

South Australia

Fisheries Management (Blue Crab Fishery) Regulations 1998

under the *Fisheries Management Act 2007*

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Legislative history

1—Short title

These regulations may be cited as the *Fisheries Management (Blue Crab Fishery) Regulations 1998*.

Note—

These regulations prescribing a scheme of management for a fishery under the repealed *Fisheries Act 1982* were continued in force by Sch 1 cl 5(1) of the *Fisheries Management Act 2007* as if they were regulations for the management of the fishery made under the *Fisheries Management Act 2007*.

4—Interpretation

- (1) In these regulations, unless the contrary intention appears—
Act means the *Fisheries Management Act 2007*;

blue crab means Blue Swimmer Crab (*Portunus pelagicus*);

blue crab fishing zone means—

- (a) the Gulf St. Vincent Blue Crab Fishing Zone; or
- (b) the Spencer Gulf Blue Crab Fishing Zone;

blue crab pot entitlement means the maximum number of crab pots that the holder of a licence in respect of the fishery may lawfully use at any one time for the purpose of taking blue crab under the licence;

blue crab quota entitlement or **quota entitlement**, in relation to a licence in respect of the Blue Crab Fishery or a marine scalefish fishery and a blue crab fishing zone, means the maximum number of kilograms of blue crab that may lawfully be taken by the holder of the licence in that zone during a quota period, being the product of—

- (a) the unit entitlement under the licence in respect of that zone; and
- (b) the unit value for that zone and that quota period,

subject to any variation applying during that quota period;

conversion value means the number determined by the Minister to be the conversion value for a blue crab fishing zone and a quota period;

Corporations Act means the *Corporations Act 2001* of the Commonwealth;

crab pot has the same meaning as in the *Fisheries Management (General) Regulations 2007*;

current company extract means a document prepared by the Australian Securities and Investment Commission from its national database kept under the Corporations Act that contains current details of the following in relation to a company:

- (a) the company's name;
- (b) the address of the company's registered office;
- (c) the date of registration of the company;
- (d) the State or Territory in which the company is taken to be registered under the Corporations Act;
- (e) the company's Australian Company Number;
- (f) whether the company is a proprietary company or a public company;
- (g) the full name of each director of the company;
- (h) the full name of each secretary (if any) of the company;

Department means the administrative unit of the Public Service responsible, through the Minister, for the administration of the Act;

fishery means the Blue Crab Fishery constituted by these regulations;

Gulf St. Vincent Blue Crab Fishing Zone means the waters of Gulf St. Vincent north of the geodesic from the location on Mean High Water Springs closest to 35°03'12.00" South, 137°43'30.45" East to the location on Mean High Water Springs closest to 35°03'12.00" South, 138°30'16.59" East;

marine scalefish fishery means the Marine Scalefish Fishery or the Restricted Marine Scalefish Fishery constituted by the *Fisheries Management (Marine Scalefish Fisheries) Regulations 2006*;

Mean High Water Springs means the line representing the average of all high water observations at the time of spring tide over a period of 19 years;

quota period—a quota period for the fishery is a period of 12 months commencing on 1 July;

Spencer Gulf Blue Crab Fishing Zone means the waters of Spencer Gulf north of the geodesic from the location on Mean High Water Springs closest to 34°26'45.00" South, 136°06'57.58" East to the location on Mean High Water Springs closest to 34°26'45.00" South, 137°24'59.26" East;

unit entitlement, in relation to a licence in respect of the Blue Crab Fishery or a marine scalefish fishery and a blue crab fishing zone, means the number of blue crab units for the time being allocated to the licence in respect of that zone;

unit value means the number of kilograms of blue crab determined by the Minister to be the value of a blue crab unit for a blue crab fishing zone and a quota period.

- (2) In these regulations, unless the contrary intention appears, **company**, **director**, **proprietary company** and **public company** have the same respective meanings as in the Corporations Act.
- (3) In these regulations—
 - (a) all lines in spatial descriptions are geodesics based on the Geocentric Datum of Australia 1994 (**GDA94**) as defined in the Commonwealth of Australia Gazette GN35 of 6 September 1995, and all coordinates are expressed in terms of GDA94;
 - (b) common and scientific fish names are given according to AS:SSA-001 *Australian Fish Names Standard* published by Seafood Services Australia in July 2007, as amended from time to time;
 - (c) 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.

