

South Australia

Fisheries (Scheme of Management—Lakes and Coorong Fishery) Regulations 1991

under the *Fisheries Act 1982*

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1—Short title

These regulations may be cited as the *Fisheries (Scheme of Management—Lakes and Coorong Fishery) Regulations 1991*.

3—Revocation

The *Scheme of Management (Lakes and Coorong Fishery) Regulations 1984* (see *Gazette 14.6.1984 p1664*), as varied, are revoked.

4—Interpretation

- (1) In these regulations unless the contrary intention appears—
- the Act* means the *Fisheries Act 1982*;
- coastal waters* means the waters of the ocean and all bays, gulfs, straits, passages, inlets and estuaries of the State that are subject to the tidal influence of the sea;
- the fishery* means the Lakes and Coorong Fishery constituted by these regulations;
- Lakes and Coorong* means the waters of the Coorong, Lake Alexandrina, Lake Albert and the coastal waters out to three nautical miles from low water mark from the seaward extension of the Goolwa Beach Road to the jetty at Kingston;
- mesh net* has the same meaning as in the *Fisheries (General) Regulations 2000* and includes a drum net as defined in those regulations;
- mesh net entitlement* means the maximum number of mesh nets that the holder of a licence in respect of the fishery may lawfully use at any one time for the purpose of taking fish pursuant to the licence;
- the revoked regulations* means the regulations revoked by regulation 3;
- SARDI* means the South Australian Research and Development Institute;
- yabbie pot* has the same meaning as in the *Fisheries (General) Regulations 2000* and includes a drop net and hoop net as defined in those regulations;
- yabbie pot entitlement* means the maximum number of yabbie pots that the holder of a licence in respect of the fishery may lawfully use at any one time for the purpose of taking fish pursuant to the licence.
- (4) In these regulations, a reference to the taking of fish includes a reference to an act preparatory to, or involved in the taking of the fish.

Note—

For definition of divisional penalties (and divisional expiation fees) see Appendix.

5—Constitution of the fishery

- (1) The Lakes and Coorong Fishery is constituted.
- (2) The Lakes and Coorong Fishery consists of—
- (a) the taking of fish specified in Schedule 1 in the Lakes and Coorong; and
 - (b) the taking of razor fish (*Pinna bicolor*) in the Lakes and Coorong for the purpose of bait.

6—No further licences to be granted

The licences in respect of the fishery in force under the revoked regulations immediately before the commencement of these regulations continue in force as licences in respect of the fishery subject to the provisions of the Act and these regulations, and no other licence may be granted in respect of the fishery.

7—Expiry of licences

A licence in respect of the fishery expires on 30 June following the date of its last renewal.

8—Renewal of licences

- (1) A licence in respect of the fishery may be renewed by the Director on application made before or within 12 months after the expiry of the licence.
- (2) An application to renew a licence in respect of the fishery must—
 - (a) be made by the holder of the licence or, if the licence has expired, by the person who last held the licence; and
 - (b) be made in writing in a form approved by the Director and signed by the applicant.
- (3) Where an application to renew a licence is made before the expiry of the licence, the renewal of the licence takes effect from the expiry of the licence.
- (4) Where an application to renew a licence is made after the expiry of the licence, the renewal of the licence takes effect from the date on which the application is granted.
- (5) The Director may not renew a licence unless the applicant has paid—
 - (a) —
 - (i) a fee of \$6 501; or
 - (ii) the first instalment of a fee of \$6 591 in accordance with subregulation (6);
 - (b) the amount of any previous renewal fee remaining payable in respect of the licence, together with any additional amount payable for late payment of an instalment of the renewal fee.
- (6) Where an application to renew a licence is made before or within three months after the expiry of the licence, the renewal fee may be paid by four equal instalments payable on or before the date of renewal of the licence and 1 October, 1 January and 1 April following the date of renewal.
- (7) If an instalment of a renewal fee is not paid in full within 21 days after the due date for payment, an additional amount equal to 10 per cent of the amount of the instalment is payable.
- (8) Where—
 - (a) an instalment of a renewal fee for a licence is not paid in full on or before the due date; or
 - (b) an additional amount is required to be paid for late payment of an instalment of a renewal fee,

the amount unpaid may be recovered from the holder of the licence or the person who last held the licence as a debt due to the Crown.

