



Victoria Government Gazette

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SPECIAL

Fisheries Act 1995

REVOCATION OF QUOTA ORDERS FOR THE ROCK LOBSTER FISHERY

I, Candy Broad, Minister for Energy and Resources, having consulted with the commercial peak body and other relevant consultative bodies and having considered the comments made by those bodies, make the following Order under sections 64(2) and 64A(2) of the **Fisheries Act 1995**:

The following Orders made on 10 May 2001 and published in Government Gazette No. S68 on 10 May 2001 (pages 1 to 4) are **revoked**:

- (a) Initial Quota Order for the Western Zone of the Victorian Rock Lobster Fishery;
- (b) Further Quota Order for the Western Zone of the Victorian Rock Lobster Fishery;
- (c) Initial Quota Order for the Eastern Zone of the Victorian Rock Lobster Fishery;
- (d) Further Quota Order for the Eastern Zone of the Victorian Rock Lobster Fishery.

This order commences on the day on which it is published in the Government Gazette.

Dated 1 November 2001

CANDY BROAD
Minister for Energy and Resources

Fisheries Act 1995

INITIAL QUOTA ORDER FOR THE EASTERN ZONE OF THE VICTORIAN ROCK LOBSTER FISHERY

Section 64 of the **Fisheries Act 1995**

I, Candy Broad, Minister for Energy and Resources, having consulted with the commercial peak body and other relevant consultative bodies and having considered the comments made by those bodies and other individuals, make the following Initial Quota Order for the eastern zone of the Victorian rock lobster fishery.

1. The eastern zone of the Victorian rock lobster fishery will be managed by the allocation of quota units to each Rock Lobster Fishery Access Licence for the zone.
2. The number of individual quota units in the eastern rock lobster zone will be equal to the total allowable catch (TAC) for that zone divided by the value of an individual quota unit, as determined in a Further Quota Order for the eastern zone pursuant to section 64A of the **Fisheries Act 1995**.

3. The number of individual quota units that are initially allocated to each Rock Lobster Fishery Access Licence in the eastern zone will be determined having regard to both the number of rock lobster pots specified on the licence and the catch history of the licence, using the following method:¹

- (i) In the eastern rock lobster zone 25% of the TAC for the initial quota period will be allocated on the basis of pots and 75% on the basis of the catch history of the licence.

- (ii) Pots as a component of the initial allocation to a licence will be the number of pots recorded against that licence at close of business on 25 May 2001.

- (iii) Catch history as a component of the initial allocation to a licence will be the average catch of the licence over the best three fishing seasons of the five fishing seasons from 1993/94 to 1997/98 (the "relevant fishing seasons"). The catch history of a licence will be calculated using the information previously provided to the Department in monthly fishing returns

A fishing season means the period from 16 November in one year to 31 August the following year.

- (iv) Where pots have been transferred from one licence to another during or after the relevant fishing seasons and prior to 25 May 2001, the average catch history of those pots is also transferred for initial allocation purposes.

4. Individual quota units for the eastern rock lobster zone may be transferred permanently from one eastern zone Rock Lobster Fishery Access Licence to another Rock Lobster Fishery Access Licence for the same zone.²

5. The maximum number of individual quota units that may be held in respect of each rock lobster fishery access licence for the eastern rock lobster zone is 75 units.

6. Quota units for the eastern rock lobster zone that are not taken during a quota period cannot be carried over to the next quota period.

7. If the holder of a Rock Lobster Fishery Access Licence has caught or landed in excess of his or her quota allocation by 20 kilograms or less at the end of a quota period, the amount by which the licence holder is in excess will be deducted from his

or her quota allocation for the next quota period. At no time can a licence holder be more than 20 kilograms in excess of his or her quota allocation.

Notes:

1. After the initial quota period, the number of units of quota allocated to a licence for a quota period will be the number of units on that licence at the end of the previous quota period, taking into account permanent transfers of quota units between licences.
2. Under section 64(4) of the **Fisheries Act 1995**, if quota units can be transferred permanently, they may also be transferred for a quota period only.

This Order commences on the day on which it is published in the Government Gazette.

Dated 1 November 2001

CANDY BROAD
Minister for Energy and Resources

Fisheries Act 1995

FURTHER QUOTA ORDER FOR THE EASTERN ZONE OF THE VICTORIAN ROCK LOBSTER FISHERY

Section 64A of the Fisheries Act 1995

I, Candy Broad, Minister for Energy and Resources, having consulted with the commercial peak body and other relevant consultative bodies and having considered the comments made by those bodies and other individuals, make the following Further Quota Order for the eastern zone of the Victorian rock lobster fishery.

1. This Further Quota Order applies to the eastern zone of the Victorian rock lobster fishery for the period starting on 16 November 2001 and ending on 31 March 2002 ("the quota period").
2. The total allowable catch (TAC) for the eastern rock lobster zone for the quota period is 42 tonnes of rock lobster.¹
3. The quantity of rock lobster comprising a quota unit for the quota period in the eastern rock lobster zone will be 42 kilograms.²

Notes:

1. The quota period covered by this Further Quota Order is not a full year. The TAC of 42 tonnes for this quota period is equivalent to a TAC of 60 tonnes for a full year. The next quota will commence on 1 April 2002.
2. The number of individual quota units in the eastern rock lobster zone is equal to the TAC

for that zone divided by the quantity of rock lobster comprising an individual quota unit, under an Initial Quota Order pursuant to section 64 of the **Fisheries Act 1995**.