5—Constitution of fishery

- (1) The Blue Crab Fishery is constituted.
- (2) The fishery consists of the taking, in the waters of the blue crab fishing zones—
 - (a) of aquatic resources specified in Schedule 1 Part 1; and
 - (b) of aquatic resources specified in Schedule 1 Part 2 for the purpose of bait.
- (3) The Minister may impose a condition on a licence in respect of the fishery that limits the holder of the licence to the taking of aquatic resources in the waters of the Gulf St. Vincent Blue Crab Fishing Zone or the Spencer Gulf Blue Crab Fishing Zone.

6—Issue of licences

- (1) Subject to this regulation, the Minister may issue licences in respect of the fishery.

- (2) An application for a licence in respect of the fishery may only be made by a person who holds a licence in respect of the Marine Scalefish Fishery subject to a condition fixing a blue crab quota entitlement.
- (3) The Minister may only grant an application for a licence in respect of the fishery—
 - (a) if the applicant's licence in respect of the Marine Scalefish Fishery has been surrendered; and
 - (b) if a boat registered for use under that licence is the subject of, is registered for use under, or is otherwise referred to in, a licence, permit, authority or other entitlement to take aquatic resources granted under a law of the Commonwealth or a corresponding law—that entitlement has also been surrendered.

7—Transfer of licence

- (1) Licences in respect of the fishery are transferable.
- (2) An application for consent to the transfer of a licence must be accompanied by—
 - (a) the licence to be transferred; and
 - (b) a form of return as required by regulation 17 completed by the holder of the licence up to the date of application; and
 - (c) if the transferee is a company—a current company extract relating to the transferee issued not more than 1 month immediately preceding the date of application.
- (3) The Minister may only consent to the transfer of a licence if satisfied as to the following:
 - (a) that any fees or other amounts payable in relation to the licence under the Act or the repealed Act have been paid in full;
 - (b) that the licence to be transferred has not been suspended;
 - (c) that no proceedings alleging an offence against the Act or the repealed Act are pending or likely to be commenced in the State against the holder of the licence;
 - (d) if the transferee is a natural person, that the transferee is at least 15 years of age and is a fit and proper person to hold a licence in respect of the fishery;
 - (e) if the transferee 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 licence in respect of the fishery;
 - (f) if a boat registered for use under the licence is the subject of, is registered for use under, or is otherwise referred to in, a licence, permit, authority or other entitlement to take aquatic resources granted under a law of the Commonwealth or a corresponding law—
 - (i) that the entitlement is either to be transferred together with the licence to the transferee or to be surrendered on or before the transfer of the licence; or
 - (ii) that—

- (A) the transfer of the licence separately from the entitlement is not likely to result in fishing activities that over-exploit or endanger the aquatic resources of the State; and
- (B) the person or body that granted the entitlement concurs with the separate transfer of the licence.

8—Registration

An application by the holder of a licence in respect of the fishery—

- (a) to register a boat or device for use under the licence; or
 - (b) to register a person as a master of a boat that may be used under the licence,
- must be accompanied by the documents specified in the application form.

9—Revocation of registration

- (1) The Minister may, on application by the holder of a licence in respect of the fishery, revoke the registration of—
 - (a) a boat or device used under the licence; or
 - (b) a person as a master of a boat that may be used under the licence.
- (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 completed in accordance with the instructions contained in the form; and
 - (c) be accompanied by the documents specified in the application form.

14—Blue crab pot entitlements and carriage of crab pots on boats

- (1) The Minister must, on or before the commencement of each quota period, determine the conversion value for a blue crab fishing zone and the quota period.
- (2) The Minister may impose or vary conditions on licences in respect of the fishery fixing blue crab pot entitlements as follows:
 - (a) on the issue of a licence in respect of the fishery, a condition must be imposed on the licence fixing a blue crab pot entitlement calculated in accordance with the formula set out in subregulation (3);
 - (b) on the variation of a blue crab quota entitlement under a licence in respect of the fishery, the conditions of the licence must be varied so that the blue crab pot entitlement under the licence, as calculated in accordance with the formula set out in subregulation (3), reflects the variation in the unit entitlement under the licence;
 - (c) blue crab pot entitlements must not be varied except as provided by this subregulation.
- (3) For the purposes of subregulation (2), the formula for calculating the blue crab pot entitlement under a licence is as follows:

$$A = \frac{B}{C}$$

where—

A is the blue crab pot entitlement expressed as a whole number (a number having a fraction of half or more being rounded up to the next whole number);

B is the unit entitlement under the licence;

C is the conversion value for the blue crab fishing zone to which the unit entitlement under the licence relates.

- (4) The Minister may impose conditions on licences in respect of the fishery limiting the number of crab pots that may be carried on boats and otherwise regulating the carrying of crab pots used for fishing activities under the licences.