8A—Refund on surrender of licence

Where a licence in respect of the fishery is surrendered, the Director must, on application by the former licensee, refund an amount that bears to the renewal fee last paid in respect of the licence the same proportion as the number of complete months from the date of surrender to the following 1 July bears to 12.

9—Transfer of licence

- (1) A licence granted in respect of the fishery may be transferred with consent of the Director.
- (2) An application for consent to the transfer of a licence must be a joint application made by the holder of the licence and the transferee.
- (3) The application—
 - (a) must be made in writing in a form approved by the Director; and
 - (b) must contain the information specified in Schedule 2; and
 - (c) must contain a nomination by the holder of the licence of the person to whom the licence is to be transferred; and
 - (d) must be verified by the applicants by statutory declaration.
- (4) The application must be lodged with the Director together with—
 - (a) the licence to be transferred; and
 - (b) a form of return as required by these regulations completed by the holder of the licence up to the date of application; and
 - (c) an application fee of \$311.
- (5) Before consenting to the transfer of a licence, the Director must be satisfied as to the following matters:
 - (a) that the licence to be transferred has not been suspended; and
 - (b) that no proceedings alleging an offence under the Act are pending or likely to be commenced in the State against the holder of the licence; and
 - (c) that the transfer is to one person only; and
 - (d) that the transferee is a natural person who—
 - (i) is at least 15 years of age; and
 - (ii) has not, within the period of three years preceding the date of application, been convicted in the State or elsewhere in Australia of an offence involving a breach of any legislation relating to fishing; and
 - (e) that no proceedings alleging an offence involving a breach of any legislation relating to fishing are pending or likely to be commenced in the State or elsewhere in Australia against the transferee; and
 - (h) if any boat registered by endorsement of the licence is the subject of, is registered by endorsement of, or is otherwise referred to in, a licence, permit, authority or other entitlement to take fish granted under the Commonwealth Act or the laws of another State or Territory—
 - (i) that the entitlement is either to be transferred together with the fishery licence to the transferee or to be surrendered on or before the transfer of the fishery licence; or
 - (ii) that—

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

10—Registration of boats

- (1) An application to register a boat to be used pursuant to a licence in respect of the fishery must be made in writing in a form approved by the Director and be accompanied by the applicant's licence in respect of the fishery.
- (2) Before granting registration of the boat the Director must be satisfied that the applicant is the holder of a licence in respect of the fishery.

11—Registration as master

- (1) An application for registration of a person as the master of a boat used pursuant to a licence in respect of the fishery must be made in writing in a form approved by the Director and be accompanied by the applicant's licence in respect of the fishery.
- (2) A person other than the holder of the licence cannot be registered as the master of a boat used pursuant to the licence unless the holder of the licence is already registered as the master of a boat used pursuant to a fishery licence.

12—Revocation of registration

- (1) The Director may, on application by the holder of a licence in respect of the fishery, revoke any registration effected by endorsement of the licence.
- (2) An application for revocation of a registration must be made in writing in a form approved by the Director and be accompanied by the licence on which the registration is endorsed.

13—Mesh net entitlement

The Director may impose or vary conditions on licences in respect of the fishery fixing mesh net entitlements as follows:

- (a) a mesh net entitlement may be fixed by condition of a licence but must not exceed 100;
- (b) the mesh net entitlement fixed by any such condition of a licence must, until the licence is transferred, be the number endorsed on the licence as the mesh net entitlement under the revoked regulations immediately before the commencement of these regulations subject to any subsequent variation made in accordance with paragraph (d);
- (c) where a person becomes the holder of a licence in respect of the fishery as a result of the transfer of the licence, the mesh net entitlement for that licence must be fixed at 25 subject to any subsequent variation made in accordance with paragraph (d);
- (d) the mesh net entitlement for a licence may, on application made in a manner and form approved by the Director by the holder of the licence and the holder of another licence in respect of the fishery, be increased by 25 provided that—

- (i) the other licence is first surrendered to the Director; and
- (ii) if the mesh net entitlement as so increased would exceed 100, the entitlement is fixed at 100 only.

