



Western Australia

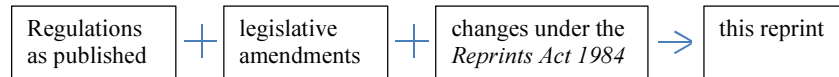
Fisheries Adjustment Schemes Act 1987

# **Fisheries Adjustment Schemes Regulations 2009**

**Reprint 1: The regulations as at 10 March 2017**

## Guide for using this reprint

### *What the reprint includes*



### *Endnotes, Compilation table, and Table of provisions that have not come into operation*

1. Details about the original regulations and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Transitional, savings, modifying or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the regulations being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

### *Notes amongst text (italicised and within square brackets)*

1. If the reprint includes a regulation that was inserted, or has been amended, since the regulations being reprinted were made, editorial notes at the foot of the regulation give some history of how the regulation came to be as it is. If the regulation replaced an earlier regulation, no history of the earlier regulation is given (the full history of the regulations is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
  - removed (because it was repealed or deleted from the law); or
  - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

### *Reprint numbering and date*

1. The reprint number (in the footer of each page of the document) shows how many times the regulations have been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3<sup>rd</sup> reprint since the regulations were published. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the regulations are reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

Western Australia

## Fisheries Adjustment Schemes Regulations 2009

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Western Australia

Reprinted under the  
*Reprints Act 1984* as  
at 10 March 2017

Fisheries Adjustment Schemes Act 1987

## **Fisheries Adjustment Schemes Regulations 2009**

### **Part 1 — Preliminary**

*[Heading inserted in Gazette 12 Feb 2010 p. 589.]*

#### **1. Citation**

These regulations are the *Fisheries Adjustment Schemes Regulations 2009*<sup>1</sup>.

#### **2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*<sup>1</sup>;
- (b) the rest of the regulations — on the day after that day.

## **Part 2 — Abrolhos Islands Fishery**

*[Heading inserted in Gazette 12 Feb 2010 p. 589.]*

### **3. Terms used**

In this Part —

***Abrolhos Islands Fishery*** means the Fishery as defined in the Abrolhos Islands Notice clause 2;

***Abrolhos Islands Notice*** means the *Abrolhos Islands and Mid West Trawl Managed Fishery Voluntary Fisheries Adjustment Scheme Notice 2009* as amended by the *Abrolhos Islands and Mid West Trawl Managed Fishery Voluntary Fisheries Adjustment Scheme Amendment Notice 2010* and the *Abrolhos Islands and Mid West Trawl Managed Fishery Voluntary Fisheries Adjustment Scheme Amendment Notice 2015*;

***Abrolhos Islands Voluntary Scheme*** means the voluntary fisheries adjustment scheme established by the Abrolhos Islands Notice clause 3;

***authorisation*** means an authorisation that authorises fishing in the Abrolhos Islands Fishery.

*[Regulation 3 amended in Gazette 12 Feb 2010 p. 589; 5 Jul 2011 p. 2823; 22 Jan 2016 p. 197.]*

### **4. Fee under section 8 of Act imposed**

For the purposes of the Abrolhos Islands Voluntary Scheme the following fees are imposed in respect of each authorisation —

- (a) a fee of \$123 459 for payment due on 1 March 2016;
- (b) a fee of \$123 467 for payments due on 1 March 2017 and 1 March 2018;
- (c) a fee of \$284 872 for payment due on 1 March 2019;
- (d) a fee of \$176 837 for payments due on 1 March 2020 and 1 March 2021;

(e) a fee of \$101 918 for payment due on 1 March 2022.

*[Regulation 4 inserted in Gazette 22 Jan 2016 p. 198.]*

**5. Payments to be made on 1 March**

- (1) The fee referred to in regulation 4(a) is payable on 1 March 2016.
- (2) The fee referred to in regulation 4(b) is payable on 1 March 2017 and 1 March 2018.
- (3) The fee referred to in regulation 4(c) is payable on 1 March 2019.
- (4) The fee referred to in regulation 4(d) is payable on 1 March 2020 and 1 March 2021.
- (5) The fee referred to in regulation 4(e) is payable on 1 March 2022.
- (6) The fee is payable to the CEO at the head office of the Department.

