

*Torres Strait Fisheries Act 1984*

**Fisheries Management Notice No. 76**

**TORRES STRAIT TROCHUS FISHERY**

**PROHIBITIONS RELATING TO THE TAKING, PROCESSING AND  
CARRYING OF TROCHUS  
(GEAR AND SIZE RESTRICTIONS)**

The Protected Zone Joint Authority, acting in accordance with the powers conferred on the Authority by paragraph 35(1)(a) of the *Torres Strait Fisheries Act 1984*, and the Minister in accordance with the powers under section 16 of the *Torres Strait Fisheries Act 1984*, makes the following notice.

Dated this 28th day of November 2005



**IAN MACDONALD**

**Minister for Fisheries, Forestry and Conservation and member and Chair of the  
Protected Zone Joint Authority.**

**CITATION**

1. This Notice may be cited as Torres Strait Fisheries Management Notice No. 76.

**COMMENCEMENT**

2. This Notice commences on *Gazetted*.

**THIS NOTICE TO APPLY WITH OTHER NOTICES**

3. This Notice applies in conjunction with any other Notice in force in the area of the Torres Strait Trochus Fishery.

**REVOCATION OF FISHERIES MANAGEMENT NOTICE NO 52**

4. Fisheries Management Notice No. 52 dated 29 March 1999 is revoked.

#### **INTERPRETATION**

5.1 In this Notice:

- (a) "the Act" means the *Torres Strait Fisheries Act 1984*;
- (b) "trochus" means fish of the species *Trochus niloticus*; and
- (c) "underwater breathing apparatus" means any apparatus that delivers air or other breathing gas to a person.

5.2 Terms used but not defined in this Notice have the same meaning as in the Act and the *Torres Strait Fisheries Regulations*.

#### **PROHIBITION (GENERAL)**

6. Pursuant to paragraph 16(1)(a) of the Act, the taking, processing or carrying of trochus in the area of the Trochus Fishery is prohibited.

#### **EXEMPTIONS FROM PROHIBITION**

7. Pursuant to paragraph 16(1A)(d) of the Act, a person is exempt from the prohibition in paragraph 6 if:

- (a) the person holds a licence granted under either subsection 19(2) or 19(3) of the Act that entitles that person to take, process or carry trochus; or
- (b) the person takes, processes or carries trochus in the course of traditional fishing.

#### **GEAR RESTRICTIONS**

8. Pursuant to paragraph 16(1)(c) of the Act, the taking of trochus in the area of the Trochus Fishery is prohibited except if collected by hand and without the use of any underwater breathing apparatus.

#### **SIZE LIMIT**

9. Pursuant to paragraph 16(1)(b)(ii) of the Act, the taking of trochus is prohibited if the trochus, when measured in their original form as fished, are less than 80 millimetres or more than 125 millimetres, at the widest part of the base of the shell.

#### **EXEMPTION FROM SIZE LIMIT**

10. A person is exempt from the prohibition in paragraph 9 if that person is engaged in traditional fishing.

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