14—Yabbie pot entitlement

The Director may impose or vary conditions on licences in respect of the fishery fixing yabbie pot entitlements as follows:

- (a) a yabbie pot entitlement may be fixed by condition of a licence but must not exceed 100;
- (b) the yabbie pot entitlement fixed by any such condition of a licence must, until the licence is transferred, be the number endorsed on the licence as the yabbie pot entitlement under the revoked regulations immediately before the commencement of these regulations subject to any subsequent variation in accordance with paragraph (d);
- (c) where a person becomes the holder of a licence in respect of the fishery as a result of the transfer of the licence, the yabbie pot entitlement for that licence must be fixed at 50 subject to any subsequent variation in accordance with paragraph (d);
- (d) the yabbie pot entitlement for a licence may, on application made in a manner and form approved by the Director by the holder of the licence and the holder of another licence in respect of the fishery, be increased by the amount of the yabbie pot entitlement for that other licence provided that—
 - (i) the other licence is first surrendered to the Director; and
 - (ii) if the yabbie pot entitlement as so increased would exceed 100, the entitlement is fixed at 100 only.

15—Use of agents in fishing activities on the shore

- (1) The holder of a licence in respect of the fishery or the registered master of a boat registered by endorsement of such a licence must not cause or permit a person to be engaged on the shore as an agent of the holder of the licence in a fishing activity of a class that constitutes the fishery unless—
 - (a) the holder of the licence or the registered master is at the same time also engaged on the shore in a fishing activity of a class that constitutes the fishery; and
 - (b) the holder of the licence or the registered master (as the case may be) and the other person remain, while so engaged, within 700 metres of each other.

Penalty: Division 6 fine.

Expiation fee: Division 9 fee.

- (2) The holder of a licence in respect of the fishery or the registered master of a boat registered by endorsement of such a licence must not cause or permit more than 2 persons to be engaged at the same time on the shore as agents of the holder of the licence in a fishing activity of a class that constitutes the fishery.

Penalty: Division 6 fine.

Expiation fee: Division 9 fee.

16—Use of agents in fishing activities on boats

- (1) The holder of a licence in respect of the fishery or the registered master of a boat registered by endorsement of such a licence must not cause or permit a person to be engaged on a boat as an agent of the holder of the licence in a fishing activity of a class that constitutes the fishery unless—
 - (a) the holder of the licence or the registered master is at the same time also engaged on a registered boat in a fishing activity of a class that constitutes the fishery; and
 - (b) the holder of the licence or the registered master (as the case may be) and the other person remain, while so engaged, within 500 metres of each other.

Penalty: Division 6 fine.

Expiation fee: Division 9 fee.

- (2) The holder of a licence in respect of the fishery or the registered master of a boat registered by endorsement of such a licence must not cause or permit more than 2 persons to be engaged at the same time on a boat as agents of the holder of the licence in a fishing activity of a class that constitutes the fishery.

Penalty: Division 6 fine.

Expiation fee: Division 9 fee.

- (3) A boat used by a person as the agent of the holder of a licence in respect of the fishery in a fishing activity of a class that constitutes the fishery need not be registered if the boat is marked with the same distinguishing mark and in the same way as a boat registered by endorsement of the licence.
- (4) An unregistered boat that is marked as referred to in subregulation (3) need not be in the charge of a registered master.

17—Furnishing of 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 Chief Executive Officer of SARDI, with the approval of 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 and deliver the return to the office of the Chief Executive Officer of SARDI within 15 days of the end of the month to which it relates.

Penalty: Division 6 fine.

Expiation fee: Division 9 fee.

- (2) Where the holder of a licence in respect of the fishery takes no fish pursuant to the licence 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 fish were taken.

18—Copies of returns must be made

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 Chief Executive Officer of SARDI; and
- (b) retain a copy for the period of one year from the last day of the month to which the return relates.

Penalty: Division 6 fine.