*[Regulation 5 inserted in Gazette 22 Jan 2016 p. 198.]*

*[6. Deleted in Gazette 5 Jul 2011 p. 2824]*

### **Part 3 — Exmouth Gulf Fishery**

*[Heading inserted in Gazette 12 Feb 2010 p. 590.]*

#### **7. Terms used**

In this Part —

**authorisation** means an authorisation that authorises fishing in the Exmouth Gulf Fishery;

**Exmouth Gulf Fishery** means the Fishery as defined in the Exmouth Gulf Notice clause 2;

**Exmouth Gulf Notice** means the *Exmouth Gulf Prawn Managed Fishery Voluntary Fisheries Adjustment Scheme Notice 2009*;

**Exmouth Gulf Voluntary Scheme** means the voluntary fisheries adjustment scheme established by the Exmouth Gulf Notice clause 3.

*[Regulation 7 inserted in Gazette 12 Feb 2010 p. 590.]*

#### **8. Fee under section 8 of Act imposed**

For the purposes of the Exmouth Gulf Voluntary Scheme, a fee of \$21 865.69 is imposed in respect of each authorisation.

*[Regulation 8 inserted in Gazette 12 Feb 2010 p. 590.]*

#### **9. Payments to be made on 14 March for 10 years**

- (1) The fee referred to in regulation 8 is payable annually on 14 March.
- (2) The first payment is due on 14 March 2010, and the final payment is due on 14 March 2019.
- (3) The fee is payable to the CEO at the head office of the Department.

*[Regulation 9 inserted in Gazette 12 Feb 2010 p. 590.]*



## **Part 4 — Shark Bay Prawn Managed Fishery**

*[Heading inserted in Gazette 5 Jul 2011 p. 2824.]*

### **10. Terms used**

In this Part —

**authorisation** means an authorisation that authorises fishing in the Shark Bay Prawn Managed Fishery;

**Shark Bay Prawn Managed Fishery** means the Fishery as defined in the Shark Bay Prawn Managed Fishery Notice clause 2;

**Shark Bay Prawn Managed Fishery Notice** means the *Shark Bay Prawn Managed Fishery Voluntary Fisheries Adjustment Scheme Notice 2010*;

**Shark Bay Prawn Managed Fishery Voluntary Scheme** means the voluntary fisheries adjustment scheme established by the Shark Bay Prawn Managed Fishery Notice clause 3.

*[Regulation 10 inserted in Gazette 5 Jul 2011 p. 2824.]*

### **11. Fee under section 8 of Act imposed**

For the purposes of the Shark Bay Prawn Managed Fishery Voluntary Scheme, a fee of \$215 476 is imposed in respect of each authorisation.

*[Regulation 11 inserted in Gazette 5 Jul 2011 p. 2825; amended in Gazette 13 Jan 2015 p. 248.]*

### **12. Payments to be made on 1 March**

- (1) The fee referred to in regulation 11 is payable annually on 1 March.
- (2) The first payment is due on 1 March 2015, and the final payment is due on 1 March 2021.

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- (3) The fee is payable to the CEO at the head office of the Department.

*[Regulation 12 inserted in Gazette 5 Jul 2011 p. 2825; amended in Gazette 13 Jan 2015 p. 248.]*

## **Part 5 — Shark Bay Scallop Managed Fishery**

*[Heading inserted in Gazette 5 Jul 2011 p. 2825.]*

### **13. Terms used**

In this Part —

***managed fishery licence*** has the meaning given in the Shark Bay Scallop Managed Fishery Notice clause 2;

***Shark Bay Scallop Managed Fishery*** means the Fishery as defined in the Shark Bay Scallop Managed Fishery Notice clause 2;

***Shark Bay Scallop Managed Fishery Notice*** means the *Shark Bay Scallop Managed Fishery Voluntary Fisheries Adjustment Scheme Notice 2010*;

***Shark Bay Scallop Managed Fishery Voluntary Scheme*** means the voluntary fisheries adjustment scheme established by the Shark Bay Scallop Managed Fishery Notice clause 3.

