

EXPLANATORY STATEMENT

STATUTORY RULES 1985

No. 359

Issued by the Authority of the Minister for Primary Industry

TORRES STRAIT FISHERIES ACT 1984

TORRES STRAIT FISHERIES REGULATIONS

Sub-regulation 60(1) of the Torres Strait Fisheries Act 1984 (the Act) empowers the Governor-General to make regulations, not inconsistent with the Act, prescribing all matters required or permitted to be prescribed by the Act for carrying out or giving effect to the Act.

The Fisheries Legislation Amendment Act 1985 amended paragraph 60(1)(c) of the Act to provide that the Regulations may prescribe a penalty not exceeding \$2,000 in the case of a natural person and \$10,000 in the case of a body corporate for offences against the Regulations. Paragraph 60(1)(f) provides for the marking of boats licensed under the Act.

Regulation 1 and Schedule 3 inserted by Regulation 3 amend the Regulations to prescribe the dimensions of the letters and numerals comprising the distinguishing number for a boat, which is to be marked in block letters and figures on a yellow ground. The dimensions prescribed conform with what Queensland law requires in that regard.

Sub-regulation 7(3) is amended to increase the penalty to \$2,000 for a natural person or \$10,000 for a body corporate failing to display the distinguishing number assigned under the Regulations to a licensed boat, to display that number in the prescribed manner or to remove that number from a boat that has ceased to be licensed.

Sub-regulation 8(2) is amended to increase to \$2,000 the penalty for failing to comply with Marine Orders relating to the prevention of collisions.

Sub-regulation 12(4) is amended to increase to \$2,000 the penalty for failing to record information in a prescribed log-book or to furnish log-book folios to an officer or to the Department.

The penalties prescribed comply with Commonwealth legal policy on levels of penalties.

Authority: Sub-section 60(1) of the Torres Strait Fisheries Act 1984

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