

NORTHERN TERRITORY OF AUSTRALIA

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

Subordinate Legislation No. 36 of 2013

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Subordinate Legislation No. 36 of 2013*

***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

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

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.

(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.