

Fishing and Related Industries Compensation (Marine Reserves)  
Act 1997

**Fishing and Related Industries  
Compensation (Marine Reserves)  
Amendment Regulations 2004**

Made by the Governor in Executive Council.

**1. Citation**

These are the *Fishing and Related Industries Compensation (Marine Reserves) Amendment Regulations 2004*.

**2. Commencement**

These regulations come into operation on the day on which Part 2 Division 53 of the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* comes into operation or on the day of their publication in the *Gazette*, whichever is the later.

**3. The regulations amended**

The amendments in these regulations are to the *Fishing and Related Industries Compensation (Marine Reserves) Regulations 1998\**.

[\* *Published in Gazette 28 August 1998, p. 4745-7.*]

**4. Schedule 1 amended**

Schedule 1 Form 1 note 2 is deleted and the following note is inserted instead —

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2. Within 30 days after receiving this application, the Minister for Fisheries is to decide whether or not you are entitled to compensation under the Act and advise you in writing of the decision. If the Minister decides that, or the State Administrative Tribunal determines that, you are entitled to compensation, the Minister must conduct negotiations with you with a view to settling the amount of the compensation. If you and the Minister agree on the amount of compensation, the Minister must enter into an agreement with you setting out the terms of the agreement.

If an agreement on the amount of compensation has not been entered into within 60 days of advice to you that the Minister has decided that, or of the State Administrative Tribunal determining that, you are entitled to compensation, you or the Minister may apply to the State Administrative Tribunal for a determination of the amount of compensation. An agreement as to the amount of compensation may be entered into even though an application has been made to the Tribunal.

If the Minister advises you that he or she has decided that you are not entitled to compensation, you may apply to the State Administrative Tribunal for a review of the decision.

An application to the Tribunal cannot be made later than 21 days after the day on which the advice is received from the Minister.

If you do not receive advice from the Minister, within 30 days of the Minister receiving the application, that you are entitled to compensation, you may apply to the State Administrative Tribunal to determine whether or not you are entitled to compensation.

An application to the Tribunal cannot be made later than 21 days after the expiration of the period within which the Minister is to advise you whether or not he or she has decided that you are entitled to compensation.

An agreement as to the amount of compensation may be entered into even though an application has been made to the Tribunal.

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By Command of the Governor,

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

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