Schedule 1—Fish prescribed for the Lakes and Coorong Fishery

The following fish are specified for the fishery:

Scalefish

- Anchovy (*Engraulis australis*)
- Barracouta (*Thyrsites atun*)
- Bluethroated wrasse (*Notolabrus tetricus*)
- Bony bream (*Nematalosa erebi*)
- Bream (*Acanthopagrus butcheri*)
- Carp (all species) (Family Cyprinidae)
- Catfish (*Tandanus tandanus*)
- Cod (marine species) (Family Moridae)
- Congolli (*Pseudaphritis urvilli*)
- Dory (Family Zeidae)
- Flathead (Family Platycephalidae)
- Flounder (Family Pleuronectidae)
- Garfish (*Hyporhamphus melanochir*)
- Mullet (all species) (Family Mugilidae)
- Mulloway (*Argyrosomus hololepidotus*)
- Murray cod (*Maccullochella peeli*)
- Nannygai, Red snapper, Swallowtail (Family Berycidae)
- Perch, golden (callop) (*Macquaria ambigua*)
 - redfin (*Perca Fluviatilis*)
 - silver (*Bidyanus bidyanus*)
- Pilchard (*Sardinops neopilchardus*)
- Salmon (*Arripis truttaceus*)
- Snapper (*Chrysophrys auratus*)
- Snook (*Sphyaena novaehollandiae*)
- Sole (*Aserragodes haackeanus*)
- Sweep (*Scorpis aequipinnis*)

Tommy ruff (*Arripis georgianus*)
Trevalla (*Hyperoglyphe antarctica*)
Trevally (*Usacaranx georgianus*)
Trout, brown (*Salmo trutta*)
 rainbow (*Oncorhynchus mykiss*)
Whiting (Family Sillaginidae)

Crustaceans

Freshwater shrimp (*Macrobrachium australiensis*)
Crabs (Family Portunidae)
Yabbies (*Cherax destructor*)

Molluscs

Cockle (Suborder Teledonta)
Squid, calamary (*Sepioteuthis australis*)
 arrow (*Nototodarus gouldi*)
Mussels (Family Hyriidae)
Mussels (*Mytilus* spp.)

Annelids

Bloodworm
Tubeworm

} (Class Polychaeta)

Shark

All species other than white pointer shark
(*Carcharodon carcharias*)
Skate
Rays

} (Class Elasmobranchii)

Schedule 2—Information required in application for consent to licence transfer

The following information is to be contained in an application for consent to transfer a licence:

- 1 Full name of the holder of the licence.
- 2 The licence number.
- 3 Full name, date of birth, address (residential and postal) and telephone number of the transferee.
- 4 The price to be paid for the transfer of—
 - (a) the licence; and
 - (b) any boat, equipment, registration endorsed on the licence or other matter or thing being transferred as part of the transaction.

Fisheries (Scheme of Management—Lakes and Coorong Fishery) Regulations 1991—1.7.2006 to 31.8.2006—revoked

Schedule 2—Information required in application for consent to licence transfer

- 5 Details of any boat to be used by the transferee to take fish including—
 - (a) its length (where surveyed—surveyed length);
 - (b) the number of its current survey certificate;
 - (c) the year of its construction;
 - (d) the material of which its hull is made;
 - (e) its main colour;
 - (f) its name;
 - (g) its registration number.
- 6 Details of the number of persons who are to assist the transferee to take fish from the boat or otherwise.
- 7 Details of the person who is to be the registered master of the boat.
- 8 Details of any device to be used to take fish.
- 9 Statements by the transferee as to—
 - (a) whether or not the transferee has, during the three years immediately preceding the date of the application, been convicted by a court of a State or Territory of the Commonwealth of an offence involving a breach of legislation relating to fishing; and
 - (b) whether or not the transferee has, at the date of the application, any proceedings alleging an offence involving a breach of legislation relating to fishing pending or likely to be commenced against the transferee in a court of a State or Territory of the Commonwealth.
- 10 Details in respect of any of the statements made by the transferee in respect of the matters referred to in clause 9.

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.

Formerly

Scheme of Management (Lakes and Coorong Fishery) Regulations 1991

Revocation of regulations

The *Fisheries (Scheme of Management—Lakes and Coorong Fishery) Regulations 1991* were revoked by Sch 3 of the *Fisheries (Scheme of Management—Lakes and Coorong Fishery) Regulations 2006* on 1.9.2006.

