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Fish Resources Management Act 1994

Fish Resources Management Amendment Regulations (No. 4) 2001

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Fish Resources Management Amendment Regulations (No. 4) 2001*.

2. The regulations amended

The amendments in these regulations are to the *Fish Resources Management Regulations 1995**.

[* Reprinted 2 March 2001.

For amendments to 6 November 2001 see Gazette 27 March, 29 June, 13 July, 25 September and 12 and 31 October 2001.]

3. Regulation 10 amended

Regulation 10 is amended as follows:

- (a) before "For" by inserting the subregulation designation "(1)";
- (b) at the end of the regulation by inserting the following subregulations —

“

- (2) Subregulation (1)(b) does not apply during the exempt period to western rock lobster listed in Schedule 2 Part 2 Division 5 under the heading "If of a length greater than the length specified in respect of each class of fish (mm)".

(3) In subregulation (2) —

“**exempt period**” means the period from
15 November 2001 to 14 November 2002.

”.

4. Regulation 31A inserted

After regulation 31 the following regulation is inserted —

“

31A. Certain bait not to be used, or carried on a boat, to fish for rock lobster

- (1) A person must not fish for rock lobster using as bait —
- (a) any bovine matter;
 - (b) any animal skin or hide; or
 - (c) any thing to which any mammal skin or hide is attached.

Penalty: \$10 000 and the penalty provided in section 222 of the Act.

- (2) The master of a boat must not cause or permit to be carried on the boat —
- (a) any bovine matter;
 - (b) any animal skin or hide; or
 - (c) any thing to which any mammal skin or hide is attached,

for use as bait to fish for rock lobster.

Penalty: \$10 000.

”.

5. Regulation 77 amended

Regulation 77(1)(b) is amended by deleting “a total pot” and inserting instead —

“ an ”.

6. Regulation 78 amended

Regulation 78(2)(a) is amended by deleting “pot” and inserting instead —

“ an ”.

7. Regulation 118A amended

- (1) Regulation 118A is amended as follows:

- (a) before “At” by inserting the subregulation designation “(1)”;
- (b) in paragraph (c) by deleting “total pot entitlement” and inserting instead —
“ current entitlement, or a usual entitlement, ”;

- (c) at the end of the regulation by inserting the following subregulation —

“

- (2) In subregulation (1) —

“current entitlement” means the entitlement conferred by a managed fishery licence as —

- (a) increased by any entitlement transferred to the licence under section 141 of the Act; or
(b) decreased by any entitlement transferred from the licence under section 141 of the Act;

“usual entitlement” means the entitlement conferred by a managed fishery licence without regard to any entitlement transferred to or from the licence under section 141 of the Act.

”.

8. Regulation 156 amended

Regulation 156 is amended in the Table after “Regulations 31,” by inserting —

“ 31A(1), ”.

9. Regulation 158 amended

Regulation 158 is amended in the Table under the heading “Provision of these regulations” and after “18,” by inserting —

“ 31A(1), 31A(2), ”.

10. Schedule 12 amended

Schedule 12 Part 2 item 4 is amended after “31,” by inserting —

“ 31A(1), ”.

By Command of the Governor,

ROD SPENCER, Clerk of the Executive Council.
