

**NORTHERN TERRITORY OF AUSTRALIA**  
**BARRAMUNDI FISHERY MANAGEMENT PLAN AMENDMENT 2011**

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**Subordinate Legislation No. 3 of 2011**

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**Schedule**





# NORTHERN TERRITORY OF AUSTRALIA

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## Subordinate Legislation No. 3 of 2011\*

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### ***Barramundi Fishery Management Plan Amendment 2011***

I, Konstantine Vatskalis, Minister for Primary Industry, Fisheries and Resources, under section 25A of the *Fisheries Act*, approve the following amendments to the *Barramundi Fishery Management Plan*.

Dated 31 January 2011

K. VATSKALIS  
Minister for Primary Industry, Fisheries and Resources

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\* Notified in the *Northern Territory Government Gazette* on 1 February 2011.

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**1 Citation**

This instrument may be cited as the *Barramundi Fishery Management Plan Amendment 2011*.

**2 Commencement**

This instrument commences on 1 February 2011.

**3 Principal Plan amended**

This instrument amends the *Barramundi Fishery Management Plan*.

**4 Clause 25 amended**

(1) Clause 25(1) to (6)

*omit, insert*

- (1) A person must not have possession of more than 3 barramundi in the Daly River Fish Management Zone or Mary River Fish Management Zone.

Maximum penalty: Possession of 4 to 14 barramundi – \$2 000;  
or

Possession of more than 14 barramundi –  
\$10 000;

and, in addition, \$50 for each barramundi in  
excess of 3.

- (2) A person must not have possession of more than 5 barramundi in any other place.

Maximum penalty: Possession of 6 to 14 barramundi – \$2 000;  
or

Possession of more than 14 barramundi –  
\$10 000;

and, in addition, \$50 for each barramundi in  
excess of 5.

- (3) It is a defence to a charge of an offence against subclause (1) or (2) if the defendant proves:

- (a) the barramundi were at a place of permanent residence; or

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(b) the defendant was entitled to possession of the barramundi under a licence.

- (4) A person who has taken 3 barramundi in the Mary River Fish Management Zone on a particular day must not continue to fish for barramundi in the Zone on that day unless the person uses a barbless hook.

Maximum penalty: \$2 000.

- (5) Clause 5 does not apply to a barramundi taken in the Mary River Fish Management Zone unless the barramundi is taken with a barbless hook.

- (2) Clause 25(7) and (8)

*omit*

Where

*insert*

If

- (3) Clause 25(8)(c)

*omit*

clause,

*insert*

clause;

- (4) After clause 25(8)

*insert*

- (9) In this clause:

**barbless hook** means a hook with:

- (a) no barbs; or
- (b) barbs that have been modified so that the tip of each barb lies flush with an unbarbed section of the hook.

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**5            Schedule 3 amended**

- (1)        Schedule 3, heading, after "clause 4"

*insert*

, definition ***Mary River Fish Management Zone***

- (2)        Schedule 3, paragraphs (a) and (b), at the end

*insert*

and

- (3)        Schedule 3, paragraph (d)

*omit*

water,

*insert*

water;

- (4)        Schedule 3

*omit*

any permanent residence or

- (5)        Schedule 3, note

*omit*

*referred to*

*insert*

*mentioned*

**6            Plan further amended**

The Schedule has effect.

## Schedule

clause 6

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
Part 1 and Part 2, Division 1, heading, at the end		<b>matters</b>
clause 4(1)	, unless the contrary intention appears	
clause 4(1), definition <b><i>amateur's pot</i></b>	mud crab licensee, within the meaning	licensee, as defined in clause 6
clause 4(1), definition <b><i>barramundi licence</i></b>	referred to	mentioned
clause 4(1), definition <b><i>coast</i></b> , paragraph (a), at the end		and
clause 5	deemed	regarded
clause 7	notice in the <i>Gazette</i> whereby	<i>Gazette</i> notice under which
clause 8(1)(a) to (d), at the end		and
clauses 8(1) and (2) to (6) and 9	whole penalty provision	Maximum penalty: \$10 000.
clauses 10 and 11	whole penalty provision	Maximum penalty: \$5 000.
clause 12(1)(a), at the end		or
clause 12(1)(c)	licence,	licence;
clause 12(2)	the purposes of	
clause 12(2)(b)	number,	number;

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clause 12(3)(a), at the end		or
clauses 12(3), 13 and 14	whole penalty provision	Maximum penalty: \$5 000.
clause 15	whole penalty provision	Maximum penalty: \$10 000.
clause 16(1)	whole penalty provision	Maximum penalty: \$5 000.
clause 17(a)(i), (ii) and (iv), at the end		or
clause 19	Notwithstanding , if any,	Despite
clauses 20(1) and (2) and 21	whole penalty provision	Maximum penalty: \$5 000.
clause 22(1)	the purposes of	
clause 22(2)	whole penalty provision	Maximum penalty: \$2 000.
clause 23, penalty provision	Penalty:	Maximum penalty:
clause 24(1)(b)	cm,	cm;
clause 24(2)(a) and (b), at the end		or
clauses 24(1) to (3) and 26(1)	whole penalty provision	Maximum penalty: \$1 000.
clause 26(2) and (3)	the purposes of	
clause 26(2)(b)	line,	line;
clause 27, penalty provision	Penalty:	Maximum penalty:
clause 28(a), at the end		or
clause 28(c)(ii)	line,	line;



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clause 28	whole penalty provision	Maximum penalty: \$2 000.
Schedule 1, heading, after "clause 4"		, definition <b>holding area</b>
Schedule 2, heading, after "clause 4"		, definition <b>Daly River Seasonally Closed Area</b>
Schedule 2, paragraph (b)	Anson,	Anson;
Schedule 2, note	<i>referred to</i>	<i>mentioned</i>
Schedule 4, heading, after "clause 4"		, definition <b>Mary River Seasonally Closed Area</b>
Schedule 4, note	<i>referred to</i>	<i>mentioned</i>
Schedule 5, heading	definition of	definition
Schedule 5, note	<i>referred to</i>	<i>mentioned</i>
Schedule 6, heading, after "clause 4"		, definition <b>seven inch net line</b>
Schedule 6, note	<i>referred to</i>	<i>mentioned</i>

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