

South Australia

Fisheries Management (Miscellaneous Research Fishery) Regulations 2013

under the *Fisheries Management Act 2007*

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Legislative history

1—Short title

These regulations may be cited as the *Fisheries Management (Miscellaneous Research Fishery) Regulations 2013*.

2—Commencement

These regulations will come into operation 4 months after the day on which they are made (see *Subordinate Legislation Act 1978* section 10AA).

3—Interpretation

- (1) In these regulations—

Act means the *Fisheries Management Act 2007*;

fishery means the Miscellaneous Research Fishery constituted by these regulations.

- (2) In these regulations, a reference to the *taking of aquatic resources* includes a reference to an act preparatory to or involved in the taking of the aquatic resources.

4—Constitution of Fishery

- (1) The Miscellaneous Research Fishery is constituted.
- (2) The Miscellaneous Research Fishery consists of the taking of aquatic resources in the waters of the State for the purposes of research undertaken as part of a business.

5—Issue of permits

- (1) The Minister may issue permits in respect of the fishery.

- (2) The Minister may only grant a permit in respect of the fishery if satisfied as to the following:
- (a) if the applicant is a natural person—that the person is at least 15 years of age and is a fit and proper person to hold a permit in respect of the fishery;
 - (b) if the applicant is a company—that each director of the company is a fit and proper person to be a director of a company that holds a permit in respect of the fishery.

6—Power of Minister to limit fishing activities

The Minister may impose conditions on a permit in respect of the fishery limiting the class of fishing activities that may be engaged in under the permit.

7—Registration

An application by the holder of a permit in respect of the fishery—

- (a) to register a boat or device for use under the permit; or
 - (b) to register a person as a master of a boat that may be used under the permit,
- must be accompanied by the documents specified in the application form.

8—Revocation of registration

- (1) The Minister may, on application by the holder of a permit in respect of the fishery, revoke the registration of—
- (a) a boat or device used under the permit; or
 - (b) a person as a master of a boat that may be used under the permit.
- (2) An application for revocation of registration must—
- (a) be made in a manner and form approved by the Minister; and
 - (b) be signed by the applicant and be completed in accordance with the instructions contained in the form; and
 - (c) be accompanied by the documents specified in the application form.

9—Periodic returns

The holder of a permit in respect of the fishery must, on a date or dates determined by the Minister in each year, provide the Minister with a periodic return containing such information as the Minister requires in the manner and form determined by the Minister.

Maximum penalty: \$5 000.

Expiation fee: \$315.

10—Copies of periodic returns to be made and kept

The holder of a permit in respect of the fishery must—

- (a) make a copy of each return that he or she fills out pursuant to these regulations before the return is sent or delivered to the Minister; and

- (b) retain the copy for the period of 12 months from the last day of the month to which the return relates.

Maximum penalty: \$5 000.

Expiation fee: \$315.

Legislative history

Notes

- Variations of this version that are uncommenced are not incorporated into the text.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
2013	194	<i>Gazette 1.8.2013 p3335</i>	1.12.2013: r 2
2017	232	<i>Gazette 8.8.2017 p3425</i>	15.1.2018: r 2