

**NORTHERN TERRITORY OF AUSTRALIA**  
**MUD CRAB FISHERY MANAGEMENT PLAN AMENDMENT 2012**

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**Subordinate Legislation No. 7 of 2012**

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**Subordinate Legislation No. 7 of 2012\***

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## ***Mud Crab Fishery Management Plan Amendment 2012***

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

Dated 31 January 2012

K. VATSKALIS  
Minister for Primary Industry, Fisheries and Resources

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\* Notified in the *Northern Territory Government Gazette* on 8 February 2012.

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## 1 Citation

This instrument may be cited as the *Mud Crab Fishery Management Plan Amendment 2012*.

## 2 Commencement

This instrument commences on the commencement of the *Fisheries Amendment (Fishing Gear and Amateur Fishing) Regulations 2012*.

## 3 Plan amended

This instrument amends the *Mud Crab Fishery Management Plan*.

## 4 Clause 6 amended

(1) Clause 6

*omit*

, unless the contrary intention appears

(2) Clause 6, definitions ***complying pot***, ***finger type obstructions***, ***funnel*** and ***pot***

*omit*

(3) Clause 6

*insert (in alphabetical order)*

***complying pot*** means a complying marine pot or dilly pot.

*Note*

*Definitions of complying marine pot and dilly pot are set out in regulation 4 of the Fisheries Regulations. Those definitions apply to this Plan because of section 27(3) of the Act.*

(4) Clause 6, definitions ***complying commercial holding cage*** and ***map***

*omit*

has the meaning in

*insert*

, see

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(5) Clause 6, definition **complying float**, paragraphs (a) and (b)

*omit*

has the meaning in

*insert*

see

## **5 Clauses 7 and 8 replaced**

Clauses 7 and 8

*repeal, insert*

### **7 Meaning of complying commercial holding cage**

A **complying commercial holding cage** is a holding cage that:

- (a) is constructed in a way that is not likely to cause aquatic life to become entangled in it; and
- (b) has an internal capacity of not less than 1 m<sup>3</sup> and not more than 2 m<sup>3</sup>; and
- (c) has a minimum mesh size of 65 mm x 45 mm.

## **6 Clause 13A inserted**

After clause 13, in Part 3

*insert*

### **13A Float must be attached to gear**

- (1) This clause applies to a person who is using a pot to fish for mud crabs or a holding cage to hold mud crabs.
- (2) The person commits an offence if at any time while the pot or holding cage is in use:
  - (a) a complying float is not attached to the pot or cage; or
  - (b) the float is not above water level.

Maximum penalty: 40 penalty units.

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**7 Clause 42 replaced**

Clause 42

*repeal, insert*

**42 Limit on number of pots in use**

A person must not use more than 5 pots to fish for mud crabs.

Maximum penalty: 40 penalty units.

**8 Plan further amended**

The Schedule has effect.

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**Schedule Plan further amended**

clause 8

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
clause 9, heading	<b>Complying float</b>	<b>Meaning of <i>complying float</i></b>
clause 9(1)	complying float	<b><i>complying float</i></b>
clause 10, heading	<b>Complying float</b>	<b>Meaning of <i>complying float</i></b>
clause 10(1)	complying float	<b><i>complying float</i></b>
clause 10(1)(b)(ii)	full	first and last
clause 11, heading	whole heading	<b>11 Meaning of <i>map</i></b>
clause 11	A map	<b>A <i>map</i></b>
clause 12, penalty provision	\$10 000	85 penalty units
clause 13(1), penalty provision	\$5 000	40 penalty units
clause 17, penalty provision	\$10 000	85 penalty units
clauses 18(1), 19(1), 21(1) and (2), 22 and 23(1), penalty provision	\$5 000	40 penalty units
clause 24(1), penalty provision	\$10 000	85 penalty units
clause 24(5)	definition of	definition
clauses 24(6) and 25, penalty provision	\$5 000	40 penalty units
clause 26(1), penalty provision	\$5 000	40 penalty units
	\$20 000 plus \$500 for each excess pot	170 penalty units

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clause 26(1), examples	whole example	
clause 27(2)	hours	hours.
clauses 27(1) and 28(1), penalty provision	\$5 000	40 penalty units
clauses 29(2) to (4) and 30, penalty provision	\$2 000	17 penalty units
clause 31(2), penalty provision	\$5 000	40 penalty units
clause 32	( <i>Lates calcarifer</i> ) ( <i>Protonibea diacanthus</i> ) ( <i>Lutjanus johnii</i> ) ( <i>Scomberomorus commerson</i> ) ( <i>Polydactylus macrochir</i> )	
clauses 32, 33(2) to (4), 34(1) and (6), 38(1) and 39, penalty provision	\$5 000	40 penalty units
clause 40(1), penalty provision	Penalty \$5 000 \$10 000	Maximum penalty: 40 penalty units 85 penalty units
clause 41, penalty provision	\$5 000	40 penalty units
Schedules 1 to 4, heading	of	
Schedule 3	, Department of Primary Industry, Fisheries and Mines, Darwin	of the Agency responsible for the administration of this Plan

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