
FISHERIES

FI301*

Fish Resources Management Act 1994

**Fish Resources Management Amendment
Regulations (No. 4) 2014**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Fish Resources Management Amendment Regulations (No. 4) 2014*.

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*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Fish Resources Management Regulations 1995*.

4. Regulation 64 amended

Before regulation 64(1) insert:

(1A) In this regulation —

person engaged for a commercial purpose in an activity means —

- (a) in the case of an activity referred to in subregulation (2)(a), (b) or (c) that is carried out using a boat which has a master, the master of the boat; or
- (b) in any other case, the holder of the authorisation under which the activity is carried out;

return includes a return regarding an activity that a person is authorised to engage in under an authorisation showing that the activity was not engaged in during a month.

5. Regulation 122 amended

- (1) In regulation 122 delete “If a person” and insert:
 - (1) If a person
- (2) At the end of regulation 122 insert:
 - (2) The CEO must issue a receipt to a person who has applied for the grant or renewal of a commercial fishing licence.
 - (3) A receipt issued under subregulation (2) is to —
 - (a) be in a form approved by the CEO; and
 - (b) specify the following —
 - (i) the name of the person who applied for the grant or renewal of the licence;
 - (ii) the date on which the receipt was issued.

6. Regulation 123A inserted

At the end of Part 11 Division 1 insert:

123A. Commercial fishing licence receipt may have effect as commercial fishing licence

- (1) In this regulation —

applicant means a person who has applied for the grant or renewal of a commercial fishing licence;

commercial fishing licence receipt means a receipt issued under regulation 122(2).
- (2) A commercial fishing licence receipt issued to an applicant has effect as if it was a commercial fishing licence granted to the applicant until —
 - (a) the CEO gives notice to the applicant of the outcome of the application; or
 - (b) the expiration of one month after the date on which the receipt was issued,whichever occurs first.

- (3) Despite subregulation (2), a commercial fishing licence receipt does not have effect as if it was a commercial fishing licence if the applicant to whom it was issued —
- (a) was the holder of a commercial fishing licence which was cancelled, or not renewed, by the CEO; or
 - (b) has been convicted of an offence against the Act; or
 - (c) is not in possession of the receipt when engaging in commercial fishing.

7. Regulation 158 amended

In regulation 158 in the Table under the heading “Provisions of the Act”:

- (a) After “49,” insert:

74(1) and (2),

- (b) delete the item commencing with “Section 74,”.

R. KENNEDY, Clerk of the Executive Council.
