

South Australia

## **Scheme of Management (Marine Scalefish Fisheries) Variation Regulations 2003**

under the *Fisheries Act 1982*

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### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Scheme of Management (Marine Scalefish Fisheries) Variation Regulations 2003*.

#### **2—Commencement**

These regulations will come into operation on 10 April 2003.

#### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

### **Part 2—Variation of *Scheme of Management (Marine Scalefish Fisheries) Regulations 1991* (Gazette 27.6.1991 p 2187) as varied**

#### **4—Variation of regulation 14C—Individual pilchard catch quota system**

- (1) Regulation 14C(2), definition of *licence period*—delete the definition
- (2) Regulation 14C(2), definition of *pilchard quota*—delete "licence period" wherever occurring and substitute in each case:

prescribed period

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**Scheme of Management (Marine Scalefish Fisheries) Variation Regulations 2003**

Part 2—Variation of *Scheme of Management (Marine Scalefish Fisheries) Regulations 1991* (Gazette 27.6.1991 p 2187) as varied

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- (3) Regulation 14C(2)—after the definition of *pilchard quota* insert:
- prescribed period* means—
- (a) the period commencing on 10 April 2003 and ending on 31 December 2003; or
- (b) the period of 12 months commencing on 1 January 2004 or on 1 January in any subsequent year;
- (4) Regulation 14C(2), definition of *unit value*—delete "licence period" and substitute:
- prescribed period
- (5) Regulation 14C(3)(b)—delete paragraph (b) and substitute:
- (b) the Director must, on the commencement of each prescribed period, determine the number of kilograms of pilchard that is to be the value of a pilchard unit for the prescribed period;
- (ba) the Director may, not more than twice during a prescribed period, vary the conditions of all licences in respect of the fishery so as to increase the pilchard quotas of the licences by the same number of pilchard units;
- (6) Regulation 14C(3)(d)—delete "licence period" wherever occurring and substitute in each case:
- prescribed period
- (7) Regulation 14C(3)(e)—delete paragraph (e) and substitute:
- (e) any variation of—
- (i) a pilchard quota made pursuant to paragraph (ba) or (d); or
- (ii) a unit entitlement made pursuant to paragraph (c),
- must be expressed to apply only for the remainder of the prescribed period during which the variation is made;
- (8) Regulation 14C(4)—delete "three licence periods" and substitute:
- three prescribed periods
- (9) Regulation 14C(4)—delete "licence period" and substitute:
- prescribed period

**Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 10 April 2003

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