Principal regulations and variations

Year	No	Reference	Commencement
1991	110	<i>Gazette 27.6.1991 p2178</i>	27.6.1991: r 2
1991	183	<i>Gazette 22.8.1991 p639</i>	22.8.1991: r 2
1992	108	<i>Gazette 25.6.1992 p1934</i>	25.6.1992: r 2
1993	123	<i>Gazette 24.6.1993 p2066</i>	24.6.1993: r 2
1994	10	<i>Gazette 10.3.1994 p703</i>	10.7.1994: r 2
1994	100	<i>Gazette 23.6.1994 p1818</i>	23.6.1994: r 2
1994	153	<i>Gazette 1.9.1994 p684</i>	1.9.1994: r 2
1995	146	<i>Gazette 29.6.1995 p3160</i>	29.6.1995: r 2
1996	151	<i>Gazette 20.6.1996 p3008</i>	20.6.1996: r 2
1996	161	<i>Gazette 27.6.1996 p3163</i>	27.6.1996: r 2
1997	130	<i>Gazette 13.5.1997 p1958</i>	13.5.1997: r 2
1998	137	<i>Gazette 11.6.1998 p2549</i>	11.6.1998: r 2
1999	135	<i>Gazette 1.7.1999 p40</i>	1.7.1999: r 2
2000	134	<i>Gazette 22.6.2000 p3355</i>	22.6.2000: r 2
2001	141	<i>Gazette 28.6.2001 p2447</i>	28.6.2001: r 2
2002	47	<i>Gazette 14.6.2002 p2153</i>	Pt 4 (rr12—15)—14.6.2002: r 2
2003	141	<i>Gazette 5.6.2003 p2407</i>	Pt 6 (rr 14—16)—5.6.2003: r 2
2004	9	<i>Gazette 19.2.2004 p535</i>	Pt 5 (rr 17—23)—19.2.2004: r 2
2004	137	<i>Gazette 24.6.2004 p2301</i>	Pt 6 (rr 15 & 16)—24.6.2004: r 2
2005	138	<i>Gazette 16.6.2005 p1834</i>	Pt 6 (rr 11 & 12)—16.6.2005: r 2

Fisheries (Scheme of Management—Lakes and Coorong Fishery) Regulations 1991—1.7.2006 to 31.8.2006—revoked

Legislative history

2006	136	<i>Gazette 15.6.2006 p1859</i>	Pt 7 (rr 13 & 14)—15.6.2006: r 2
2006	138	<i>Gazette 15.6.2006 p1870</i>	Pt 7 (r 9)—1.7.2006: r 2

Provisions varied

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

Provision	How varied	Commencement
r 1	substituted by 141/2003 r 14	5.6.2003
r 2	<i>omitted under the Legislation Revision and Publication Act 2002</i>	<i>19.2.2004</i>
r 4		
r 4(1)		
director	<i>substituted by 47/2002 r 13(a)</i>	<i>14.6.2002</i>
	<i>deleted by 9/2004 r 17(1)</i>	<i>19.2.2004</i>
mesh net	varied by 141/2001 r 3	28.6.2001
yabbie pot	varied by 141/2001 r 3	28.6.2001
SARDI	inserted by 123/1993 r 3	24.6.1993
r 4(2)	<i>varied by 47/2002 r 13(b)</i>	<i>14.6.2002</i>
	<i>deleted by 9/2004 r 17(2)</i>	<i>19.2.2004</i>
r 4(3)	<i>varied by 47/2002 r 13(d)</i>	<i>14.6.2002</i>
	<i>(a) deleted by 47/2002 r 13(c)</i>	<i>14.6.2002</i>
	<i>deleted by 9/2004 r 17(2)</i>	<i>19.2.2004</i>
r 5		
r 5(2)	substituted by 161/1996 r 3	27.6.1996
r 8		
r 8(2)	substituted by 183/1991 r 2(a)	22.8.1991
r 8(5)	inserted by 183/1991 r 2(b)	22.8.1991
	varied by 108/1992 r 3	25.6.1992
	varied by 123/1993 r 4	24.6.1993
	varied by 100/1994 r 3	23.6.1994
	varied by 146/1995 r 3	29.6.1995
	varied by 151/1996 r 3	20.6.1996
	varied by 130/1997 r 3	13.5.1997
	varied by 137/1998 r 3	11.6.1998
	varied by 135/1999 r 3	1.7.1999
	varied by 134/2000 r 3	22.6.2000
	varied by 141/2001 r 4(a), (b)	28.6.2001
	varied by 47/2002 r 14	14.6.2002
	varied by 141/2003 r 15	5.6.2003
	varied by 137/2004 r 15	24.6.2004
	varied by 138/2005 r 11(1), (2)	16.6.2005
	varied by 136/2006 r 13(1), (2)	15.6.2006
r 8(6)	inserted by 183/1991 r 2(b)	22.8.1991
r 8(7)	inserted by 183/1991 r 2(b)	22.8.1991

