

South Australia

## **Fisheries Management (Abalone Fisheries) Variation Regulations 2009**

under the *Fisheries Management Act 2007*

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### **Contents**

#### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### **Part 2—Variation of *Fisheries Management (Abalone Fisheries) Regulations 2006***

- 4 Variation of regulation 14—Individual catch quota system—Central Zone
  - 5 Variation of regulation 15—Individual catch quota system—Southern Zone
  - 6 Variation of regulation 16—Individual catch quota system—Western Zone
  - 7 Substitution of regulation 18
  - 18 Use of registered masters in fishing activities
- 

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Fisheries Management (Abalone Fisheries) Variation Regulations 2009*.

#### **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 (Abalone Fisheries) Regulations 2006***

#### **4—Variation of regulation 14—Individual catch quota system—Central Zone**

- (1) Regulation 14(3)(b)(i)—delete "10" and substitute:

50

- (2) Regulation 14(3)(b)(ii)—delete "10 kilograms but not more than 50" and substitute:  
50 kilograms but not more than 100
- (3) Regulation 14(3)(c)(ii)—delete "50" and substitute:  
100
- (4) Regulation 14(3)(d)(i)—delete "20" and substitute:  
50
- (5) Regulation 14(6)—delete "the class specified in column 1 of the table below" and substitute:  
any class
- (6) Regulation 14(6)—delete "that class of abalone" and substitute:  
either class of abalone specified in column 1 of the following table

#### **5—Variation of regulation 15—Individual catch quota system—Southern Zone**

- (1) Regulation 15(3)(b)(i)—delete "10" and substitute:  
50
- (2) Regulation 15(3)(b)(ii)—delete "10 kilograms but not more than 50" and substitute:  
50 kilograms but not more than 100
- (3) Regulation 15(3)(c)(ii)—delete "50" and substitute:  
100
- (4) Regulation 15(3)(d)(i)—delete "20" and substitute:  
50
- (5) Regulation 15(7)—delete "of the class specified in column 1 of the table below in a fishing zone specified alongside in column 2 if the unit entitlement under the licence in respect of that class of abalone and fishing zone" and substitute:  
in any fishing zone if the unit entitlement under the licence in respect of a class of abalone specified in column 1 of the following table, in a fishing zone specified alongside in column 2,

#### **6—Variation of regulation 16—Individual catch quota system—Western Zone**

- (1) Regulation 16(3)(c)(i)—delete "10" and substitute:  
50
- (2) Regulation 16(3)(c)(ii)—delete "10 kilograms but not more than 50" and substitute:  
50 kilograms but not more than 100
- (3) Regulation 16(3)(d)(i)—delete "10" and substitute:  
50
- (4) Regulation 16(3)(d)(ii)—delete "10 kilograms but not more than 50" and substitute:  
50 kilograms but not more than 100

- (5) Regulation 16(3)(e)(ii)—delete "50" and substitute:  
100
- (6) Regulation 16(3)(f)(i)—delete "20" and substitute:  
50
- (7) Regulation 16(3)(g)(i)—delete "20" and substitute:  
50
- (8) Regulation 16(6)—delete "of the class specified in column 1 of the table below in a prescribed region specified alongside in column 2 if the unit entitlement under the licence in respect of that class of abalone and region" and substitute:  
in any prescribed region if the unit entitlement under the licence in respect of a class of abalone specified in column 1 of the following table, in a region specified alongside in column 2,

## **7—Substitution of regulation 18**

Regulation 18—delete the regulation and substitute:

### **18—Use of registered masters in fishing activities**

- (1) Subject to this regulation, the holder of a licence in respect of an abalone fishery must not cause, suffer or permit more than 1 person (who must be a registered master) to engage in fishing activities under the licence on the same day.
- (2) Subregulation (1) does not prevent 1 other (and only 1 other) registered master who is a trainee diver from engaging in fishing activities under the licence on the same day as the first registered master if—
- (a) at all times while engaged in fishing activities, the trainee diver is under the direct supervision of the first registered master; and
  - (b) the trainee diver does not engage in fishing activities under the licence on more than 10 days in any quota period for the abalone fishery.
- (3) In this regulation—
- quota period*** for an abalone fishery—see regulations 14(1), 15(1) and 16(1);
- trainee diver*** means a person with less than 30 days commercial abalone diving experience.

#### **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 17 December 2009

No 305 of 2009

MAFF09/032CS