



Victoria Government Gazette

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Fisheries Act 1995

NOTICE OF ELECTION TO RETAIN WESTERN PORT/PORT PHILLIP BAY FISHERY ACCESS LICENCE ON AND AFTER 1 APRIL 2022

I, Jaala Pulford, Minister for Agriculture and Minister responsible for administering the **Fisheries Act 1995**, give notice under Clause 1 of Part 1 of Schedule 4 of the **Fisheries Act 1995**, as follows:

Each holder of a Western Port/Port Phillip Bay Fishery Access Licence may elect to retain their licence on and after 1 April 2022 and participate in the non-net fishery, in accordance with this notice.

To be eligible to retain their licence in the non-net fishery on and after 1 April 2022, the holder of a Western Port/Port Phillip Bay Fishery Access Licence must make their election in writing addressed to Secretary, Department of Economic Development, Jobs, Transport and Resources, care of Peter Nee, Rural Finance, PO Box 1313, Bendigo Central 3552.

The time for making an election opens on 18 December 2015 and closes on 17 February 2016. An election must be received by Rural Finance prior to 17 February 2016.

The election must include the name of the licence holder and the licence number which is being elected to be retained and must be signed by the licence holder.

The making of an election does not entitle the licence holder to retain their licence on and after 1 April 2022 unless Rural Finance notifies the licence holder in writing that the election is successful. If more than 8 licence holders elect to remain in the non-net fishery, the 8 successful licence holders will be determined based on which licences have the highest non-net catch over the period 31 March 2009 and 1 April 2014 based on records held by the Secretary.

Any licence holder who makes an election to retain their licence will be notified by Rural Finance as to whether their election is successful or unsuccessful.

In accordance with section 153E(2) of the **Fisheries Act 1995**, if a licence holder is successful in their election to retain their licence on and after 2022, they will be entitled to be paid an amount of \$205,000 on 1 April 2022.

Dated 16 December 2015

JAALA PULFORD
Minister for Agriculture

Note: A holder of a Western Port/Port Phillip Bay Fishery Access Licence may make an election to retain their licence on and after 1 April 2022 and also make an election to surrender their licence pursuant to the 'Notice of Election to Surrender a Western Port/Port Phillip Bay Fishery Access Licence or Purse Seine (Port Phillip Bay) Fishery Access Licence'. The election to surrender will only be acted on if the election to retain the licence is unsuccessful.

Fisheries Act 1995

NOTICE OF ELECTION TO SURRENDER WESTERN PORT/PORT PHILLIP BAY FISHERY ACCESS LICENCE OR PURSE SEINE (PORT PHILLIP BAY) FISHERY ACCESS LICENCE

I, Jaala Pulford, Minister for Agriculture and Minister responsible for administering the **Fisheries Act 1995**, give notice under Clause 6 of Part 2 of Schedule 4 of the **Fisheries Act 1995** as follows:

Each holder of a Western Port/Port Phillip Bay Fishery Access Licence or the Purse Seine (Port Phillip Bay) Fishery Access Licence may elect to surrender their licence in accordance with this notice.

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To be eligible to surrender their licence, the licence holder must make their election in writing addressed to Secretary, Department of Economic Development, Jobs, Transport and Resources, care of Peter Nee, Rural Finance, PO Box 1313, Bendigo Central 3552.

The election must include the name of the licence holder and the licence number which is being elected to be surrendered and must be signed by the licence holder.

The time for making an election to surrender opens on 18 December 2015 and closes on 17 February 2016. An election must be received by Rural Finance prior to 17 February 2016.

If the election to surrender is successful the licence holder will be notified by Rural Finance that their election was successful.

In accordance with section 153H of the **Fisheries Act 1995**, if a licence holder is successful in their election to surrender the licence, the licence will be cancelled before 1 April 2016.

A licence holder whose licence is cancelled by the Secretary under section 153H in this initial election period is entitled to be paid compensation calculated in accordance with, and limited to, Part 3 of Schedule 4 of the **Fisheries Act 1995**. For this initial election period, the amount of compensation to be paid is \$385,000 plus three times the annual average catch value of the catch taken under the licence over the survey period (where survey period is defined as the 5 year period from 1 April 2009 to 31 March 2014), as calculated pursuant to Part 3 of Schedule 4 of the **Fisheries Act 1995**.

All holders of a Western Port/Port Phillip Bay Fishery Access Licence or the Purse Seine (Port Phillip Bay) Fishery Access Licence will also be individually notified in writing of the total amount of compensation that would be payable as compensation in this initial election period in respect of their licence if it were to be cancelled in this initial election period, as calculated pursuant to Part 3 of Schedule 4 of the **Fisheries Act 1995**.

The holder of a Western Port/Port Phillip Bay Fishery Access Licence may elect to surrender their licence even if they also elect to retain their licence on and after 1 April 2022 under section 153F. The election to surrender will only be acted on if the election to retain the licence is unsuccessful.

The making of this election does not entitle the licence holder to surrender their licence on 1 April 2016 unless Rural Finance notifies the licence holder in writing that the election is successful.

Dated 16 December 2015

JAALA PULFORD
Minister for Agriculture

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