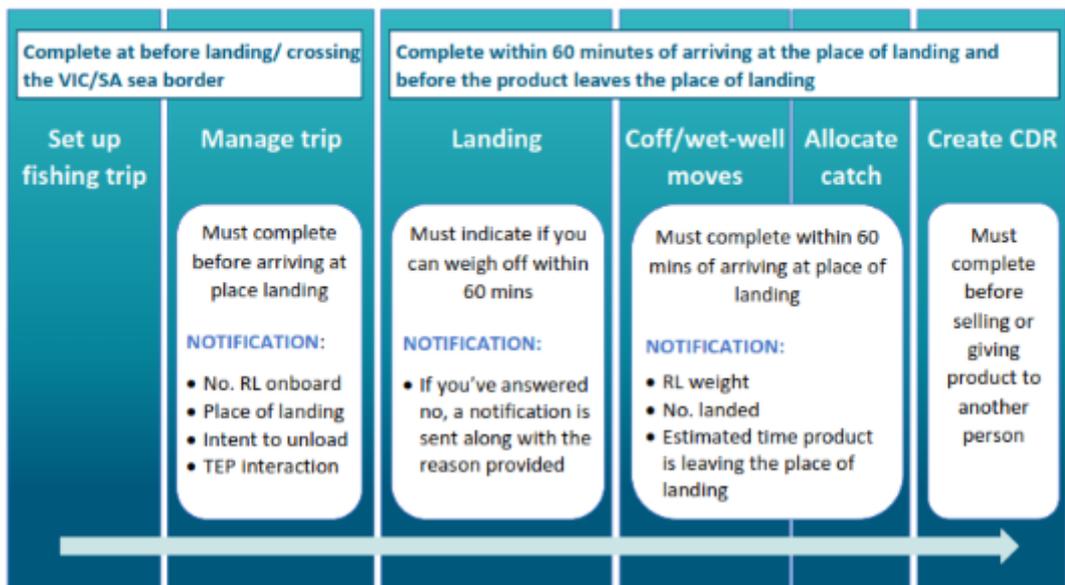
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APPENDIX 6: NOTIFICATION TIMINGS

The notification timings associated with completing a fishing trip through Vic-eCatch are:



The notification timings associated with an unloading where no trip was undertaken (i.e. from wet well) through Vic-eCatch are:

