

South Australia

Fisheries Management (Miscellaneous Research Fishery) Regulations 2013

under the *Fisheries Management Act 2007*

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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.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 1 August 2013

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