

Fisheries Act 1995

FISHERIES NOTICE 2021

I, Travis Dowling, Chief Executive Officer of the Victorian Fisheries Authority, as delegate of the Minister for Fishing and Boating and having undertaken consultation in accordance with Section 3A of the *Fisheries Act 1995* (the Act), make the following Fisheries Notice under Section 152 of the Act:

Dated: 29/12/2021



Travis Dowling
Chief Executive Officer
Victorian Fisheries Authority

FISHERIES (RECREATIONAL ABALONE OPEN DAYS) NOTICE 2021

1. Title

This Notice may be cited as the Fisheries (Recreational Abalone Open Days) Notice 2021

2. Objective

The objective of this Notice is to specify open days during the 12-month period from 16 November 2021 when recreational fishing for abalone is permitted in central Victorian waters.

3. Authorising provision

This Notice is made under section 152(1)(b) of the Act.

4. Commencement

This Notice comes into operation on the day it is published in the *Victoria Government Gazette* and the Victorian Fisheries Authority website.

5. Definitions

The *Fisheries Regulations 2019* (the Regulations) define “central Victorian waters” as the marine waters between longitude 143° 27’ 36” East (mouth of the Aire River near Cape Otway) and 145° 53’ 35” East, 38° 50’ 19” South (north-western part of Arch Rock in Venus Bay) where the eastern boundary is a line running due west from the most north-western part of Arch Rock to the seaward limit of State waters.

6. Permitted Recreational Abalone Fishing Days

This Notice prevails over the abalone closed season specified in the table in regulation 237(1) of the Regulations and permits recreational abalone fishing in central Victorian waters on the following days:

Every Saturday and Sunday between 16 November 2021 and 30 April 2022, inclusive.	Every Declared Public Holiday in the State of Victoria between 16 November 2021 and 30 April 2022, inclusive.	25 December 2021 through to the second Sunday in January 2022, inclusive.
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7. Revocation

- (1) The Fisheries (Recreational Abalone Open Days) Notice 2020 is revoked.
- (2) Unless sooner revoked, this Notice will be automatically revoked 12 months after the day on which it comes into operation.

Note: Penalties under this notice are set in accordance with section 152(7)(c) of the Fisheries Act which allow the imposition of penalties not exceeding 50 penalty units for a contravention of an offence under a fisheries notice.

Note: Section 152(3) of the Act provides that if a Fisheries Notice is inconsistent with any regulations, management plan, Ministerial direction, licence or permit, the Fisheries Notice prevails to the extent of the inconsistency.