

FI302*

Pearling Act 1990

Pearling (General) Amendment Regulations 2002

Made by the deputy of the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Pearling (General) Amendment Regulations 2002*.

2. The regulations amended

The amendments in these regulations are to the *Pearling (General) Regulations 1991**.

[* Reprinted 26 April 2000.

For amendments to 19 August 2002 see Gazette
28 June 2002.]

3. Regulation 9 amended

Regulation 9 is amended as follows:

- (a) before “An” by inserting the subregulation designation “(1)”;
- (b) by deleting “An application” and inserting instead —
“ A request ”;
- (c) after “Act for” by inserting —
“ the approval of ”;

- (d) at the end of the regulation by inserting the following subregulations —

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- (2) A request for the approval of a transfer (an “**approved transfer**”) under section 32(5) of the Act of part, or all, of a quota (the “**approved quota**”) may be made in relation to a permanent or temporary approved transfer, but the request can be made only if the holder of the licence from which part, or all, of the quota is to be transferred —
- (a) has paid any outstanding fee for the issue or renewal of the licence (including any instalments that are not yet due); and
 - (b) has returned to an inspector any tags issued in relation to the approved quota.
- (3) On an approved transfer taking place, the conditions of the licence from which, and of the licence to which, the approved quota is transferred are varied as specified by the Executive Director by notice in writing served on the holder of the licence.
- (4) Without limiting subregulation (3), a notice under that subregulation to the holder of a licence is to specify the variation in the quota that applies to the licence as a result of the approved transfer.
- (5) In the case of a temporary approved transfer, any variation under subregulation (3) to the conditions of a licence ceases to have effect on the expiry of the period during which the approved transfer has effect.

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4. **Regulation 11 amended**

Regulation 11 is amended as follows:

- (a) before “A” by inserting the subregulation designation “(1)”;
- (b) at the end of the regulation by inserting the following subregulation —

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- (2) Within 14 days after part, or all, of a quota is transferred under section 32(5) of the Act, the holder of the licence from which, and the holder of the licence to which, part, or all, of the quota is transferred are each to complete a new notice of intent and lodge it with an inspector.

Penalty: \$2 000.

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By Command of the deputy of the Governor,

ROD SPENCER, Clerk of the Executive Council.