



NORTHERN TERRITORY OF AUSTRALIA

No. 74 of 1982

AN ACT

To amend the *Fish and Fisheries Act*

[Assented to 8 December 1982]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Fish and Fisheries Amendment Act (No. 2) 1982*.

2. PRINCIPAL ACT

The *Fish and Fisheries Act* is in this Act referred to as the Principal Act.

3. DEFINITIONS

Section 5 of the Principal Act is amended -

- (a) by inserting after the definition of "arrangement" the following:

"'barramundi' means a fish of the species *Lates calcarifer*"; and

- (b) by inserting after the definition of "fish trap" the following:

"'gill net' means a net with a mesh size exceeding 65 millimetres designed for the taking of fish;".

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4. AMATEUR FISHERMEN

Section 27(1) of the Principal Act is amended by omitting "for 12 months." and substituting "for 12 months and, in respect of an offence against paragraph (b) where the fish referred to in that paragraph is barramundi, in addition, \$100 for each barramundi in excess of the bag limit prescribed.".

5. GILL NETS

The Principal Act is amended by inserting after section 28 the following:

"28A. GILL NETS

"(1) Subject to sub-section (2), a person shall not have in his possession a gill net except -

(a) under and in accordance with a Class A1 or Class C licence; or

(b) lawfully for the purpose of sale.

Penalty: For a first offence - \$1,000 or imprisonment for 6 months.

For a second or subsequent offence - \$2,000 or imprisonment for 12 months.

"(2) It is a defence to a prosecution for an offence against sub-section (1) if the defendant establishes that at the time of possession of the gill net to which the offence relates the defendant had not committed and was not proposing to commit an offence against this Act in respect of that gill net."
