

Fisheries Act 1995
FISHERIES NOTICE 2023

I, Luke O’Sullivan, Director Fisheries Management, Science, Policy, Licensing and Communications Division of the Victorian Fisheries Authority, as delegate the Minister for Outdoor Recreation and having considered the outcome of 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: 20/12/2023



Luke O’Sullivan

**Director, Fisheries Management, Science, Policy, Licensing and Communications
Victorian Fisheries Authority**

FISHERIES (MACQUARIE PERCH) NOTICE 2023

1. Title

This Notice may be cited as the Fisheries (Macquarie perch) Notice 2023

2. Objectives

The objectives of this Notice is to change the bag limit for Macquarie perch to zero in order to protect Macquarie perch in all waters across Victoria.

3. Authorising provision

This Notice is made under sections 67 and 152 of the Act.

4. Commencement

This Notice comes into operation on the day it is published in the Victorian Government Gazette.

5. Definitions and interpretive provisions

In this Notice –

“*Macquarie perch*“ means *Macquaria australasica*;

“*the Regulations*” means the **Fisheries Regulations 2019**

“*the Act*” means the **Fisheries Act 1995**

6. Taking and possession of Macquarie perch prohibited

(1) For the purposes of section 67(1) of the Act, the taking of Macquarie perch from Victorian waters is prohibited.

(2) For the purposes of section 67(1) of the Act, the possession of Macquarie perch anywhere in Victoria is prohibited.

(3) For the purposes of the Act, the daily catch limit with respect to –

(a) the taking of Macquarie perch from Victorian waters; or

(b) the possession of Macquarie perch anywhere in Victoria –

is 0 Macquarie perch .

Note: There are offences in Sections 68A and 68B of the Act relating to taking or possessing more fish of a species than the catch limit specified in a Fisheries Notice. Various penalties apply.

- (4) Sub-clauses (1), (2) and (3) do not apply to –
 - (a) the Victorian Fisheries Authority or a person acting on behalf of the authority for compliance, fisheries management or research purposes; or
 - (b) a person acting under a general permit that authorises the taking or possession of Macquarie perch who takes or possesses the Macquarie perch in accordance with the permit, the Act and the Regulations.
- (5) Sub-clauses (2) and 3(a) do not apply to a person acting under a licence or permit issued under section 53 of the **Flora and Fauna Guarantee Act 1988** that authorises the keeping of Macquarie perch who possesses the Macquarie perch in accordance with the licence or permit, the Act and the Regulations.

7. **Revocation**

Unless sooner revoked, this Notice will be automatically revoked 12 months after the day on which it comes into operation.

Notes: 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.