



Victoria Government Gazette

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Fisheries Act 1995

FISHERIES NOTICE NO. 5/2014

I, Mark Edwards, Acting Executive Director Fisheries Victoria, as delegate of the Minister for Agriculture and Food Security 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 17 April 2014

MARK EDWARDS
A/Executive Director Fisheries Victoria

FISHERIES (MURRAY SPINY FRESHWATER CRAYFISH) NOTICE NO. 5/2014

1. Title

This Notice may be cited as the Fisheries (Murray Spiny Freshwater Crayfish) Notice No. 5/2014.

2. Objectives

The objectives of this Notice are to extend the closed season in prescribed waters, increase the minimum legal size, set a maximum legal size, reduce the catch limit and impose a state-wide possession limit for recreational Murray spiny crayfish fishing in Victorian inland waters.

This Fisheries Notice supersedes the Fisheries (Murray Spiny Freshwater Crayfish) Notice No. 7/2013.

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 Victoria Government Gazette.

5. Definitions

In this Notice –

‘**Murray spiny freshwater crayfish**’ means *Euastacus armatus*;

‘**prescribed waters**’ means all Victorian waters north of the Great Dividing Range;

‘**the Act**’ means the **Fisheries Act 1995**.

6. Closed season and prohibition for Murray spiny freshwater crayfish

(1) For the purposes of section 67 of the Act, the closed season for the taking of Murray spiny freshwater crayfish in prescribed waters is 1 September to 31 May (inclusive) in the next year following.

(2) For the purposes of section 67 of the Act,

- (a) the taking of Murray spiny freshwater crayfish from prescribed waters; or
- (b) the possession of Murray spiny freshwater crayfish in, on or next to prescribed waters; or
- (c) the use of any fishing equipment in, on or next to prescribed waters to take or attempt to take Murray spiny freshwater crayfish –

during the closed season specified in sub-clause (1) is prohibited.

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

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7. Size limits

For the purposes of the Act –

- (a) the minimum size for Murray spiny freshwater crayfish is 10 centimetres; and
- (b) the maximum size for Murray spiny freshwater crayfish is 12 centimetres.

Note:

- (1) There are offences in sections 68A and 68B of the Act relating to taking or possessing fish of a species that are less than the minimum size or more than the maximum size specified for that species of fish in a Fisheries Notice. Various penalties apply.
- (2) Regulation 122(1)(e) of the Fisheries Regulations 2009 prescribes the method for measuring spiny freshwater crayfish.

8. Catch and possession limits

For the purposes of the Act, the catch limit with respect to –

- (a) the taking of Murray spiny freshwater crayfish is 2 crayfish; or
- (b) the possession of Murray spiny freshwater crayfish anywhere in Victoria is 4 crayfish.

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.

9. Revocation

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

Note: 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.

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