15—Individual blue crab catch quota system

- (1) The Minister must, on or before the commencement of each quota period, determine the number of kilograms of blue crab that is to be the value of a blue crab unit for a blue crab fishing zone and the quota period.
- (2) The Minister may impose or vary conditions on licences in respect of the Blue Crab Fishery or a marine scalefish fishery fixing blue crab quota entitlements as follows:
 - (a) on the issue of a licence in respect of the Blue Crab Fishery (a *new licence*), the licence may be allocated a number of blue crab units in respect of a blue crab fishing zone equal to the number of blue crab units in respect of that zone that was, immediately before the surrender of the licence in respect of the Marine Scalefish Fishery held by the applicant for the new licence, the subject of a condition of the licence in respect of the Marine Scalefish Fishery;
 - (b) on joint application made to the Minister by the holders of any 2 licences in respect of the Blue Crab Fishery subject to a condition fixing a blue crab quota entitlement in respect of the same blue crab fishing zone, the conditions of the licences may be varied so as to increase the unit entitlement in respect of that zone under 1 of the licences and decrease the unit entitlement in respect of that zone under the other licence by a corresponding number of units;
 - (c) on joint application made to the Minister by the holder of a licence in respect of the Blue Crab Fishery subject to a condition fixing a blue crab quota entitlement in respect of a particular blue crab fishing zone (the *first licence*) and the holder of a licence in respect of a marine scalefish fishery subject to a condition fixing a blue crab quota entitlement in respect of the same zone (the *second licence*)—
 - (i) the conditions of the first licence may be varied so as to decrease the unit entitlement under that licence in respect of that zone and the conditions of the second licence may be varied so as to increase the unit entitlement under that licence in respect of that zone by a corresponding number of units; or
 - (ii) the conditions of the first licence may be varied so as to increase the unit entitlement under that licence in respect of that zone and the conditions of the second licence may be varied so as to decrease the unit entitlement under that licence in respect of that zone by a corresponding number of units;

- (d) on joint application made to the Minister by the holder of a licence in respect of the Blue Crab Fishery subject to a condition fixing a blue crab quota entitlement in respect of a particular blue crab fishing zone (the *first licence*) and the holder of a licence in respect of a marine scalefish fishery not subject to a condition fixing a blue crab quota entitlement (the *second licence*)—
 - (i) the conditions of the first licence may be varied so as to decrease the unit entitlement under that licence in respect of that zone; and
 - (ii) a corresponding number of units may be allocated to the second licence and a condition fixing a blue crab quota entitlement in respect of that zone may be imposed on that licence;
 - (e) if the total catch of blue crab taken by the holder of a licence in respect of the Blue Crab Fishery during a quota period exceeded the blue crab quota entitlement under the licence for that quota period, the conditions of the licence may be varied so as to decrease the quota entitlement—
 - (i) if the catch exceeded the quota entitlement by not more than 20 kilograms of blue crab—by 1 kilogram for each kilogram taken in excess of the quota entitlement; or
 - (ii) if the catch exceeded the quota entitlement by more than 20 kilograms but not more than 50 kilograms of blue crab—by 2 kilograms for each kilogram taken in excess of the quota entitlement;
 - (f) if—
 - (i) the holder of a licence in respect of the fishery is convicted of an offence of contravening a condition of the licence fixing a blue crab quota entitlement; and
 - (ii) the conduct constituting the offence involved the taking of more than 50 kilograms of blue crab in excess of the quota entitlement,the conditions of the licence may be varied so as to reduce the blue crab quota entitlement under the licence for 3 quota periods following the conviction by 1 kilogram for each kilogram taken in excess of the quota entitlement for the quota period during which the offence was committed;
 - (g) a variation of a quota entitlement under paragraph (e) must be expressed to apply only for the quota period during which the variation is made.
- (3) An application to vary unit entitlements must—
- (a) be made in a manner and form approved by the Minister; and
 - (b) be signed by the applicants and completed in accordance with the instructions contained in the form; and
 - (c) be accompanied by the appropriate fee fixed by the *Fisheries Management (Fees) Regulations 2007*.

16—Catch and disposal records

- (1) In this regulation—

CDR book means a book issued by the Department containing blank forms BSCF1;

form BSCF1 means the document produced by the Department entitled *BSCF1 Primary Industries (S.A.) Fisheries Blue Crab Catch and Disposal Record*.

- (2) The holder of a licence in respect of the fishery or registered master of a boat from which blue crab is taken under such a licence must comply with the following provisions:
- (a) immediately on landing blue crab taken under the licence he or she must weigh the crabs on accurate scales and complete Part A of form BSCF1 using a blue or black ballpoint pen; and
 - (b) he or she must cause the crabs to which the completed Part A of that form relates to be transported to the registered premises of the registered fish processor specified on the form, together with the white, blue and green copies of the completed form; and
 - (c) he or she must complete forms BSCF1 in consecutive ascending order and complete all forms in a CDR book before commencing to use a new CDR book; and
 - (d) he or she must ensure that the yellow copies of forms BSCF1 and the CDR book are kept on board the registered boat until the CDR book is completed; and
 - (e) he or she must deliver a completed CDR book to the Minister within 14 days of its completion.
- (3) If a provision of subregulation (2) is not complied with, the holder of the licence is guilty of an offence.
Maximum penalty: \$5 000.

17—Periodic returns

- (1) The holder of a licence in respect of the fishery must—
- (a) fill out a return, in a form determined by the Minister, in respect of each calendar month during the currency of the licence; and
 - (b) include in the return such information as the Minister requires; and
 - (c) date and sign the return and certify that the information contained in the return is complete and accurate, and post or deliver the return to the Minister within 15 days of the end of the month to which it relates.
- Maximum penalty: \$5 000.
Expiation fee: \$315.
- (2) Where the holder of a licence in respect of the fishery takes no aquatic resources during a particular calendar month, he or she is required by subregulation (1) to furnish a return in respect of that period indicating that no aquatic resources were taken.

18—Copies of periodic returns must be made and kept

The holder of a licence 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 one year from the last day of the month to which the return relates.

Maximum penalty: \$5 000.

Expiation fee: \$315.

Schedule 1—Aquatic resources prescribed for Blue Crab Fishery

Part 1—Aquatic resources prescribed for purposes of regulation 5(2)(a)

Crustaceans

Blue Swimmer Crab (*Portunus pelagicus*)

Rock Crab (*Nectocarcinus integrifrons*)

Spider Crab (Family Majidae)

Velvet Crab (*Nectocarcinus tuberculatus*)

Part 2—Aquatic resources prescribed for purposes of regulation 5(2)(b)

Molluscs

Octopus (*Octopus* spp)

Gould's Squid (*Nototodarus gouldii*)

Scalefish

Australian Anchovy (*Engraulis australis*)

Barracouta (*Thyrsites atun*)

Black Bream (*Acanthopagrus butcheri*)

Cod (marine species) (Family Moridae)

Flathead (Family Platycephalidae)

Flounder (Family Bothidae or Pleuronectidae)

Bluespotted Goatfish (*Upeneichthys vlamingii*)

Eastern Striped Grunter (*Pelates sexlineatus*)

Australian Herring (*Arripis georgianus*)

Yellowtail Kingfish (*Seriola lalandi*)

Leatherjacket (Family Monacanthidae)

Blue Mackerel (*Scomber australasicus*)

Common Jack Mackerel (*Trachurus declivis*)

Morwong (Family Cheilodactylidae)

Mullet of all species (Family Mugilidae)

Mulloway (*Argyrosomus hololepidotus*)

West Australian Salmon (*Arripis truttaceus*)

Australian Sardine (*Sardinops sagax*)

Snook (*Sphyraena novaehollandiae*)

Southern Sole (*Aseraggodes haackeanus*)

Sea Sweep (*Scorpius aequipinnis*)

Trevally (*Caranginae* spp)

Bluethroat Wrasse (*Notolabrus tetricus*)

Sharks

Rays of all species (Class Elasmobranchii)

Shark of all species (Class Elasmobranchii) other than White Shark (*Carcharodon carcharias*)

Skate of all species (Class Elasmobranchii)

Schedule 2—Transitional provision

1—Eligibility for fishery licence

Subject to regulation 6, only a person who is, immediately before 30 June 2008, the holder of a licence in respect of the fishery, may make an application under section 54 of the Act for a licence in respect of the fishery.

