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PORT MORESBY, THURSDAY, 22nd SEPTEMBER

[1983

Fisheries Act (Chapter 214)

PROHIBITION AND EXEMPTION FROM PROHIBITION

I, Barry Holloway, Minister for Primary Industry, by virtue of the powers conferred by Sections 5(1)(a), 5(1)(c) and 5(2) of the *Fisheries Act* (Chapter 214) and all other powers me enabling, hereby:—

1. prohibit the taking in the declared Fishing Zone of the following class of fish namely *Panulirus Ornatus* commonly known as tropical spiny lobster (herein referred to as "the prohibited species") by any method which in any way involves or concerns the use of a net or by means of equipment which consists in any part of a net (herein referred to as "the prohibited methods or equipment"); and

2. exempt from the prohibition set forth in Clause 1 of this notice the taking in that part of the declared Fishing Zone north of latitude 9 degrees (South) excepting the part thereof within 5 nautical miles of the coast of Yule Island for a period commencing on Monday 19th September, 1983 and ending on Tuesday, 15th November, 1983 by or on behalf of the person specified in Column 1 of Schedule 1 hereto (herein referred to as "the exempted persons") of the quantity not exceeding that respectively specified in Column 2 of Schedule 1 hereto opposite the name of each of the exempted persons (herein referred to as "the quotas") of headless deveined tails of the prohibited species utilising the Fishing vessel or vessels respectively specified in Column 3 of Schedule 1 hereto opposite the name of each of the exempted persons (herein referred as "the exempted vessels") by the prohibited methods or equipment subject to the conditions specified in the Schedule 2 hereto.

SCHEDULE 1

Column 1 Exempted Persons	Column 2 Quotas	Column 3 Exempted Vessels
1. Gulf Sohbu Fisheries Pty. Ltd.	20 tonnes	Bulolo No. 1 Bulolo No. 2
2. Western District Seafoods Pty. Ltd.	20 tonnes	New Marine No. 1 New Marine No. 2 New Marine No. 3 New Marine No. 5 Pai No. 1 Pai No. 3
3. Yule Lobster Enterprises Pty Ltd.	20 tonnes	New Marine No. 1 New Marine No. 2 New Marine No. 3 New Marine No. 5 Pai No. 1 Pai No. 3

Prohibition and Exemption from Prohibition—*continued*Schedule 1—*continued*

Column 1 Exempted Persons	Column 2 Quotas	Column 3 Exempted Vessels
4. New Guinea Marine Products Pty. Ltd.	12 tonnes	New Marine No. 1 New Marine No. 2 New Marine No. 3 New Marine No. 5 Pai No. 1 Pai No. 3
5. PNG Fish Marketing Corporation/Lombardo Fisheries Pty. Ltd. Trading as Papua Lombardo Joint Fishing Venture	20 tonnes	Miss Boomerang
6. PNG Fish Marketing Corporation Pty Ltd.	20 tonnes	Miss Boomerang
7. Pantaval Pty. Ltd.	6 tonnes	Not Yet Determined
8. Mullins Bay Marine Pty. Ltd.	6 tonnes	Apera No. 1 Apera No. 2 Makau No. 1 Makau No. 2
9. Associated Management Services Pty. Ltd.	6 tonnes	Apera No. 1 Apera No. 2 Makau No. 1 Makau No. 2
10. Gulf Marine Pty. Ltd.	20 tonnes	Apera No. 1 Apera No. 2 Makau No. 1 Makau No. 2

SCHEDULE 2

1. Each exempted person shall make or cause to be made application for and (as a condition precedent to the taking of prohibited species by the prohibited methods or equipment as specified in Clause 2 of this notice) obtain the grant under the *Fisheries Act* (Chapter 214) of such licenses to engage in fishing, licenses to use the exempted vessels for fishing and licenses to use the exempted vessels as factory ships as are necessary.

2. Each such grant to license shall make reference to and be limited in accordance with the exemption specified in Clause 2 of this notice and the conditions specified in this Schedule.

3. Each licensee shall be limited to the catching on behalf of a designated exempted person or persons of the whole or designated parts of the quota of the prohibited species of such designated person or persons as specified in the license and shall immediately return to the sea any quantity of the prohibited species in excess of the same.

4. A licensee may transship prohibited species at sea from one exempted vessel to another exempted vessel of such licensee provided the prior approval of the Chief Fisheries Inspector is first obtained.

5. An exempted vessel is permitted to land either packed or unpacked prohibited species on shore at the premises of a processor being one of the processors designed by the Director of Fisheries and identified in the license.

6. No final product may be carried on aboard an exempted vessel.

7. An exempted vessel may on the written authority of the processor specified in the licence carry prohibited species for such processor to Port Moresby.

8. Each agreement between an exempted person and the operator or proprietor of an exempted vessel shall provide that the exempted person is to receive not less than 35% of the net proceeds of sale of prohibited species caught for the exempted person by that exempted vessel or otherwise be on terms approved by the Director of Fisheries.

9. Each exempted person shall cause all final packaging of prohibited species to be in cartons of standard size and design as determined and advised to such exempted person by the Director of Fisheries and supplied by F.M.C.

10. All marketing of prohibited species shall be undertaken by F.M.C. as broker for the exempted persons on such terms as the Director of Fisheries shall determine and advise the exempted persons.

11. In these conditions "F.M.C." means Papua New Guinea Fish Marketing Corporation Pty. Limited, a company incorporated in the Independent State of Papua New Guinea and having its Registered office at the Office of the Secretary of the Department of Primary Industry, P.O. Box 417, Konedobu.

Dated this 19th day of September, 1983.

B. HOLLOWAY,
Minister for Primary Industry.