



NORTHERN TERRITORY OF AUSTRALIA

No. 114 of 1981

AN ACT

To amend the Fish and Fisheries Act

[Assented to 24 December 1981]

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) 1981.

2. SEARCH AND SEIZURE

Section 78 of the Fish and Fisheries Act is amended by inserting after sub-section (1) the following:

"(1A) A person shall comply with and shall not contravene a requirement made under sub-section (1)(e).

Penalty: \$2,000."

3. NEW SECTIONS

The Fish and Fisheries Act is amended by inserting after section 78 the following:

"78A. RETURN OF THING DETAINED

"(1) A thing detained under section 78(1) shall, within 7 days after it is detained, be released to the person in whose possession it was immediately before it was detained, unless it is sooner seized.

"(2) For the purposes of sub-section (1), a thing shall be deemed not to be seized unless the fisheries officer who seizes it, at the time of seizure or as soon as possible thereafter, gives to the person from whom it is seized a written notice, signed by the fisheries officer, identifying the thing and declaring that it is seized.

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"78B. SEIZURE OF THINGS DETAINED UNDER SEIZURE

"Where a fisheries officer is satisfied that there are reasonable grounds for suspecting that an offence against this Act has been committed, he may, in respect of any thing referred to in section 78(1)(d), if he has reasonable grounds for believing that it is evidence of or otherwise relates to that offence and that thing is seized in respect of another alleged offence against this Act committed by any person, serve on the person whom he believes to have committed the first-mentioned offence a written notice, signed by the fisheries officer, identifying the thing and declaring it to be seized in connection with that first-mentioned offence and, on the service of the notice on the person, the thing shall be deemed to be seized under that section in relation to both the first-mentioned and second-mentioned offences."
