

NORTHERN TERRITORY OF AUSTRALIA
MUD CRAB FISHERY MANAGEMENT PLAN AMENDMENT 2012

Subordinate Legislation No. 7 of 2012

Table of provisions

1	Citation	2
2	Commencement	2
3	Plan amended	2
4	Clause 6 amended	2
5	Clauses 7 and 8 replaced	3
	7 Meaning of <i>complying commercial holding cage</i>	
6	Clause 13A inserted	3
	13A Float must be attached to gear	
7	Clause 42 replaced	4
	42 Limit on number of pots in use	
8	Plan further amended	4

Schedule	Plan further amended
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NORTHERN TERRITORY OF AUSTRALIA

Subordinate Legislation No. 7 of 2012*

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

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

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

-
- (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 m³ and not more than 2 m³; 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.

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.

Schedule Plan further amended

clause 8

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
clause 9, heading	Complying float	Meaning of <i>complying float</i>
clause 9(1)	complying float	<i>complying float</i>
clause 10, heading	Complying float	Meaning of <i>complying float</i>
clause 10(1)	complying float	<i>complying float</i>
clause 10(1)(b)(ii)	full	first and last
clause 11, heading	whole heading	11 Meaning of <i>map</i>
clause 11	A map	A <i>map</i>
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

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
