



Queensland

Fisheries (Vessel Tracking) Amendment Regulation 2018

Subordinate Legislation 2018 No. 179

made under the

Fisheries Act 1994

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1 Short title

This regulation may be cited as the *Fisheries (Vessel Tracking) Amendment Regulation 2018*.

2 Commencement

This regulation commences on 1 January 2019.

3 Regulation amended

This regulation amends the *Fisheries Regulation 2008*.

Note—

See also the amendments in schedule 1.

4 Amendment of s 242 (General conditions of a commercial fisher licence)

Section 242—

insert—

- (8) Subsection (9) applies to a commercial fisher using a commercial fishing boat under a commercial fishing boat licence if, under this regulation, the holder of the commercial fishing boat licence must ensure VMS equipment is installed and maintained on the boat in compliance with the vessel tracking standard.
- (9) The commercial fisher must ensure VMS equipment is installed and maintained on the commercial fishing boat in compliance with the vessel tracking standard.

5 Insertion of new s 400A

After section 400—

insert—

400A Compliance with vessel tracking standard

The licence holder or person in control of a boat identified in or being used under the licence must ensure VMS equipment is installed and maintained on the boat in compliance with the vessel tracking standard.

6 Insertion of new s 408A

After section 408—

insert—

408A Compliance with vessel tracking standard

The licence holder or person in control of a boat identified in or being used under the licence must ensure VMS equipment is installed and maintained on the boat in compliance with the vessel tracking standard.

7 Insertion of new s 417

After section 416—

insert—

417 Compliance with vessel tracking standard

The licence holder or person in control of a boat identified in or being used under the licence must ensure VMS equipment is installed and maintained on the boat in compliance with the vessel tracking standard.

8 Insertion of new s 434A

After section 434—

insert—

434A Compliance with vessel tracking standard

The licence holder or person in control of a boat identified in or being used under the licence must

ensure VMS equipment is installed and maintained on the boat in compliance with the vessel tracking standard.

9 Insertion of new s 467A

After section 467—

insert—

467A Compliance with vessel tracking standard

The licence holder or person in control of a boat identified in or being used under the licence must ensure VMS equipment is installed and maintained on the boat in compliance with the vessel tracking standard.

10 Insertion of new s 492A

After section 492—

insert—

492A Compliance with vessel tracking standard

The licence holder or person in control of a boat identified in or being used under the licence must ensure VMS equipment is installed and maintained on the boat in compliance with the vessel tracking standard.

11 Insertion of new s 507AA

After section 507—

insert—

507AA Compliance with vessel tracking standard

The licence holder or person in control of a boat identified in or being used under the licence must ensure VMS equipment is installed and maintained on the boat in compliance with the vessel tracking standard.

[s 12]

12 Insertion of new s 507P

After section 507O—

insert—

507P Compliance with vessel tracking standard

The licence holder or person in control of a boat identified in or being used under the licence must ensure VMS equipment is installed and maintained on the boat in compliance with the vessel tracking standard.

13 Replacement of s 521 (VMS equipment requirements)

Section 521—

omit, insert—

521 Compliance with vessel tracking standard

The licence holder or person in control of a boat identified in or being used under the licence must ensure VMS equipment is installed and maintained on the boat in compliance with the vessel tracking standard.

14 Insertion of new s 525G

After section 525F—

insert—

525G Compliance with vessel tracking standard

The licence holder or person in control of a boat identified in or being used under the licence must ensure VMS equipment is installed and maintained on the boat in compliance with the vessel tracking standard.

15 Insertion of new s 535B

After section 535A—

insert—

535B Compliance with vessel tracking standard

The licence holder or person in control of a boat identified in or being used under the licence must ensure VMS equipment is installed and maintained on the boat in compliance with the vessel tracking standard.

16 Replacement of s 544 (VMS equipment requirements apply)

Section 544—

omit, insert—

544 Compliance with vessel tracking standard

The licence holder or person in control of a boat identified in or being used under the licence must ensure VMS equipment is installed and maintained on the boat in compliance with the vessel tracking standard.

17 Replacement of s 545L (VMS equipment requirements apply)

Section 545L—

omit, insert—

545L Compliance with vessel tracking standard

The licence holder or person in control of a boat identified in or being used under the licence must ensure VMS equipment is installed and maintained on the boat in compliance with the vessel tracking standard.

18 Insertion of new s 555

After section 554—

insert—

555 Compliance with vessel tracking standard

The licence holder or person in control of a boat identified in or being used under the licence must ensure VMS equipment is installed and maintained on the boat in compliance with the vessel tracking standard.

19 Insertion of new s 591KA

After section 591K—

insert—

591KA Compliance with vessel tracking standard

The licence holder or person in control of a boat identified in or being used under the licence must ensure VMS equipment is installed and maintained on the boat in compliance with the vessel tracking standard.

20 Insertion of new s 600AA

After section 600—

insert—

600AA Compliance with vessel tracking standard

The licence holder or person in control of a boat identified in or being used under the licence must ensure VMS equipment is installed and maintained on the boat in compliance with the vessel tracking standard.

21 Insertion of new s 600MA

After section 600M—

insert—

600MA Compliance with vessel tracking standard

The licence holder or person in control of a boat identified in or being used under the licence must

ensure VMS equipment is installed and maintained on the boat in compliance with the vessel tracking standard.

22 Insertion of new s 600ZI

After section 600ZH—

insert—

600ZI Compliance with vessel tracking standard

The licence holder or person in control of a boat identified in or being used under the licence must ensure VMS equipment is installed and maintained on the boat in compliance with the vessel tracking standard.

23 Amendment of s 675 (Purpose and application of pt 7)

Section 675—

insert—

- (3) To remove any doubt, it is declared that the VMS equipment requirements do not apply to a person who must, under a condition of a licence, install and maintain VMS equipment in compliance with the vessel tracking standard.

24 Amendment of sch 11 (Dictionary)

- (1) Schedule 11, part 2—

insert—

published, on the department's website, means published on, or accessible through, the website.

vessel tracking standard means the document called 'Vessel tracking installation and maintenance standard' published on the department's website.

[s 24]

- (2) Schedule 11, part 2, definition *freshwater basins map*, editor's note—

omit, insert—

Note—

The freshwater basins map is available for inspection during office hours on business days at the department's head office.

Schedule 1 Minor amendments

section 3

1 Section 27, note 1, ‘available for inspection’—

omit, insert—

published

2 Section 28(2)—

omit, insert—

(2) Fisheries regulated waters plans are held by the chief executive and copies of the plans are—

(a) available for inspection, free of charge, during office hours on business days at the department's head office; and

(b) published on the department's website.

3 Section 615(2)—

omit, insert—

(2) Copies of fish habitat area plans are—

(a) available for inspection, free of charge, during office hours on business days at the department's head office; and

(b) published on the department's website.

4 Section 621(4), definition *fish habitat area code of practice*, ‘by the department’—

omit, insert—

on the department's website

5 Section 621(4), definition *fish habitat area code of practice*, editor's note—

omit, insert—

Note—

The code is also available for inspection during office hours on business days at the department's head office.

6 Section 677(c), 'by the department'—

omit, insert—

on the department's website

7 Section 677(c), note—

omit, insert—

Note—

The document is also available for inspection during office hours on business days at the department's head office.

8 Schedule 11, part 2, definition *prescribed commercial catch*, paragraph (b), examples, after 'notice'—

insert—

published

ENDNOTES

- 1 Made by the Governor in Council on 8 November 2018.
- 2 Notified on the Queensland legislation website on 9 November 2018.
- 3 The administering agency is the Department of Agriculture and Fisheries.

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