



Queensland

Fisheries (General) (Vessel Tracking) Amendment Regulation 2019

Subordinate Legislation 2019 No. 180

made under the

Fisheries Act 1994

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[s 1]

1 Short title

This regulation may be cited as the *Fisheries (General) (Vessel Tracking) Amendment Regulation 2019*.

2 Commencement

This regulation commences on 1 January 2020.

3 Regulation amended

This regulation amends the *Fisheries (General) Regulation 2019*.

4 Amendment of s 83 (Authorities and boats in relation to which requirements apply)

Section 83(1)(a) to (g)—

omit, insert—

- ‘A1’ or ‘A2’
- ‘B1’
- ‘C1’, ‘C2’ or ‘C3’
- ‘D’
- ‘J1’
- ‘K1’, ‘K2’, ‘K3’, ‘K4’, ‘K5’, ‘K6’, ‘K7’ or ‘K8’
- ‘L1’, ‘L2’, ‘L3’, ‘L4’ or ‘L8’
- ‘M1’ or ‘M2’
- ‘N1’, ‘N2’, ‘N3’, ‘N4’, ‘N10’, ‘N11’, ‘N12’ or ‘N13’
- ‘R’
- ‘T1’, ‘T2’, ‘T4’, ‘T5’, ‘T6’, ‘T7’, ‘T8’ or ‘T9’.

5 Amendment of s 85 (Periods during which equipment must be working properly)

(1) Section 85(1), after ‘subsection (2)’—

insert—

or (3)

(2) Section 85(2), ‘The’—

omit, insert—

If the relevant boat is a boat other than a tender boat, the

(3) Section 85—

insert—

(3) If the relevant boat is a tender boat, the period the relevant boat is used under the authority starts and ends at the same times as the start and end of the period the tender boat’s primary boat is used under the authority.

6 Amendment of s 86 (Purpose and application of division)

Section 86(2)—

omit, insert—

(2) The requirements are—

(a) if the relevant boat is a boat other than a tender boat—

(i) the holder of the relevant authority, or another person acting under the authority, has given the chief executive a boat communication notice under subdivision 2 for the boat; and

(ii) subdivision 3 is complied with; and

(b) if the relevant boat is a tender boat—
subdivision 4 is complied with.

[s 7]

7 Insertion of new s 89A

Before section 90—

insert—

89A Application of subdivision

This subdivision applies if the relevant boat is a boat other than a tender boat.

8 Amendment of ch 4, pt 1, div 3, sdiv 3, hdg (Manual reporting and landing requirements)

Chapter 4, part 1, division 3, subdivision 3, heading, after ‘requirements’—

insert—

for boats other than tender boats

9 Amendment of s 92 (Application of subdivision)

Section 92, after ‘relevant boat’—

insert—

, other than a tender boat,

10 Amendment of s 96 (Further requirement if relevant boat taken to landing place)

Section 96(2) and (3)—

omit, insert—

- (2) The person in control of the boat must not cause or allow the boat to be used for fishing unless the chief executive has given the person a notice that the approved vessel tracking equipment is in a condition that allows it to work properly.

11 Insertion of new ch 4, pt 1, div 3, sdiv 4

After section 96—

insert—

Subdivision 4 Requirements for tender boats

96A Application of subdivision

This subdivision applies if the person in control of a relevant boat that is a tender boat being used under a relevant authority during a relevant period becomes aware of a malfunction of approved vessel tracking equipment installed on the boat.

96B Requirement to stop fishing

- (1) The person in control of the relevant boat must—
 - (a) stop the use of fishing apparatus from the boat; and
 - (b) attach the boat to its primary boat; and
 - (c) ensure the boat remains attached to its primary boat, and is not used for fishing, for the remaining part of the relevant period.
- (2) Subsection (1)(c) stops applying to the person if the chief executive gives the person a notice that the approved vessel tracking equipment is in a condition that allows it to work properly.

ENDNOTES

- 1 Made by the Governor in Council on 29 August 2019.
- 2 Notified on the Queensland legislation website on 30 August 2019.
- 3 The administering agency is the Department of Agriculture and Fisheries.

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