Legislative history

Notes

- Please note—References in the legislation to other legislation or instruments or to titles of bodies or offices are not automatically updated as part of the program for the revision and publication of legislation and therefore may be obsolete.
- Earlier versions of these regulations (historical versions) are listed at the end of the legislative history.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Formerly

Scheme of Management (Blue Crab Fishery) Regulations 1998

Fisheries (Scheme of Management—Blue Crab Fishery) Regulations 1998

Legislation revoked by principal regulations

The *Fisheries Management (Blue Crab Fishery) Regulations 1998* revoked the following:

Scheme of Management (Gulf Waters Experimental Crab Fishery) Regulations 1988

Principal regulations and variations

New entries appear in bold.

| Year | No | Reference | Commencement |
|-------------|-----------|-------------------------------------|--|
| 1998 | 131 | <i>Gazette 11.6.1998 p2519</i> | 11.6.1998: r 2 |
| 1999 | 142 | <i>Gazette 1.7.1999 p53</i> | 1.7.1999: r 2 |
| 2000 | 133 | <i>Gazette 22.6.2000 p3353</i> | 22.6.2000: r 2 |
| 2001 | 135 | <i>Gazette 28.6.2001 p2434</i> | 28.6.2001: r 2 |
| 2001 | 217 | <i>Gazette 13.9.2001 p4167</i> | 13.9.2001 except rr 1—6—17.9.2001: r 2 |
| 2002 | 17 | <i>Gazette 4.4.2002 p1531</i> | 4.4.2002: r 2 |
| 2002 | 47 | <i>Gazette 14.6.2002 p2153</i> | Pt 3 (rr 7—11)—14.6.2002: r 2 |
| 2003 | 141 | <i>Gazette 5.6.2003 p2407</i> | Pt 5 (rr 10—13)—5.6.2003: r 2 |
| 2004 | 9 | <i>Gazette 19.2.2004 p535</i> | Pt 4 (rr 11—16)—19.2.2004: r 2 |
| 2004 | 137 | <i>Gazette 24.6.2004 p2301</i> | Pt 5 (rr 12—14)—24.6.2004: r 2 |
| 2005 | 138 | <i>Gazette 16.6.2005 p1834</i> | Pt 5 (rr 9 & 10)—16.6.2005: r 2 |
| 2006 | 136 | <i>Gazette 15.6.2006 p1859</i> | Pt 5 (rr 9 & 10)—15.6.2006: r 2 |
| 2006 | 138 | <i>Gazette 15.6.2006 p1870</i> | Pt 5 (r 7)—1.7.2006: r 2 |
| 2007 | 124 | <i>Gazette 7.6.2007 p2477</i> | Pt 5 (r 7)—1.7.2007: r 2 |
| 2007 | 175 | <i>Gazette 21.6.2007 p2698</i> | Pt 5 (rr 14—17)—21.6.2007: r 2 |
| 2007 | 279 | <i>Gazette 29.11.2007 p4457</i> | 1.12.2007: r 2 |
| 2011 | 25 | <i>Gazette 7.4.2011 p981</i> | 7.4.2011: r 2 |

Provisions varied

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

| Provision | How varied | Commencement |
|--|--|------------------|
| r 1 | substituted by 141/2003 r 10 | 5.6.2003 |
| | varied by 279/2007 r 4 | 1.12.2007 |
| <i>r 2</i> | <i>omitted under the Legislation Revision and Publication Act 2002</i> | <i>19.2.2004</i> |
| <i>r 3</i> | <i>omitted under the Legislation Revision and Publication Act 2002</i> | <i>21.6.2007</i> |
| r 4 | varied by 279/2007 r 5(13) | 1.12.2007 |
| r 4(1) | | |
| Act | substituted by 279/2007 r 5(1) | 1.12.2007 |
| blue crab | varied by 279/2007 r 5(2) | 1.12.2007 |
| <i>blue crab net entitlement</i> | <i>deleted by 217/2001 r 3(a)</i> | <i>17.9.2001</i> |
| blue crab pot entitlement | varied by 279/2007 r 5(3) | 1.12.2007 |
| <i>blue crab quota</i> | <i>inserted by 217/2001 r 3(b)</i> | <i>17.9.2001</i> |
| | <i>deleted by 279/2007 r 5(4)</i> | <i>1.12.2007</i> |
| blue crab quota entitlement or quota entitlement | inserted by 279/2007 r 5(4) | 1.12.2007 |
| conversion value | inserted by 279/2007 r 5(4) | 1.12.2007 |
| Corporations Act | inserted by 9/2004 r 11(1) | 19.2.2004 |
| <i>crab net</i> | <i>varied by 135/2001 r 3</i> | <i>28.6.2001</i> |
| | <i>deleted by 217/2001 r 3(b)</i> | <i>17.9.2001</i> |
| crab pot | varied by 135/2001 r 3 | 28.6.2001 |
| | varied by 279/2007 r 5(5) | 1.12.2007 |
| current company extract | inserted by 9/2004 r 11(2) | 19.2.2004 |
| Department | substituted by 279/2007 r 5(6) | 1.12.2007 |
| <i>director</i> | <i>substituted by 47/2002 r 8(a)</i> | <i>14.6.2002</i> |
| | <i>deleted by 9/2004 r 11(3)</i> | <i>19.2.2004</i> |
| Gulf St. Vincent Blue Crab Fishing Zone | substituted by 279/2007 r 5(7) | 1.12.2007 |
| <i>licence period</i> | <i>substituted by 217/2001 r 3(c)</i> | <i>17.9.2001</i> |
| | <i>deleted by 279/2007 r 5(7)</i> | <i>1.12.2007</i> |
| marine scalefish fishery | inserted by 217/2001 r 3(c) | 17.9.2001 |
| | varied by 17/2002 r 3 | 4.4.2002 |
| | varied by 279/2007 r 5(8) | 1.12.2007 |
| Mean High Water Springs | inserted by 279/2007 r 5(9) | 1.12.2007 |

