



Western Australia

Fisheries Adjustment Schemes Act 1987

## **Fisheries Adjustment Schemes Regulations 2009**

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# Fisheries Adjustment Schemes Regulations 2009

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## **Fisheries Adjustment Schemes Regulations 2009**

### **Part 1 — Preliminary**

*[Heading inserted: 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: 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: Gazette 12 Feb 2010 p. 589; 5 Jul 2011 p. 2823; 22 Jan 2016 p. 197.]*

### **4. Fee under s. 8 imposed**

- (1) For the purposes of the Abrolhos Islands Voluntary Scheme the fees specified in the Table are imposed in respect of each authorisation.
- (2) The date by which each fee specified in the Table must be paid is the date specified in the Table that corresponds to that fee.
- (3) The fees specified in the Table are payable to the CEO at the head office of the Department.

**Table**

| <b>Fee imposed</b> | <b>Date by which fee must be paid</b> |
|--------------------|---------------------------------------|
| \$184 297          | 1 March 2020                          |
| \$183 370          | 1 March 2021                          |
| \$110 243          | 1 March 2022                          |
| \$104 784          | 1 March 2023                          |
| \$105 335          | 1 March 2024                          |
| \$102 595          | 1 March 2025                          |

*[Regulation 4 inserted: Gazette 5 Jan 2018 p. 3-4; amended: Gazette 20 Sep 2019 p. 3386.]*

*[5. Deleted: Gazette 5 Jan 2018 p. 3.]*

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

*[Part 3 (r. 7-9) deleted: Gazette 20 Sep 2019 p. 3387.]*

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

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

### **11. Fee under s. 8 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: Gazette 5 Jul 2011 p. 2825; amended: 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.



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

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

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

*[Heading inserted: 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 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: Gazette 5 Jul 2011 p. 2825; amended: Gazette 20 Sep 2019 p. 3387.]*

### **14. Fee under s. 8 imposed — generally**

- (1) For the purposes of the Shark Bay Scallop Managed Fishery Voluntary Scheme, the fees specified in the Table are imposed in respect of each managed fishery licence, other than Managed Fishery Licence No. SBSC2094.
- (2) The date by which each fee specified in the Table must be paid is the date specified in the Table that corresponds to that fee.
- (3) The fees specified in the Table are payable to the CEO at the head office of the Department.

**Table**

| <b>Fee imposed</b> | <b>Date by which fee must be paid</b> |
|--------------------|---------------------------------------|
| \$110 097          | 1 March 2020                          |
| \$109 521          | 1 March 2021                          |

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| Fee imposed | Date by which fee must be paid |
|-------------|--------------------------------|
| \$52 496    | 1 March 2022                   |
| \$51 526    | 1 March 2023                   |

*[Regulation 14 inserted: Gazette 20 Sep 2019 p. 3387.]*

**15. Fee under s. 8 imposed — Managed Fishery Licence No. SBSC2094**

- (1) For the purposes of the Shark Bay Scallop Managed Fishery Voluntary Scheme, the fees specified in the Table are imposed in respect of Managed Fishery Licence No. SBSC2094.
- (2) The date by which each fee specified in the Table must be paid is the date specified in the Table that corresponds to that fee.
- (3) The fees specified in the Table are payable to the CEO at the head office of the Department.

**Table**

| Fee imposed | Date by which fee must be paid |
|-------------|--------------------------------|
| \$107 526   | 1 March 2020                   |
| \$106 951   | 1 March 2021                   |

*[Regulation 15 inserted: Gazette 20 Sep 2019 p. 3387-8.]*



**Notes**

<sup>1</sup> This is a compilation 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<br>p. 4992-3  | r. 1 and 2: 8 Dec 2009<br>(see r. 2(a));<br>Regulations other than r. 1 and 2:<br>9 Dec 2009 (see r. 2(b))   |
| <i>Fisheries Adjustment Schemes Amendment Regulations 2010</i>   | 12 Feb 2010<br>p. 589-90 | r. 1 and 2: 12 Feb 2010 (see<br>r. 2(a));<br>Regulations other than r. 1 and 2:<br>13 Feb 2010 (see r. 2(b)) |
| <i>Fisheries Adjustment Schemes Amendment Regulations 2011</i>   | 5 Jul 2011<br>p. 2823-5  | r. 1 and 2: 5 Jul 2011 (see r. 2(a));<br>Regulations other than r. 1 and 2:<br>6 Jul 2011 (see r. 2(b))      |
| <i>Fisheries Adjustment Schemes Amendment Regulations 2015</i>   | 13 Jan 2015<br>p. 247-9  | r. 1 and 2: 13 Jan 2015<br>(see r. 2(a));<br>Regulations other than r. 1 and 2:<br>14 Jan 2015 (see r. 2(b)) |
| <i>Fisheries Adjustment Schemes Amendment Regulations 2016</i>   | 22 Jan 2016<br>p. 197-8  | r. 1 and 2: 22 Jan 2016<br>(see r. 2(a));<br>Regulations other than r. 1 and 2:<br>23 Jan 2016 (see r. 2(b)) |
| <b>Reprint 1: The <i>Fisheries Adjustment Schemes Regulations 2009</i> as at 10 Mar 2017</b><br>(includes amendments listed above) |                          |  |
| <i>Fisheries Adjustment Schemes Amendment Regulations 2017</i>   | 5 Jan 2018<br>p. 3-4     | r. 1 and 2: 5 Jan 2018 (see r. 2(a));<br>Regulations other than r. 1 and 2:<br>6 Jan 2018 (see r. 2(b))      |
| <i>Fisheries Adjustment Schemes Amendment Regulations 2019</i>   | 20 Sep 2019<br>p. 3386-8 | r. 1 and 2: 20 Sep 2019<br>(see r. 2(a));<br>Regulations other than r. 1 and 2:<br>21 Sep 2019 (see r. 2(b)) |

## 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 Notice .....           | 13                  |
| Shark Bay Scallop Managed Fishery Voluntary Scheme ..... | 13                  |