Fish Resources Management Amendment Regulations 1999

Made by the Governor in Executive Council.

1. Citation
   These regulations may be cited as the Fish Resources Management Amendment Regulations 1999.

2. Regulations amended
   These regulations amend the Fish Resources Management Regulations 1995*.
   [* Published in Gazette 29 September 1995, pp. 4503-646. For amendments to 3 March 1999 see 1997 Index to Legislation of Western Australia, Table 4, pp. 82-3, and Gazette 2 and 9 January, 19 June, 7 July and 25 September 1998 and 15 January 1999.]

3. Regulation 105A inserted
   After regulation 105 the following regulation is inserted —

105A. Aircraft
   (1) A person ("the operator") who owns or operates an aircraft must not cause or permit any person —
       (a) to enter the reserve by means of the aircraft; or
       (b) to use the aircraft in the reserve,
       unless the operator has been given written authority by the Minister.
       Penalty: $10 000.

   (2) An application for an authority under subregulation (1) —
       (a) is to be made to the Executive Director in a form approved for that purpose by the Executive Director;
(b) is to be accompanied by the fee set out in item 20 of Part 2 of Schedule 1; and

(c) is to be lodged at the Department’s Geraldton office.

(3) An authority has effect for the period, and is subject to the conditions, specified in the authority by the Minister.

(4) The Minister may vary or cancel a condition specified in an authority by notice in writing given to the holder of the authority.

(5) The Minister may vary or cancel an authority by notice in writing given to the holder of the authority.

(6) A person who holds an authority must not contravene a condition specified in the authority.

Penalty: $10 000.

4. Regulation 181 amended

Regulation 181 is amended by deleting “reduction or waiver” and inserting instead —

“ reduction, waiver or refund, in whole or in part. ”.

5. Schedule 1 amended

Part 2 of Schedule 1 is amended by inserting after item 19 the following item —

20. Authority to land or use aircraft in reserve (reg. 105A) .................... 100

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.