| | | |
|--|---|-----------------|
| quota period | inserted by 279/2007 r 5(9) | 1.12.2007 |
| <i>SARDI</i> | <i>inserted by 133/2000 r 3</i> | 22.6.2000 |
| | <i>deleted by 25/2011 r 4(1)</i> | 7.4.2011 |
| Spencer Gulf Blue Crab Fishing Zone | substituted by 279/2007 r 5(10) | 1.12.2007 |
| unit entitlement | inserted by 217/2001 r 3(d) | 17.9.2001 |
| unit value | inserted by 217/2001 r 3(d) | 17.9.2001 |
| | varied by 279/2007 r 5(11), (12) | 1.12.2007 |
| r 4(2) | varied by 47/2002 r 8(b) | 14.6.2002 |
| | substituted by 9/2004 r 11(4) | 19.2.2004 |
| r 4(3) | <i>varied by 47/2002 r 8(d)</i> | 14.6.2002 |
| | <i>(a) deleted by 47/2002 r 8(c)</i> | 14.6.2002 |
| | <i>deleted by 9/2004 r 11(4)</i> | 19.2.2004 |
| r 4(3) | inserted by 279/2007 r 5(13) | 1.12.2007 |
| | substituted by 25/2011 r 4(2) | 7.4.2011 |
| r 4(4) | <i>deleted by 279/2007 r 5(14)</i> | 1.12.2007 |
| <i>Notes</i> | <i>deleted by 25/2011 r 4(3)</i> | 7.4.2011 |
| r 5 | | |
| r 5(2) | varied by 279/2007 r 6(1) | 1.12.2007 |
| r 5(3) | varied by 279/2007 r 6(2), (3) | 1.12.2007 |
| <i>r 6 before substitution by 279/2007</i> | | |
| r 6(2) | <i>substituted by 217/2001 r 4(a)</i> | 17.9.2001 |
| | <i>substituted by 17/2002 r 4(a)</i> | 4.4.2002 |
| r 6(4) | <i>varied by 217/2001 r 4(b)</i> | 17.9.2001 |
| | <i>varied by 17/2002 r 4(b)</i> | 4.4.2002 |
| r 6(5) | <i>varied by 217/2001 r 4(c)</i> | 17.9.2001 |
| r 6(6) | <i>substituted by 135/2001 r 4</i> | 28.6.2001 |
| | <i>varied by 175/2007 r 14</i> | 21.6.2007 |
| r 6 | substituted by 279/2007 r 7 | 1.12.2007 |
| r 7 | substituted by 279/2007 r 7 | 1.12.2007 |
| <i>r 8 before substitution by 279/2007</i> | | |
| r 8(5) | <i>varied by 142/1999 r 3</i> | 1.7.1999 |
| | <i>substituted by 175/2007 r 15(1)</i> | 21.6.2007 |
| r 8(7) | <i>substituted by 135/2001 r 5</i> | 28.6.2001 |
| | <i>varied by 175/2007 r 15(2)</i> | 21.6.2007 |
| r 8 | substituted by 279/2007 r 7 | 1.12.2007 |
| r 9 | substituted by 279/2007 r 7 | 1.12.2007 |
| <i>r 10 before deletion by 279/2007</i> | | |
| r 10(4) | <i>varied by 9/2004 r 12(1)</i> | 19.2.2004 |

