

WESTERN AUSTRALIA

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# FISHERIES ADJUSTMENT SCHEMES AMENDMENT ACT

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No. 41 of 1990

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**AN ACT to amend the *Fisheries Adjustment Schemes Act 1987*.**

[Assented to 21 November 1990.]

The Parliament of Western Australia enacts as follows:

## **Short title**

1. This Act may be cited as the *Fisheries Adjustment Schemes Amendment Act 1990*.

## **Commencement**

2. This Act shall come into operation on such day as is fixed by proclamation.

### Principal Act

3. In this Act the *Fisheries Adjustment Schemes Act 1987\** is referred to as the principal Act.

[\*Act No. 57 of 1987.]

### Section 4 amended

4. Section 4 of the principal Act is amended—

(a) in subsection (1)—

(i) by deleting “a fishery” and substituting the following—

“ one or more fisheries ”; and

(ii) by inserting after “that fishery”, wherever it occurs, the following—

“ or those fisheries ”;

(b) in subsection (4)—

(i) by inserting after “adjustment scheme” the following—

“ which relates to more than one fishery ”; and

(ii) by deleting “Fishing Industry News Service (FINS)” and substituting the following—

“ the publication known as “Western Fisheries” ”;

and

(c) in subsection (6) by deleting “Fisheries Adjustment Schemes Trust”.

**Section 5 amended**

5. Section 5 of the principal Act is amended in subsection (2) (a) by deleting “amount of levies” and substituting the following—

“ fees ”.

**Section 8 amended**

6. Section 8 of the principal Act is amended—

(a) in subsection (1) by deleting “levy” and substituting the following—

“ fee ”;

(b) by inserting after subsection (1) the following subsection—

“ (1a) A holder of a licence who is liable to pay a fee under subsection (1) in respect of a single fishery shall not—

(a) engage in fishing; or

(b) use the fishing unit to which the fisheries adjustment scheme relates,

in the particular fishery to which the fisheries adjustment scheme relates unless—

(c) the fee has been paid; or

(d) written permission has been obtained from the Director.

Penalty: \$20 000. ”;

(c) in subsection (2) by deleting “levy” wherever it occurs and substituting in each place the following—

“ fee ”;

(d) in subsection (3) by deleting “levy” and substituting the following—

“ the fee ”;

(e) in subsection (4)—

(i) by deleting “An amount of levy” and substituting the following—

“ A fee ”; and

(ii) by deleting “amounts of levy” and substituting the following—

“ fees ”;

and

(f) in subsection (5) by deleting “levy” and substituting the following—

“ fee ”.

### **Section 9 amended**

7. Section 9 of the principal Act is amended in paragraph (b) by deleting “levies” and substituting the following—

“ fees ”.

### **Section 11 amended**

8. Section 11 of the principal Act is amended—

(a) in subsection (1) by deleting “a particular fishery, the Minister may” and substituting the following—

“ one or more fisheries, the Minister shall ”;

(b) in subsection (2) (a) by inserting after “fishery” the following—

“ or fisheries ”; and

(c) in subsection (3) (b) by inserting after “fishery” the following—

“ or fisheries ”.

**Section 13 amended**

9. Section 13 of the principal Act is amended by deleting “fees” and substituting the following—

“ remuneration ”.

**Section 15 amended**

10. Section 15 of the principal Act is amended in subsection (2) by deleting “in response to a requirement under that subsection or furnishes information” and substituting the following—

“ or, in response to a requirement under that subsection, furnishes information ”.

**Section 16 amended**

11. Section 16 of the principal Act is amended by deleting “levy” and substituting the following—

“ fee ”.

**Section 17 amended**

12. Section 17 of the principal Act is amended by deleting “to any levy” and substituting the following—

“ for any fee ”.

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