

FISHERIES

FI301

FISHERIES ACT 1905

FISHERIES AMENDMENT REGULATIONS (NO. 6) 1991

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Fisheries Amendment Regulations (No. 6) 1991*.

Principal regulations

2. In these regulations the *Fisheries Regulations 1938** are referred to as the principal regulations.

[* Reprinted as at 15 September 1988.
For amendments to 25 September 1991 see 1990 Index to
Legislation of Western Australia, pp.239.40 and Gazettes of
28 March, 17 May and 28 June 1991.]

Regulation 3A amended

3. Regulation 3A of the principal regulations is amended —
 - (a) in subregulation (1) (c) by deleting “set out in the Table to this regulation” and substituting the following —

“ prescribed in item 2A of the Schedule ”; and
 - (b) after subregulation (4) by deleting the Table of activities and fees.

Regulation 3C amended

4. Regulation 3C of the principal regulations is amended by deleting subregulation (6) and the Table to that subregulation and substituting the following subregulation —

“ (6) The fees prescribed in item 3A of the Schedule opposite the type of processing establishment specified in that item shall be payable for the grant, renewal or extension of a processor’s licence in respect of the type of processing establishment. ”.

Regulations 3D and 3E amended

5. Regulations 3D (2) and 3E (2) of the principal regulations are amended by deleting “\$24” in each subregulation and substituting in each place the following —

“ the fee prescribed in item 3B of the Schedule ”

and

“ the fee prescribed in item 3C of the Schedule ”

respectively.

Regulation 25 amended

6. Regulation 25 of the principal regulations is amended in subregulation (1) by deleting “and a fee of \$5” and substituting the following —

“ and the fee prescribed in item 20 of the Schedule ”.

Regulation 30 amended

7. Regulation 30 of the principal regulations is amended —

(a) in subregulations (1), (3) and (6) by deleting “the Table to this regulation” in each subregulation and substituting in each place the following —

“ item 21 of the Schedule ”; and

(b) by repealing the Table following subregulation (6).

The Schedule amended

8. The Schedule to the principal regulations is amended —

(a) by inserting after item 2 the following item —

“ 2A. Recreational fisherman’s licence (reg. 3A) —

(a) Taking rock lobster 12

(b) Taking marron 12

(c) Using a set gill net
or hauling gill net 12 ”;

(b) by inserting after item 3 the following items —

“ 3A. Processor’s licence (reg. 3C) —

Types of processing establishments

(a) Processing establishment that
is erected on land and that
is used for processing either
rock lobsters or prawns 430

(b)	Processing establishment that is erected on land and that is used for processing both rock lobsters and prawns	860	
(c)	Processing establishment that is erected on land and that is used for processing any fish including rock lobsters and prawns	1080	
(d)	Processing establishment that is erected on land and that is used for processing any fish including either rock lobsters or prawns	650	
(e)	Processing establishment that is erected on land and that is used for processing any fish other than rock lobsters and prawns	210	
(f)	Seagoing processing establishment that is used solely for processing fish including rock lobsters and prawns taken by it	210	
(g)	Seagoing processing establishment that is used solely for processing fish including rock lobsters and prawns taken by other boats	210	
3B.	Transfer of processor's licence (reg. 3D (2))	24	
3C.	Removal of processor's licence to another establishment (reg. 3E (2))	24	”;

(c) by deleting item 8 and substituting the following item —

“	8.	Abroholos Islands and Mid West Trawl Limited Entry Fishery (reg. 3H) per gear unit (as defined in the <i>Abroholos Islands and Mid West Trawl Limited Entry Fishery Notice 1990*</i>)	170	”;
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(d) in item 19 by deleting “(reg. 4 (2))” and substituting the following —

“ (reg. 4A) ”; and

(e) after item 19 by inserting the following items —

“	20.	Transfer etc. of an exclusive licence (reg. 25 (1))	5
	21.	Licences for fish farming (reg. 30)	
		Type of licence	
	(a)	Development licence	20

- (b) Licence to farm fish and to carry on the business of conducting a fish farm in relation to any species of fish specified on the licence and to sell any of those fish in either or both of the following ways; as is specified in the licence —
- (i) selling the fish of any length to a person who holds a development licence, or a licence to farm fish and to carry on the business of conducting a fish farm, in relation to the species of fish;
 - (ii) selling the fish of at least the length specified in relation to the species of fish in the Second Schedule to the Act 250
- (c) Licence to farm fish and to carry on the business of conducting a fish farm authorizing the holder to sell farm fish of any length to any person 1000
- (d) Licence to process farm fish (wholesale) 175
- (e) Licence to process farm fish (retail) 25
- (f) Licence to sell to a person who holds a development licence, or a licence to farm fish and to carry on the business of conducting a fish farm, in relation to farm fish, only such of the following descriptions of farm fish taken by the holder of this licence from waters on his property as are specified in the licence —
- (i) any length of farm fish 25
 - (ii) farm fish of at least the length specified in relation to the species of fish in the Second Schedule to the Act 200
- (g) Licence to bring into the State from any place outside the State for the purpose of stocking a fish farm and to sell to a person who is the holder of —
- (i) a development licence;

- (ii) a licence to farm fish and
to carry on the business of
conducting a fish farm,

any viable fish or aquatic organism or the
eggs, seeds, spores or other source of
reproduction, young or offspring of any
such fish or aquatic organism 20 ”.

[* *Published in the Gazette of 30 March 1990.
For amendments to 25 September 1991 see Gazettes of 23 March,
12 April and 31 May 1991.*]

By His Excellency's Command,

L. M. AULD, Clerk of the Council.
