

FISHERIES ACT 1905

FISHERIES AMENDMENT REGULATIONS 1990

Made by His Excellency the Lieutenant-Governor and Administrator in Executive Council.

Citation

1. These regulations may be cited as the *Fisheries Amendment Regulations 1990*.

Principal regulations

2. In these regulations the *Fisheries Regulations 1938** are referred to as the principal regulations.

[*Reprinted in the Gazette of 7 October 1988 (with erratum in Gazette of 27 October 1989). For amendments to 21 December 1989 see Gazettes of 27 January, 17 February, 30 June, 1 September (with erratum in Gazette of 15 September), 29 September and 20 October 1989.]

Regulation 12EB repealed

3. Regulation 12EB of the principal regulations is repealed.

Regulation 14A amended

4. Regulation 14A of the principal regulations is amended—

(a) in subregulation (1) by deleting “in an export establishment registered in pursuance of the *Exports (Fish) Regulations (Statutory Rules, 1949, No. 54* and amendments thereto) made under the provisions of the *Customs Act 1901* and its amendments and the *Commerce (Trade Descriptions) Act 1905* and its amendments, of the Parliament of the Commonwealth” and substituting the following—

“ at a processing establishment in respect of which there is in force under Part IIB of the Act a processor’s licence authorizing the processing of rock lobster ”;

(b) in subregulation (2) by deleting “an export establishment registered as mentioned in subregulation (1) and such tail was removed from the carapace of the rock lobster, or the rock lobster was cut up or otherwise processed in that boat” and substituting the following—

“ a processing establishment referred to in subregulation (1) ”;

(c) in subregulation (4) by deleting “an export establishment registered as mentioned in subregulation (1) of this regulation” and substituting the following—

“ a processing establishment referred to in subregulation (1) ”;

(d) in subregulation (5) by deleting “an export establishment registered as mentioned in subregulation (1)” and substituting the following—

“ a processing establishment referred to in subregulation (1) ”; and

(e) in subregulation (6) by deleting “\$200” and substituting the following—

“ \$750 ”.

Regulation 30 amended

5. Regulation 30 of the principal regulations is amended—

(a) in subregulation (1) by deleting “subregulation (2)” and substituting the following—

“ subregulations (2) and (3) ”;

(b) by inserting after subregulation (3) the following subregulations—

“ (4) A licence to process farm fish (wholesale) authorizes the holder to process farm fish that is to be sold on a wholesale or retail basis.

(5) A licence to process farm fish (retail) authorizes the holder to process only farm fish that is to be sold by the holder of that licence on a retail basis.

(6) Notwithstanding regulation 3F, the fee set out opposite a licence specified in the Table to this regulation to sell farm fish of any length taken from waters on the property of the holder of the licence, is the fee payable for that licence for the period of time (not exceeding one month) specified on the licence by a licensing officer. ”; and

(c) in the Table to regulation 30—

(i) by deleting the item “Licence to process farm fish 175” and substituting the following items—

“ Licence to process farm fish (wholesale) 175
Licence to process farm fish (retail) 25 ”;

and

(ii) in the item commencing "Licence to sell to a person who holds a development licence," to delete paragraph (a) and substitute the following paragraph—

" (a) any length of farm fish..... 25 ".

By His Excellency's Command,

G. PEARCE, Clerk of the Council.
