

Fisheries Act 1995

FISHERIES NOTICE 2024

I, Travis Dowling, Chief Executive Officer of the Victorian Fisheries Authority, as delegate for the Minister for Outdoor Recreation, having undertaken consultation in accordance with Section 3A of the **Fisheries Act 1995** (the Act), make the following Fisheries Notice under Sections 114 and 152 of the Act:

Date:

Travis Dowling
Chief Executive Officer
Victorian Fisheries Authority

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 objectives of this Notice are 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 –

commercial fishing boat means –

- (a) a boat registered under Part 5 of the *Fisheries Regulations 2019*; or
- (b) a boat that has onboard commercial fishing equipment; or
- (c) a boat used for any one or more of the activities set out in regulation 108(1)(a) to (d).

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), this notice applies to all Fisheries Reserves.

9. Revocation

Unless sooner revoked, this Notice will be revoked on 31 July 2025