

South Australia

## **Fisheries Management (Marine Scalefish Fisheries) Variation Regulations 2008**

under the *Fisheries Management Act 2007*

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### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Fisheries Management (Marine Scalefish Fisheries) Variation Regulations 2008*.

#### **2—Commencement**

These regulations come into operation on the day on which they are made.

#### **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 *Fisheries Management (Marine Scalefish Fisheries) Regulations 2006***

#### **4—Variation of Schedule 1A—Individual pipi catch quota system**

Schedule 1A, clause 5—delete the clause and substitute:

##### **5—Allocation of pipi units to eligible licences—quota period commencing 1 November 2008**

- (1) For the quota period commencing on 1 November 2008, an eligible licence in respect of the fishery may be allocated a number of pipi units calculated in accordance with this clause.
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- (2) First, the following formula is to be applied:

$$A = \left( \left( \frac{B}{C} \times 680 \right) + \frac{320}{32} \right) \times \left( \frac{947}{1000} \right)$$

where—

**A** is the number of pipi units to be allocated to the licence

**B** is the catch history of the person who held that licence on 31 July 2007

**C** is the sum of the catch histories of all persons who held eligible licences in respect of the fishery and the Lakes and Coorong Fishery on 31 July 2007.

- (3) Second, if the conditions of the licence are varied under clause 7 during quota period 1 so as to increase the unit entitlement under the licence and the variation is not expressed to be only for the balance of that quota period, a number of pipi units calculated in accordance with the formula set out below must be added to the number of pipi units to be allocated to the licence under subclause (2) (and this calculation and addition must be made for each such variation of the conditions during quota period 1).

$$D = \left( \frac{E}{F} \right) \times G$$

where—

**D** is the number of pipi units to be added

**E** is the number of pipi units by which the unit entitlement under the licence is increased during quota period 1 as a result of a variation of licence conditions that is not expressed to be only for the balance of quota period 1

**F** is the number of pipi units allocated to the licence under clause 4 for quota period 1

**G** is the number of pipi units to be allocated to the licence under subclause (2).

- (4) Third, if the conditions of the licence are varied under clause 7 during quota period 1 so as to decrease the unit entitlement under the licence and the variation is not expressed to be only for the balance of that quota period, a number of pipi units calculated in accordance with the formula set out below must be deducted from the number of pipi units to be allocated to the licence under subclause (2) (and this calculation and deduction must be made for each such variation of the conditions during quota period 1).

$$D = \left( \frac{E}{F} \right) \times G$$

where—

*D* is the number of pipi units to be deducted

*E* is the number of pipi units by which the unit entitlement under the licence is decreased during quota period 1 as a result of a variation of licence conditions that is not expressed to be only for the balance of quota period 1

*F* is the number of pipi units allocated to the licence under clause 4 for quota period 1

*G* is the number of pipi units to be allocated to the licence under subclause (2).

- (5) Fourth, in the case of a licence specified in column 1 of the table below, the number of pipi units specified alongside in column 2 is to be added to the number of pipi units to be allocated to the licence, as calculated under the preceding provisions of this clause, to arrive at the total number of pipi units that may be allocated to that licence for the quota period commencing on 1 November 2008.

<b>Column 1</b>	<b>Column 2</b>
<b>Eligible licence</b>	<b>Number of pipi units</b>
M301	1

- (6) In this clause—

*quota period 1* means the quota period that commenced on 13 December 2007.

**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 26 June 2008

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