



Victoria Government Gazette

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Fisheries Act 1995

FISHERIES (RESTRICTIONS ON FISHING BOATS) NOTICE NO. 3 /2005

I, Bob Cameron, Minister for Agriculture, under sections 114 and 152 of the **Fisheries Act 1995** make the following Fisheries Notice:

Dated 2 May 2005

BOB CAMERON, MP

Minister for Agriculture

FISHERIES (RESTRICTIONS ON FISHING BOATS) NOTICE NO. 3/2005

1. **Title**
This Notice may be cited as the Fisheries (Restrictions on Fishing Boats) Notice No.3 /2005.
2. **Objectives**
The objective of this Notice is to continue 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** ('the Act').
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 Act 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 Act 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 Act.
7. **Revocations**
(1) The Fisheries (Restrictions on Fishing Boats) Notice No.12 2004 is revoked on the day prior to gazettal.
(2) Unless sooner revoked, this Notice will be automatically revoked on 1 May 2006.

SPECIAL

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