



NORTHERN TERRITORY OF AUSTRALIA

No. 56 of 1982

AN ACT

To amend the *Fish and Fisheries Act*

[Assented to 8 October 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 1982*.

2. PRINCIPAL ACT

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

3. NEW SECTION

The Principal Act is amended by inserting after section 6 the following:

"6A. DELEGATION

"(1) The Director of Fisheries may, by instrument in writing, delegate to a person any of his powers and functions under this Act, other than this power of delegation.

"(2) A power or function delegated under this section, when exercised or performed by the delegate, shall, for the purposes of this Act, be deemed to have been exercised or performed by the Director of Fisheries.

"(3) A delegation under this section does not prevent the exercise of a power or the performance of a function by the Director of Fisheries."

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4. FISH TRAPS

Section 29(3)(b) of the Principal Act is amended by inserting after "Director of Fisheries" the words ", or a person authorized by the Director to receive such payments,".

5. CLASS A1 LICENSEE MUST BE PHYSICALLY PRESENT

Section 35(1) of the Principal Act is amended by inserting -

- (a) after "Director of Fisheries" the words ", or a person authorized by the Director to accept such reasons,"; and
- (b) after "Director" the words "or a person so authorized, as the case may be".

6. EXPLOSIVES, &c.

Section 39 of the Principal Act is amended -

- (a) by omitting from sub-section (1) all words after and including "Director of Fisheries" and substituting the following:

"Director of Fisheries -

- (a) cause or permit a shock, sound or other vibration, whether by percussion, by the use of an explosive or otherwise, where an effect of the shock, sound or vibration is, or may be, that fish are killed; or
- (b) introduce poisonous or noxious substances into waters of the Territory where an effect of the introduction of the substance into the waters is, or may be, that fish are killed.

Penalty: \$2,000 or imprisonment for 12 months."; and

- (b) by omitting from sub-section (2) "and materials" and substituting ", materials and substances".

7. FALSELY IDENTIFYING FISH FOR SALE

Section 44 of the Principal Act is amended by omitting "\$500." and substituting "\$2,000 or imprisonment for 12 months.".

8. INTRODUCING OR RELEASING LIVE FISH

Section 47(5) of the Principal Act is amended by inserting after "Director of Fisheries" the words ", a person authorized by the Director to receive such payments".

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9. DELIVERY TO DIRECTOR OF FISHERIES

Section 84(1) of the Principal Act is amended by inserting after "Director of Fisheries" the words ", or a person authorized by the Director to accept delivery of such things,".

10. NOTICE TO CLAIM

Section 85 of the Principal Act is amended by omitting "delivered to the Director of Fisheries" and substituting "delivered under section 84(1)".