*[Regulation 13 inserted in Gazette 5 Jul 2011 p. 2825.]*

### **14. Fee under section 8 of Act imposed**

For the purposes of the Shark Bay Scallop Managed Fishery Voluntary Scheme the following fees are imposed in respect of each managed fishery licence —

- (a) a fee of \$61 456 for payments due on 1 March of each year from 2015 to 2018;
- (b) a fee of \$128 954 for payment due on 1 March 2019;
- (c) a fee of \$108 159 for payments due on 1 March 2020 and 1 March 2021.

*[Regulation 14 inserted in Gazette 13 Jan 2015 p. 248.]*

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**15. Payments to be made on 1 March**

- (1) The fee referred to in regulation 14(a) is payable annually on 1 March, the first payment being due on 1 March 2015, and the final payment being due on 1 March 2018.
- (2) The fee referred to in regulation 14(b) is payable on 1 March 2019.
- (3) The fee referred to in regulation 14(c) is payable on 1 March 2020 and 1 March 2021.
- (4) The fee is payable to the CEO at the head office of the Department.

*[Regulation 15 inserted in Gazette 13 Jan 2015 p. 249.]*

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**Notes**

- <sup>1</sup> This reprint is a compilation as at 10 March 2017 of the *Fisheries Adjustment Schemes Regulations 2009* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

**Compilation table**

<b>Citation</b>	<b>Gazettal</b>	<b>Commencement</b>
<i>Fisheries Adjustment Schemes Regulations 2009</i>	8 Dec 2009 p. 4992-3	r. 1 and 2: 8 Dec 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 9 Dec 2009 (see r. 2(b))
<i>Fisheries Adjustment Schemes Amendment Regulations 2010</i>	12 Feb 2010 p. 589-90	r. 1 and 2: 12 Feb 2010 (see r. 2(a)); Regulations other than r. 1 and 2: 13 Feb 2010 (see r. 2(b))
<i>Fisheries Adjustment Schemes Amendment Regulations 2011</i>	5 Jul 2011 p. 2823-5	r. 1 and 2: 5 Jul 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 6 Jul 2011 (see r. 2(b))
<i>Fisheries Adjustment Schemes Amendment Regulations 2015</i>	13 Jan 2015 p. 247-9	r. 1 and 2: 13 Jan 2015 (see r. 2(a)); Regulations other than r. 1 and 2: 14 Jan 2015 (see r. 2(b))
<i>Fisheries Adjustment Schemes Amendment Regulations 2016</i>	22 Jan 2016 p. 197-8	r. 1 and 2: 22 Jan 2016 (see r. 2(a)); Regulations other than r. 1 and 2: 23 Jan 2016 (see r. 2(b))

**Reprint 1: The *Fisheries Adjustment Schemes Regulations 2009* as at 10 Mar 2017**  
(includes amendments listed above)

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## **Defined terms**

*[This is a list of terms defined and the provisions where they are defined.*

*The list is not part of the law.]*

<b>Defined term</b>	<b>Provision(s)</b>
Abrolhos Islands Fishery .....	3
Abrolhos Islands Notice.....	3
Abrolhos Islands Voluntary Scheme.....	3
authorisation .....	3, 7, 10
Exmouth Gulf Fishery .....	7
Exmouth Gulf Notice.....	7
Exmouth Gulf Voluntary Scheme.....	7
managed fishery licence.....	13
Shark Bay Prawn Managed Fishery.....	10
Shark Bay Prawn Managed Fishery Notice .....	10
Shark Bay Prawn Managed Fishery Voluntary Scheme .....	10
Shark Bay Scallop Managed Fishery .....	13
Shark Bay Scallop Managed Fishery Notice .....	13
Shark Bay Scallop Managed Fishery Voluntary Scheme .....	13