This Order commences on 16 November 2001 and remains in force until 31 March 2002.
Dated 1 November 2001

CANDY BROAD
Minister for Energy and Resources

Fisheries Act 1995

INITIAL QUOTA ORDER FOR THE WESTERN ZONE OF THE VICTORIAN ROCK LOBSTER FISHERY

Section 64 of the Fisheries Act 1995

I, Candy Broad, Minister for Energy and Resources, having consulted with the commercial peak body and other relevant consultative bodies and having considered the comments made by those bodies and other individuals, make the following Initial Quota Order for the western zone of the Victorian rock lobster fishery.

1. The western zone of the Victorian rock lobster fishery will be managed by the allocation of quota units to each Rock Lobster Fishery Access Licence for the zone.
2. The number of individual quota units in the western rock lobster zone will be equal to the total allowable catch (TAC) for that zone divided by the value of an individual quota unit, as determined in a Further Quota Order for the western zone pursuant to section 64A of the **Fisheries Act 1995**.
3. The number of individual quota units that are initially allocated to each Rock Lobster Fishery Access Licence in the western zone will be determined having regard to both the number of rock lobster pots specified on the licence and the catch history of the licence, using the following method:¹
 - (i) In the western rock lobster zone 50% of the TAC for the initial quota period will be allocated on the basis of pots and 50% on the basis of the catch history of the licence.
 - (ii) Pots as a component of the initial allocation to a licence will be the number of pots recorded against that licence at close of business on 25 May 2001.
 - (iii) Catch history as a component of the initial allocation to a licence will be the average catch of the licence over the best

three fishing seasons of the five fishing seasons from 1993/94 to 1997/98 (the "relevant fishing seasons"). The catch history of a licence will be calculated using the information previously provided to the Department in monthly fishing returns.

A fishing season means the period from 16 November in one year to 31 August the following year.

- (iv) Where pots have been transferred from one licence to another during or after the relevant fishing seasons and prior to 25 May 2001, the average catch history of those pots is also transferred for initial allocation purposes.
 - (v) Licence holders with 50 pots or less who have taken more than half of their catch during the relevant fishing seasons from the area adjacent to Apollo Bay between 143° 10' east and 143° 40' east (known as the "paddock"), will receive a notional 15% increase in the number of pots for initial allocation purposes.
4. Individual quota units for the western rock lobster zone may be transferred permanently from one western zone Rock Lobster Fishery Access Licence to another Rock Lobster Fishery Access Licence for the same zone.²
 5. The maximum number of individual quota units that may be held in respect of each rock lobster fishery access licence for the western rock lobster zone is 150 units.
 6. Quota units for the western rock lobster zone that are not taken during a quota period cannot be carried over to the next quota period.
 7. If the holder of a Rock Lobster Fishery Access Licence has caught or landed in excess of his or her quota allocation by 20 kilograms or less at the end of a quota period, the amount by which the licence holder is in excess will be deducted from his or her quota allocation for the next quota period. At no time can a licence holder be more than 20 kilograms in excess of his or her quota allocation.

Notes:

1. After the initial quota period, the number of units of quota allocated to a licence for a quota period will be the number of units on that licence at the end of the previous quota period, taking into account permanent transfers of quota units between licences.

2. Under section 64(4) of the **Fisheries Act 1995**, if quota units can be transferred permanently, they may also be transferred for a quota period only.

This Order commences on the day on which it is published in the Government Gazette.

Dated 1 November 2001

CANDY BROAD
Minister for Energy and Resources

Fisheries Act 1995

FURTHER QUOTA ORDER FOR THE WESTERN ZONE OF THE VICTORIAN ROCK LOBSTER FISHERY

Section 64A of the Fisheries Act 1995

I, Candy Broad, Minister for Energy and Resources, having consulted with the commercial peak body and other relevant consultative bodies and having considered the comments made by those bodies, make the following Further Quota Order for the western zone of the Victorian rock lobster fishery.

1. This Further Quota Order applies to the western zone of the Victorian rock lobster fishery for the period starting on 16 November 2001 and ending on 31 March 2002 ("the quota period").
2. The total allowable catch (TAC) for the western rock lobster zone for the quota period is 320 tonnes of rock lobster.¹
3. The quantity of rock lobster comprising a quota unit for the quota period in the western rock lobster zone will be 80 kilograms.²

Notes:

1. The quota period covered by this Further Quota Order is not a full year. The TAC of 320 tonnes for this quota period is equivalent to a TAC of 450 tonnes for a full year. The next quota period will commence on 1 April 2002.
2. The number of individual quota units in the western rock lobster zone is equal to the TAC for that zone divided by the quantity of rock lobster comprising an individual quota unit, under an Initial Quota Order pursuant to section 64 of the Fisheries Act 1995.

This Order commences on 16 November 2001 and remains in force until 31 March 2002.

Dated 1 November 2001

CANDY BROAD
Minister for Energy and Resources

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