

South Australia

## **Fisheries Management (Rock Lobster Fisheries) Variation Regulations 2011**

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 (Rock Lobster Fisheries) Variation Regulations 2011*.

#### **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 (Rock Lobster Fisheries) Regulations 2006*

### 4—Substitution of regulation 13

Regulation 13—delete the regulation and substitute:

#### 13—Restrictions on fishing activities during closed season in Northern Zone

- (1) In this regulation—

*closed season* means the period commencing at 1800 hours on 31 May in any year and ending at 1200 hours on the following 1 November;

*Fishery* means the Northern Zone Rock Lobster Fishery;

*nominated registered master*, in respect of a company that holds a licence in respect of the Fishery, means a registered master who is also a director of the company nominated by the holder of the licence to engage in fishing activities on behalf of the holder of the licence during the closed season.

- (2) If fishing activities of a class that constitute the Fishery are engaged in on more than 28 days in aggregate during the closed season by a person or persons registered as a master of a registered boat or registered boats used under a licence in respect of the Fishery, each of the registered masters is guilty of an offence.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (3) Subregulation (2) does not apply to a registered master—
- who is the holder of the licence; or
  - if the licence is held by a company—who is the nominated registered master for the holder of the licence.
- (4) An application by the holder of a licence that is a company to nominate a registered master for the purposes of this regulation must—
- be made to the Minister in a manner and form approved by the Minister; and
  - be signed by the applicants and completed in accordance with the instructions contained in the form.
- (5) If—
- a licence in respect of the Fishery is held by a company; and

- (b) a director of the company other than the nominated registered master for the holder of the licence engages in fishing activities of a class that constitute the Fishery during the closed season,

the holder of the licence is guilty of an offence.

Maximum penalty: \$5 000.

Expiation fee: \$315.

**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 7 April 2011

No 27 of 2011

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