

**NORTHERN TERRITORY OF AUSTRALIA**

**FISHERIES AMENDMENT (GIANT CLAMS AND FRESHWATER  
CRUSTACEANS) REGULATIONS 2013**

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**Subordinate Legislation No. 36 of 2013**

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## Subordinate Legislation No. 36 of 2013\*

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### ***Fisheries Amendment (Giant Clams and Freshwater Crustaceans) Regulations 2013***

I, Sally Gordon Thomas, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Fisheries Act*.

Dated 24 September 2013

Administrator

By Her Honour's Command

Minister for Health  
acting for  
Minister for Primary Industry and Fisheries

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\* Notified in the *Northern Territory Government Gazette* on 1 October 2013.

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## 1 Citation

These Regulations may be cited as the *Fisheries Amendment (Giant Clams and Freshwater Crustaceans) Regulations 2013*.

## 2 Regulations amended

These Regulations amend the *Fisheries Regulations*.

## 3 Regulation 3 amended

Regulation 3(1), definition **freshwater prawn**, after "prawn"

*insert*

or cherabin

## 4 Regulation 9 amended

(1) Regulation 9, before "A"

*insert*

(1)

(2) Regulation 9, at the end

*insert*

Maximum penalty: 170 penalty units.

(2) It is a defence to a charge of an offence against subregulation (1)(d) if the defendant proves the molluscs were taken under an Aquarium Fishing/Display Fishery licence or a permit.

## 5 Regulation 46AB amended

(1) Regulation 46AB, heading

*omit*

**redclaw**

*insert*

**freshwater crustaceans**

- 
- (2) Regulation 46AB(1)  
*omit, insert*
- (1) A person must not have possession, in the Daly River Fish Management Zone, of more than:
- (a) 10 freshwater prawns; or
  - (b) 30 freshwater crustaceans.
- Maximum penalty:
- (a) for possession of 11 to 29 freshwater prawns or 31 to 89 freshwater crustaceans – 8 penalty units; or
  - (b) for possession of more than 29 freshwater prawns or 89 freshwater crustaceans – 85 penalty units.
- (3) Regulation 46AB(2), penalty provision  
*omit, insert*
- Maximum penalty:
- (a) for possession of 31 to 89 freshwater crustaceans – 8 penalty units; or
  - (b) for possession of more than 89 freshwater crustaceans – 85 penalty units.
- (4) Regulation 46AB(3)  
*omit*  
, redclaw
- (5) Regulation 46AB(4A), penalty provision  
*omit, insert*
- Maximum penalty:
- (a) for less than 3 times the permitted number – 8 penalty units;  
or
  - (b) for 3 times the permitted number or more – 85 penalty units.

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(6) Regulation 46AB(4B)(b)

*omit, insert*

(b) more than the following number (the **permitted number**) of freshwater crustaceans are on the vessel:

(i) if there are only 2 people on the vessel – 60 freshwater crustaceans;

(ii) if there are 3 or more people on the vessel – 90 freshwater crustaceans.

(7) Regulation 46AB(4B), penalty provision

*omit, insert*

Maximum penalty:

(a) for less than 3 times the permitted number – 8 penalty units;  
or

(b) for 3 times the permitted number or more – 85 penalty units.

**6 Regulation 46A amended**

Regulation 46A(1), penalty provision

*omit, insert*

Maximum penalty:

(a) for possession of 11 to 14 rock lobsters – 8 penalty units; or

(b) for possession of more than 14 rock lobsters – 85 penalty units.

**7 Regulation 46B amended**

Regulation 46B(3), penalty provision

*omit, insert*

Maximum penalty:

(a) for possession of 31 to 40 fish – 17 penalty units; or

(b) for possession of more than 40 fish – 85 penalty units.