Fisheries Management Amendment Regulations 2009 (No. 1)¹

Select Legislative Instrument 2009 No. 90

I, QUENTIN BRYCE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the Fisheries Management Act 1991.

Dated 4 June 2009

QUENTIN BRYCE
Governor-General

By Her Excellency’s Command

TONY BURKE
Minister for Agriculture, Fisheries and Forestry
1 **Name of Regulations**
These Regulations are the *Fisheries Management Amendment Regulations 2009 (No. 1)*.

2 **Commencement**
These Regulations commence on the day after they are registered.

3 **Amendment of *Fisheries Management Regulations 1992***
Schedule 1 amends the *Fisheries Management Regulations 1992*.

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### Schedule 1 Amendments
(regulation 3)

[1] **Subregulation 3 (1), definition of approved logbook**
omit

[2] **Subregulation 3 (1), definition of coast radio station**
omit
Australia and Overseas Telecommunications Corporation.
insert
Australian and Overseas Telecommunications Corporation.

[3] **Subregulation 3 (1), definition of logbook**
omit
[4] **Subregulation 3 (1), definition of *relevant offence***

*substitute*

*relevant offence* means an offence against section 93 or 95 of the Act.

[5] **Part 9**

*substitute*

**Part 9  References to areas of the AFZ**

31 **References to areas of the AFZ**

For paragraph 168 (2) (p) of the Act, an area of the AFZ referred to in column 2 of an item in Schedule 3 may be described using the short method of reference set out in column 3 of the item.

[6] **Regulations 52 and 53**

*substitute*

52 **Application of Division**

This Division applies to the holder of a fishing concession (the *holder*) that:

(a) in the case of a fishing permit or foreign fishing licence — authorises the use of a boat for fishing in Victorian waters; or

(b) in the case of a statutory fishing right — includes the right to take fish in Victorian waters.
53 **Holder of fishing concession not to exceed catch limits**
For paragraph 14 (1) (a) of the Act, the holder must not take a quantity of fish that exceeds a catch limit set out in this Division.

Penalty: 25 penalty units.

53A **Meaning of where fish are taken**
For paragraph 14 (1) (a) of the Act, if the holder lands fish that are mentioned in this Division at a place on or within the coastline of Victoria, the holder is taken to have taken the fish in Victorian waters.

7 **Regulations 57 and 58**
substitute

57 **Application of Division**
This Division applies to the holder of a fishing concession (the *holder*) that:

(a) in the case of a fishing permit or foreign fishing licence — authorises the use of a boat for fishing in South Australian waters; or

(b) in the case of a statutory fishing right — includes the right to take fish in South Australian waters.

58 **Holder of fishing concession not to exceed catch limits**
For paragraph 14 (1) (a) of the Act, the holder must not take a quantity of fish that exceeds a catch limit set out in this Division.

Penalty: 25 penalty units.
58A **Meaning of where fish are taken**
For paragraph 14 (1) (a) of the Act, if the holder lands fish that are mentioned in this Division at a place on or within the coastline of South Australia, the holder is taken to have taken the fish in South Australian waters.

[8] **Regulations 62 and 63**
 substituted

62 **Application of Division**
This Division applies to the holder of a fishing concession (the **holder**) that:
(a) in the case of a fishing permit or foreign fishing licence — authorises the use of a boat for fishing in Tasmanian waters; or
(b) in the case of a statutory fishing right — includes the right to take fish in Tasmanian waters.

63 **Holder of fishing concession not to exceed catch limits**
For paragraph 14 (1) (a) of the Act, the holder must not take a quantity of fish that exceeds a catch limit set out in this Division.
Penalty: 25 penalty units.

63A **Meaning of where fish are taken**
For paragraph 14 (1) (a) of the Act, if the holder lands fish that are mentioned in this Division at a place on or within the coastline of Tasmania, the holder is taken to have taken the fish in Tasmanian waters.
[9] Schedule 3, heading

substitute

Schedule 3  Short methods of reference to areas of the AFZ
(regulation 31)

[10] Schedule 6, heading

substitute

Schedule 6  Catch limits — Victorian, South Australian and Tasmanian waters
(regulations 47, 54, 56, 59, 60, 61, 64, 65, 66 and 67)

Note