



# Victoria Government Gazette

No. S 91 Monday 19 May 2003  
By Authority: Victorian Government Printer

**SPECIAL**

## Subordinate Legislation Act 1994

### NOTICE OF DECISION

#### Fisheries (Compensation and Procedures) Regulations 2003

I, Bob Cameron, Minister for Agriculture and Minister responsible for administering the **Fisheries Act 1995**, give notice under Section 12 of the **Subordinate Legislation Act 1994** as follows:

A Regulatory Impact Statement (RIS) was prepared in relation to the proposed Fisheries (Compensation and Procedures) Regulations 2003. The RIS was advertised to invite public comment. 13 submissions were received and have been considered.

I have decided that the proposed Regulations should be made with the following amendments:

- that the period for determining average net income before tax (NIBT) in item B in the formulae should be extended to the average of the 4 highest net incomes before tax of the last 7 fishing seasons based on catch records held by the Secretary;
- that the average NIBT is expressed in current dollar values for clarification;
- that income support is to be discounted to take account of future income being received in lump sum. This is standard practice for most lump sum compensation payments;
- that appropriate financial documentation required and other procedural matters are clarified;
- that Statute law amendments be made to the Fisheries Regulations 1998 ('the Principal Regulations') as follows:
  - i) a misdescription in 'specified details' in regulation 105(2) in the definitions to the Principal Regulations be corrected;
  - ii) as a consequence of the Fisheries (Commercial Abalone) Regulations 2003, regulation 327(f) is to be added to Schedule 13 of the Principal Regulations;
  - iii) obsolete references are to be omitted as a consequence of the Fisheries (Commercial Abalone) Regulations 2003;
  - iv) specify "Gippsland Lakes Fishery (Bait)" and "Ocean Fishery" as requiring specified eligibility criteria to enable repeal of Ministerial Directions which contains provisions which are otherwise spent or currently contained in the Principal Regulations.

Dated 19 May 2003

BOB CAMERON  
Minister for Agriculture

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The *Victoria Government Gazette* is available by three subscription services:

General and Special — \$198.00 each year

General, Special and Periodical — \$264.00 each year

Periodical — \$132.00 each year.

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Subscriptions are payable in advance and accepted for a period of one year. All subscriptions are on a firm basis and refunds will not be given.

All payments should be made payable to

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The Craftsman Press Pty. Ltd.

125 Highbury Road, Burwood Vic 3125

Telephone: (03) 9926 1233

Fax (03) 9926 1292

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ISSN 0819-5471

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Government Printer for the State of Victoria  
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Level 1, 520 Bourke Street

Melbourne 3000

Telephone enquiries (03) 9600 0977

**Price Code A**