



Victoria Government Gazette

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Fisheries Act 1995

FISHERIES NOTICE NO. 14/2011

I, Anthony Hurst, Executive Director Fisheries Victoria and delegate of the Minister for Agriculture and Food Security make the following Fisheries Notice under section 152 of the **Fisheries Act 1995** and after conducting consultation in accordance with section 3A of the Act.

Dated 19 December 2011

ANTHONY HURST
Executive Director Fisheries Victoria

FISHERIES (TUNA) NOTICE NO. 14/2011

- 1. Title**

This Fisheries Notice may be cited as the Fisheries (Tuna) Notice No. 14/2011.
- 2. Purpose**

The purposes of this Fisheries Notice are to amend tuna catch limits and to prohibit filleting or other processing of tuna or possession of processed tuna while at sea.
- 3. Authorising provision**

This Fisheries Notice is made under sections 67 and 152 of the **Fisheries Act 1995**.
- 4. Commencement**

This Fisheries Notice comes into operation following its publication in the Victoria Government Gazette and in a newspaper circulating in the area affected by this notice.
- 5. Definitions**

In this Fisheries Notice:

 - ‘the Act’** means the **Fisheries Act 1995**
 - ‘the Regulations’** means the Fisheries Regulations 2009
 - ‘tuna’** means, unless otherwise specified, species of the scombrid genus *Thunnus*, including albacore, southern bluefin tuna, yellowfin tuna and big eye tuna
 - ‘carcass’** means the body of a fish which is not cut or mutilated in any manner other than to remove the gut or gills or scale the fish.
- 6. Amendment to catch limits for southern blue, yellowfin and big eye tuna**

Despite the Table in Regulation 124(1) of the Regulations, the daily limit for the taking of tuna (including southern bluefin, yellowfin or big eye) from Victorian waters, and the limit for possession of tuna (including southern bluefin, yellowfin or big eye) in, on or next to Victorian waters, is two fish per person.

Note: It is an offence under section 68A(3) of the Act to fail to comply with this prohibition. A maximum penalty of 20 penalty units applies.
- 7. Prohibition on processing of tuna while in or on Victorian waters**
 - (1) For the purposes of section 67 of the Act, the processing of tuna in or on Victorian waters is prohibited.
 - (2) Despite sub-clause (1) a person may remove the gut or gills or scale the fish.

Note: It is an offence under section 67(3) of the Act to fail to comply with this prohibition. A maximum penalty of 100 penalty units or 6 months imprisonment or both applies.

SPECIAL

8. Prohibition on possession or landing of tuna other than whole or in the form of a carcass

For the purposes of section 67 of the Act,

- (1) the possession of tuna in or on any Victorian waters; or
- (2) the landing of tuna –

in any form other than whole or in the form of a carcass is prohibited.

Note: It is an offence under section 67(3) of the Act to fail to comply with this prohibition. A maximum penalty of 100 penalty units or 6 months imprisonment or both applies.

9. Fisheries Reserves

For the purposes of section 152(4) of the Act, this notice applies to any fisheries reserve.

10. Exemption

This notice does not apply to the holder of a fishing concession authorising the possession of tuna under a Commonwealth Act.

11. Revocation

Unless sooner revoked, this Fisheries Notice will be automatically revoked twelve months after the day on which it commenced.

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