Fisheries Management (Blue Crab Fishery) Regulations 1998—7.4.2011 to 16.1.2013

Legislative history

| | | |
|---|--|-----------------|
| <i>r 10(5)</i> | <i>varied by 9/2004 r 12(2)</i> | 19.2.2004 |
| | <i>(g) and (h) deleted by 9/2004 r 12(3)</i> | 19.2.2004 |
| <i>r 10</i> | <i>deleted by 279/2007 r 7</i> | 1.12.2007 |
| <i>r 11 before deletion by 279/2007</i> | | |
| <i>r 11(1)</i> | <i>varied by 9/2004 r 13</i> | 19.2.2004 |
| <i>r 11</i> | <i>deleted by 279/2007 r 7</i> | 1.12.2007 |
| <i>r 12 before deletion by 279/2007</i> | <i>varied by 9/2004 r 14</i> | 19.2.2004 |
| <i>rr 12 and 13</i> | <i>deleted by 279/2007 r 7</i> | 1.12.2007 |
| <i>r 14</i> | <i>substituted by 217/2001 r 5</i> | 17.9.2001 |
| <i>r 14(1) and (2)</i> | <i>substituted by 279/2007 r 8(1)</i> | 1.12.2007 |
| <i>r 14(3)</i> | <i>varied by 279/2007 r 8(2)</i> | 1.12.2007 |
| <i>r 14(4)</i> | <i>varied by 279/2007 r 8(3), (4)</i> | 1.12.2007 |
| <i>r 15 before substitution by 279/2007</i> | <i>substituted by 217/2001 r 5</i> | 17.9.2001 |
| <i>r 15(4) and (5)</i> | <i>deleted by 47/2002 r 9</i> | 14.6.2002 |
| <i>r 15</i> | <i>substituted by 279/2007 r 9</i> | 1.12.2007 |
| <i>r 16</i> | | |
| <i>r 16(2)</i> | <i>varied by 279/2007 r 10(1), (2)</i> | 1.12.2007 |
| <i>r 16(3)</i> | <i>varied by 279/2007 r 10(3)</i> | 1.12.2007 |
| <i>r 17</i> | | |
| <i>r 17(1)</i> | <i>varied by 133/2000 r 4</i> | 22.6.2000 |
| | <i>varied by 9/2004 r 15</i> | 19.2.2004 |
| | <i>varied by 279/2007 r 11(1)—(3)</i> | 1.12.2007 |
| <i>r 17(2)</i> | <i>varied by 279/2007 r 11(4)</i> | 1.12.2007 |
| <i>r 18</i> | <i>varied by 133/2000 r 5</i> | 22.6.2000 |
| | <i>varied by 279/2007 r 12(1), (2)</i> | 1.12.2007 |
| <i>r 19</i> | <i>inserted by 137/2004 r 12</i> | 24.6.2004 |
| | <i>deleted by 279/2007 r 13</i> | 1.12.2007 |
| <i>Sch 1</i> | <i>substituted by 279/2007 r 14</i> | 1.12.2007 |
| Pt 1 | varied by 25/2011 r 5 | 7.4.2011 |
| <i>Sch 2 before substitution by 137/2004</i> | <i>varied by 142/1999 r 4</i> | 1.7.1999 |
| | <i>varied by 133/2000 r 6</i> | 22.6.2000 |
| | <i>varied by 135/2001 r 6</i> | 28.6.2001 |
| | <i>varied by 217/2001 r 6</i> | 17.9.2001 |
| | <i>varied by 47/2002 r 10</i> | 14.6.2002 |
| | <i>varied by 141/2003 r 11</i> | 5.6.2003 |
| <i>Sch 2 before substitution by 175/2007</i> | <i>substituted by 137/2004 r 13</i> | 24.6.2004 |
| | <i>substituted by 138/2005 r 9</i> | 16.6.2005 |
| | <i>substituted by 136/2006 r 9</i> | 15.6.2006 |

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| | <i>varied by 138/2006 r 7(1), (2)</i> | <i>1.7.2006</i> |
| <i>Sch 2 before substitution by 279/2007</i> | <i>substituted by 175/2007 r 16</i> | <i>21.6.2007</i> |
| <i>item 5</i> | <i>varied by 124/2007 r 7(1)</i> | <i>1.7.2007</i> |
| <i>item 6</i> | <i>varied by 124/2007 r 7(2)</i> | <i>1.7.2007</i> |
| <i>Sch 2</i> | <i>substituted by 279/2007 r 14</i> | <i>1.12.2007</i> |
| <i>Sch 3 before deletion by 279/2007</i> | | |
| <i>cl 9</i> | <i>substituted by 9/2004 r 16</i> | <i>19.2.2004</i> |
| <i>Sch 3</i> | <i>deleted by 279/2007 r 14</i> | <i>1.12.2007</i> |
| <i>Sch 4 before deletion by 279/2007</i> | <i>inserted by 217/2001 r 7</i> | <i>13.9.2001</i> |
| <i>Table</i> | <i>relocated to follow cl 1 by 141/2003 r 12</i> | <i>5.6.2003</i> |
| <i>Sch 4</i> | <i>deleted by 279/2007 r 14</i> | <i>1.12.2007</i> |

