



Victoria Government Gazette

No. S 278 Thursday 11 June 2020
By Authority of Victorian Government Printer

Fisheries Act 1995

MINISTERIAL DIRECTION PURSUANT TO SECTION 61 OF THE FISHERIES ACT 1995 FOR THE EASTERN OCTOPUS ZONE OF THE VICTORIAN OCTOPUS FISHERY

I, Jaala Pulford, Minister for Fishing and Boating, having applied the consultation principles in accordance with section 3A of the **Fisheries Act 1995** (the Act), make the following Direction under section 61 of the Act.

The eligibility criteria that must be met before a person may be issued with an Octopus Fishery Access Licence authorising octopus fishing in the eastern octopus zone, is that the person has to:

1. be the holder of an Ocean Fishery Access licence and have recorded landings of 800 kilograms or more of octopus in the eastern octopus zone for the period 1 January 2014 to 30 September 2019; or
2. be the holder of an Ocean Fishery Access Licence and have recorded landings of octopus caught using octopus traps (not bycatch) in the eastern octopus zone during the period 1 January 2014 to 30 September 2019; or
3. be the holder of an Ocean Fishery Access Licence who has made a significant investment and/or committed investment into octopus fishing vessels or gear in the eastern octopus zone of the Victorian octopus fishery.

For the purposes of eligibility criteria 1 and 2 of this Order, recorded landings will be determined by the Chief Executive Officer of the Victorian Fisheries Authority (VFA CEO), based on the landings reported to the Victorian Fisheries Authority (or its predecessor(s)) by each relevant licence holder for the period of 1 January 2014 to 30 September 2019 and which is recorded and held on the Victorian Fisheries Authority's Integrated Catch and Effort system.

For the purposes of eligibility criteria 3 of this Order, the Ocean Fishery Access Licence holders who have made a significant investment and/or committed investment into octopus fishing in the eastern octopus zone will be determined by the VFA CEO, based on written submissions provided by Ocean Fishery Access Licence holders that are supported by evidence to the satisfaction of the VFA CEO, that demonstrates investment or committed investment of \$20,000 or more between 1 January 2014 and 30 September 2019 in commercial fishing vessels or gear with the specific intent to commence dedicated octopus fishing within the eastern octopus zone.

This Direction revokes the Ministerial Direction relevant to Octopus Fishery Access Licences dated 20 January 2020 and published in the Victoria Government Gazette No. S 48 on 3 February 2020.

This Direction commences on 11 June 2020 and expires 1 October 2020.

Dated 5 June 2020

THE HON. JAALA PULFORD, MP
Minister for Fishing and Boating

Fisheries Act 1995

INITIAL QUOTA ORDER UNDER SECTION 64 OF THE FISHERIES ACT 1995 FOR THE EASTERN OCTOPUS ZONE OF THE VICTORIAN OCTOPUS FISHERY

I Jaala Pulford, Minister for Fishing and Boating having undertaken consultation in accordance with section 3A of the **Fisheries Act 1995**, make the following Initial Quota Order under section 64 of the Act for the eastern octopus zone of the Victorian octopus fishery.

1. The eastern octopus zone of the Victorian octopus fishery will be managed by the allocation of quota to Octopus Fishery Access Licences authorised to fish in the eastern octopus zone.

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2. The number of individual octopus quota units in the eastern octopus zone will be equal to the total allowable commercial catch (TACC) for that zone divided by the value of an individual quota unit for that zone, as determined in a Further Quota Order for the eastern octopus zone of the Victorian octopus fishery pursuant to section 64A of the **Fisheries Act 1995**.
3. The quota units in the eastern octopus zone are to be allocated to those licence holders holding an Octopus Fishery Access Licence authorised to fish in the eastern octopus zone on or before 1 August 2020, as determined by the following formula:

$$(A \times B) + [C \div (D + E)]$$

Where:

A is the total weight of octopus caught in the eastern octopus zone between 1 January 2014 and 30 September 2019 by the individual licence holder under an Ocean Fishery Access Licence, where the total weight of octopus recorded as taken was 800 kilograms or more, divided by the total weight of all octopus caught in the eastern octopus zone between 1 January 2014 and 30 September 2019 by those Ocean Fishery Access Licence holders who recorded a take of 800 kilograms or more of octopus in the eastern octopus zone during that period. The weights for this calculation will be determined by those recorded and held on the Victorian Fisheries Authority's Integrated Catch and Effort system.

B is the total number of quota units in the eastern octopus zone of the Victorian octopus fishery multiplied by 0.70.

C is the total number of quota units in the eastern octopus zone of the Victorian octopus fishery multiplied by 0.30.

D is the total number of fishers who have octopus catch using octopus traps (not bycatch) between 1 January 2014 and 30 September 2019 and which is recorded and held on the Victorian Fisheries Authority's Integrated Catch and Effort system.

E is the total number of fishers who have invested over \$20,000 in vessels and gear with the intent of fishing in the eastern octopus zone of the Victorian octopus fishery, as determined by the Chief Executive Officer of the Victorian Fisheries Authority.

4. All quota units are to be allocated to those licence holders holding an Octopus Fishery Access Licence authorising fishing in the eastern octopus zone on or before 1 August 2020.
5. No quota units are to be allocated to licence holders holding an Octopus Fishery Access Licence authorising fishing in the eastern octopus zone after 1 August 2020. These licence holders need to acquire individual quota units by transfer pursuant to section 65A of the **Fisheries Act 1995**.
6. Individual eastern octopus zone quota units may be transferred permanently or temporarily to a holder of an Octopus Fishery Access Licence authorising fishing in the eastern octopus zone.
7. Individual quota units that are not taken during a quota period cannot be carried over in the next quota period.
8. If the holder of an Octopus Fishery Access Licence authorising fishing in the eastern octopus zone 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 access licence holder is in excess will be deducted from his or her quota allocation for the next quota period. At no time can the holder of an Octopus Fishery Access Licence authorising fishing in the eastern octopus zone catch or land more than 20 kilograms in excess of his or her quota allocation.

Dated 5 June 2020

HON. JAALA PULFORD, MP
Minister for Fishing and Boating

Fisheries Act 1995

**MINISTERIAL DIRECTION PURSUANT TO SECTION 61 OF
THE FISHERIES ACT 1995 FOR THE CENTRAL AND WESTERN OCTOPUS ZONES
OF THE VICTORIAN OCTOPUS FISHERY**

I, Jaala Pulford, Minister for Fishing and Boating, having applied the consultation principles in accordance with section 3A of the **Fisheries Act 1995** (the Act), pursuant to section 61 of the Act give a direction as follows:

The Victorian Fisheries Authority will not issue Octopus Fishery Access Licences authorising fishing in the central octopus zone or the western octopus zone of the Victorian octopus fishery until this direction is revoked.

The Victorian Fisheries Authority will not consider nor accept any licence applications for Octopus Fishery Access Licences authorising fishing in the central octopus zone or the western octopus zone of the Victorian octopus fishery until further notice.

This direction commences on 11 June 2020 and remains in place until revoked.

Dated 5 June 2020

HON. JAALA PULFORD, MP
Minister for Fishing and Boating

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