	substituted by 141/2001 r 4(c)	28.6.2001
r 8(8)	inserted by 183/1991 r 2(b)	22.8.1991
r 8A	inserted by 108/1992 r 4	25.6.1992
r 9		
r 9(4)	varied by 135/1999 r 4	1.7.1999
	varied by 138/2006 r 9	1.7.2006
r 9(5)	(f) and (g) deleted by 9/2004 r 18	19.2.2004
r 10		
r 10(1)	varied by 9/2004 r 19	19.2.2004
r 11	substituted by 9/2004 r 20	19.2.2004
rr 15 and 16	substituted by 9/2004 r 21	19.2.2004
r 17	varied by 123/1993 r 5	24.6.1993
r 17(1)	varied by 108/1992 r 5(b)	25.6.1992
	varied by 9/2004 r 22	19.2.2004
r 18	varied by 123/1993 r 6	24.6.1993
Sch 1	varied by 10/1994 r 3	10.7.1994
	varied by 153/1994 r 3	1.9.1994
	varied by 161/1996 r 4	27.6.1996
Sch 2		
cl 4	varied by 183/1991 r 3	22.8.1991
cl 9	substituted by 9/2004 r 23	19.2.2004
Sch 3	deleted by 108/1992 r 6	25.6.1992

Transitional etc provisions associated with regulations or variations

No 130 of 1997

4—Transitional provision

- (1) A licence renewal fee prescribed by regulation 8 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 3, a licence renewal fee prescribed by regulation 8 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 means the period of 12 months commencing on 1 July in any year.

No 137 of 1998

4—Transitional provision

- (1) A licence renewal fee prescribed by regulation 8 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 3, a licence renewal fee prescribed by regulation 8 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 means the period of 12 months commencing on 1 July in any year.

No 135 of 1999

5—Transitional provision

- (1) A licence renewal fee prescribed by regulation 8 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 3, a licence renewal fee prescribed by regulation 8 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 means the period of 12 months commencing on 1 July in any year.

No 134 of 2000

4—Transitional provision

- (1) A licence renewal fee prescribed by regulation 8 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 3, a licence renewal fee prescribed by regulation 8 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 means the period of 12 months commencing on 1 July in any year.

No 141 of 2001

5—Transitional provision

- (1) A licence renewal fee prescribed by regulation 8 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 regulation 8 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 means the period of 12 months commencing on 1 July in any year.

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

15—Transitional provision

- (1) A fee prescribed by regulation 8 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 14, a fee prescribed by regulation 8 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)

16—Transitional provision

- (1) A fee prescribed by regulation 8 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 15, a fee prescribed by regulation 8 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)

16—Transitional provision

- (1) A fee prescribed by regulation 8 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 15, a fee prescribed by regulation 8 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)

12—Transitional provision

- (1) A fee prescribed by regulation 8 of the principal regulations as varied by this Part applies in relation to the licence period commencing on 1 July 2005.
- (2) Despite regulation 11, a fee prescribed by regulation 8 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)

14—Transitional provision

- (1) A fee prescribed by regulation 8 of the principal regulations as varied by this Part applies in relation to the licence period commencing on 1 July 2006.
- (2) Despite regulation 13, a fee prescribed by regulation 8 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.

Historical versions

19.2.2004

24.6.2004

16.6.2005

15.6.2006

Appendix—Divisional penalties and expiation fees

At the date of publication of this version divisional penalties and expiation fees are, as provided by section 28A of the *Acts Interpretation Act 1915*, as follows:

Division	Maximum imprisonment	Maximum fine	Expiation fee
1	15 years	\$60 000	—
2	10 years	\$40 000	—
3	7 years	\$30 000	—
4	4 years	\$15 000	—
5	2 years	\$8 000	—
6	1 year	\$4 000	\$300
7	6 months	\$2 000	\$200
8	3 months	\$1 000	\$150
9	—	\$500	\$100
10	—	\$200	\$75
11	—	\$100	\$50
12	—	\$50	\$25

Note: This appendix is provided for convenience of reference only.