



Victoria Government Gazette

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Fisheries Act 1995

FISHERIES (RESTRICTIONS ON FISHING BOATS) NOTICE NO. 12/2004

I, Bob Cameron, Minister for Agriculture, under sections 114 and 152 of the Fisheries Act (the Act) make the following Fisheries Notice:

Dated: 3 June 2004

BOB CAMERON, MP
Minister for Agriculture

FISHERIES (RESTRICTIONS ON FISHING BOATS) NOTICE NO. 12/2004

- 1. Title**

This Notice may be cited as the Fisheries (Restrictions on Fishing Boats) Notice No. 12/2004.
- 2. Objectives**

The objective of this Notice is to prohibit in a specified area the possession or use of fishing boats that are equipped for commercial abalone diving unless the person holds a Victorian commercial fishery access licence to take the abalone in that area. The notice is to further protect stocks of blacklip abalone (*Haliotis rubra*) from illegal take of abalone in the 'eastern abalone zone' of Victoria which includes an area bounded by the Cape Howe Marine National Park.
- 3. Authorising provision**

This Notice is made under sections 114 and 152 (1) (h) of the **Fisheries Act 1995**.
- 4. Commencement**

This Notice comes into operation on the day of gazettal.
- 5. Definitions**

In this notice –
“eastern abalone zone” means all Victorian waters east of longitude 148 degrees east;
“specified boat and equipment” means a boat that is fitted with commercial abalone equipment within the meaning of the **Fisheries Act 1995** for abalone fishing, excluding aqualung and snorkel equipment.
- 6. Prohibition**
 - (1) A person must not within all Victorian waters east of the western boundary of Cape Howe Marine National Park possess or use specified boat and equipment.
 - (2) Clause 6.1 does not apply to a person who holds or is acting on behalf of a person who holds an abalone fishery access licence issued under the **Fisheries Act 1995** which applies to the eastern abalone zone.

Note: A penalty of 100 penalty units (currently \$10,000) or 6 months imprisonment or both applies to this offence under section 114 (3) of the **Fisheries Act 1995**.
- 7. Revocation**

Unless sooner revoked, this Notice will be automatically revoked on 1 May 2005.

SPECIAL

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