

FISHERIES (OCEAN FISHERY VESSEL MONITORING) NOTICE 2024

- 1. Title**

This Notice may be cited as the Fisheries (Ocean Fishery Vessel Monitoring) Notice 2024.
 - 2. Objectives**

The objective of this Notice is to prohibit the use of a boat under an Ocean Fishery Access Licence unless it has a vessel monitoring system installed and operating.
 - 3. Authorising provision**

This Notice is made under sections 114 and 152 of the Act.
 - 4. Commencement**

This Notice comes into operation on 1 December 2024.
 - 5. Definitions**

In this Fisheries Notice –
relevant licence means an Ocean Fishery Access Licence;
the Act means the **Fisheries Act 1995**;
the Regulations means the Fisheries Regulations 2019;
use includes assist in the use of;
VFA means the Victorian Fisheries Authority established under the **Victorian Fisheries Authority Act 2016**.
 - 6. Requirement for vessel monitoring system**
 - (1) For the purposes of section 114 of the Act, the use of a boat on any Victorian waters by the holder of a relevant licence to engage in any fishing activity authorised by the licence is prohibited unless there is installed in any boat used under the licence to engage in those activities a vessel monitoring system that complies with the conditions for the use of the system set out in Subdivision 1 of Division 2 of Part 17 of the Fisheries Regulations 2019, as if a reference to a responsible person includes a reference to the holder of the licence.

Note: Contravention of this prohibition is an offence under section 114(3) of the Act.
 - (2) Sub-clause (1) does not apply to a tender boat.
 - 7. Exemption**
 - (1) The VFA may exempt the holder of a relevant licence from the requirement to have a vessel monitoring system installed in a boat if the VFA considers it necessary or reasonable in the circumstances of a particular case to do so.
 - (2) In granting an exemption, the VFA may impose conditions on the exemption that the VFA considers appropriate.
 - (3) In granting an exemption the VFA must specify –
 - (a) the period during which the exemption applies; and
 - (b) the circumstances in which the exemption applies; and
 - (c) any other condition which applies to the exemption.
 - 8. Application to Fisheries Reserves**

For the purposes of section 152(4) of the Act, this notice applies to all Fisheries Reserves.
 - 9. Revocation**

In accordance with section 152(5)(e) of the Act, unless sooner revoked, this Notice is revoked on the day which is 12 months from the date in which it comes into operation.
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