Transitional etc provisions associated with regulations or variations

No 142 of 1999

5—Transitional provision

- (1) A licence renewal fee prescribed by Schedule 2 of the principal regulations as varied by these regulations applies in relation to a licence period commencing after the commencement of these regulations.
- (2) Despite regulation 4, a licence renewal fee prescribed by Schedule 2 of the principal regulations as in force immediately before the commencement of these regulations continues to apply in relation to a licence period that commenced before the commencement of these regulations.
- (3) In this regulation—
licence period has the same meaning as in the principal regulations.

No 133 of 2000

7—Transitional provision

- (1) A fee prescribed by Schedule 2 of the principal regulations as varied by these regulations applies in relation to a licence period commencing after the commencement of these regulations.
- (2) Despite regulation 6, a fee prescribed by Schedule 2 of the principal regulations as in force immediately before the commencement of these regulations continues to apply in relation to a licence period that commenced before the commencement of these regulations.
- (3) In this regulation—
licence period has the same meaning as in the principal regulations.

No 135 of 2001

7—Transitional provision

- (1) A fee prescribed by Schedule 2 of the principal regulations as varied by these regulations applies in relation to a licence period commencing after the commencement of these regulations.
- (2) Despite regulation 6, a fee prescribed by Schedule 2 of the principal regulations as in force immediately before the commencement of these regulations continues to apply in relation to a licence period that commenced before the commencement of these regulations.
- (3) In this regulation—
licence period has the same meaning as in the principal regulations.

Fisheries (Variation of Schemes of Management) Regulations 2002 (No 47 of 2002)

11—Transitional provision

- (1) A fee prescribed by Schedule 2 of the principal regulations as varied by this Part applies in relation to a licence period commencing after the commencement of this Part.
- (2) Despite regulation 10, a fee prescribed by Schedule 2 of the principal regulations as in force immediately before the commencement of this Part continues to apply in relation to a licence period that commenced before the commencement of this Part.
- (3) In this regulation—
licence period has the same meaning as in the principal regulations.

Fisheries (Fees) Variation Regulations 2003 (No 141 of 2003)

13—Transitional provision

- (1) A fee prescribed by Schedule 2 of the principal regulations as varied by this Part applies in relation to the licence period commencing after the commencement of these regulations.
- (2) Despite regulation 11, a fee prescribed by Schedule 2 of the principal regulations as in force immediately before the commencement of these regulations continues to apply in relation to the licence period commencing before the commencement of these regulations.

Fisheries (Fees) Variation Regulations 2004 (No 137 of 2004)

14—Transitional provision

- (1) A fee prescribed by Schedule 2 of the principal regulations as substituted by this Part applies in relation to the licence period commencing after the commencement of these regulations.
- (2) Despite regulation 13, a fee prescribed by Schedule 2 of the principal regulations as in force immediately before the commencement of these regulations continues to apply in relation to the licence period commencing before the commencement of these regulations.

Fisheries (Fees) Variation Regulations 2005 (No 138 of 2005)

10—Transitional provision

- (1) A fee prescribed by Schedule 2 of the principal regulations as substituted by this Part applies in relation to the licence period commencing on 1 July 2005.
- (2) Despite regulation 9, a fee prescribed by Schedule 2 of the principal regulations as in force immediately before the commencement of these regulations continues to apply in relation to the licence period that commenced on 1 July 2004.

Fisheries (Fees) Variation Regulations 2006 (No 136 of 2006)

10—Transitional provision

- (1) A fee prescribed by Schedule 2 of the principal regulations as substituted by this Part applies in relation to the licence period commencing on 1 July 2006.
- (2) Despite regulation 9, a fee prescribed by Schedule 2 of the principal regulations as in force immediately before the commencement of these regulations continues to apply in relation to the licence period that commenced on 1 July 2005.

Fisheries (Fees No 2) Variation Regulations 2007 (No 175 of 2007)

17—Transitional provision

- (1) A fee prescribed by Schedule 2 of the principal regulations as substituted by this Part applies in relation to the licence period commencing on 1 July 2007.
- (2) Despite regulation 16, a fee prescribed by Schedule 2 of the principal regulations as in force immediately before the commencement of these regulations continues to apply in relation to the licence period that commenced on 1 July 2006.

Historical versions

19.2.2004
24.6.2004
16.6.2005
15.6.2006
1.7.2006
21.6.2007 (electronic only)
1.7.2007
1.12.2007