

NORTHERN TERRITORY OF AUSTRALIA
AMENDMENTS OF FISHERIES REGULATIONS

Regulations 2001, No. 49

TABLE OF PROVISIONS

Regulation

1. **Repeal and substitution**
 - 46AA. Amateur possession limit – jewfish, golden snapper and certain molluscs
 - 46A. Amateur possession limit – tropical rock lobster
2. **Amateur possession limit**
3. **New regulation**
 - 46BA. Molluscs generally to be retained in shell in the field



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Regulations 2001, No. 49*

Regulations under the *Fisheries Act*

I, JOHN CHRISTOPHER ANICTOMATIS, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Fisheries Act*.

Dated 12 December 2001.

J. C. ANICTOMATIS
Administrator

By His Honour's Command

P. R. HENDERSON
Minister for Primary Industry and Fisheries

* Notified in the *Northern Territory Government Gazette* on 19 December 2001.

AMENDMENTS OF FISHERIES REGULATIONS

1. Repeal and substitution

Regulation 46A of the Fisheries Regulations is repealed and the following substituted:

"46AA. Amateur possession limit – jewfish, golden snapper and certain molluscs

"(1) A person must not have in his or her possession more than 5 members of the species *Protonibea diacanthus*, commonly known as jewfish.

Penalty: Possession of 6 to 14 fish – \$1 000.
Possession of more than 14 fish – \$10 000.

"(2) A person must not have in his or her possession more than 5 members of the species *Lutjanus johni*, commonly known as golden snapper.

Penalty: Possession of 6 to 14 fish – \$1 000.
Possession of more than 14 fish – \$10 000.

"(3) A person must not have in his or her possession more than 10 litres of members of the Class Mollusca.

Penalty: \$10 000.

"(4) Subregulation (3) does not apply to cephalopods, including but not limited to the species commonly known as squid, octopus and cuttlefish.

"(5) It is a defence to a charge of an offence against subregulation (1), (2) or (3) if the defendant proves that the fish were –

- (a) taken under a licence; or
- (b) at the defendant's place of permanent residence.

"46A. Amateur possession limit – tropical rock lobster

"(1) A person must not have in his or her possession more than 10 members of the species *Panulirus sp.*, commonly known as tropical rock lobster.

Penalty: Possession of 11 to 14 fish – \$1 000.
Possession of more than 14 fish – \$10 000.

"(2) It is a defence to a charge of an offence against subregulation (1) if the defendant proves that the members of the species *Panulirus sp.* were –

- (a) taken under a licence; or

Fisheries Regulations

(b) at the defendant's place of permanent residence."

2. Amateur possession limit

Regulation 46B of the Fisheries Regulations is amended –

(a) by omitting from subregulation (1) the definition of "fish" and substituting the following:

" 'fish' does not include –

- (a) a crustacean (other than a member of the species *Panulirus sp.*);
- (b) an echinoderm;
- (c) a member of the Class Mollusca (other than a cephalopod, which includes but is not limited to the species commonly known as squid, octopus and cuttlefish);
- (d) a fish prescribed for the purpose of this paragraph; and
- (e) a member of the species *Acanthopagrus sp.*, commonly known as bream;"; and

(b) by omitting from subregulation (3) all the words after "30 fish." and substituting the following:

"Penalty: Possession of 31 to 40 fish – \$2 000.
Possession of more than 40 fish – \$10 000."

3. New regulation

The Fisheries Regulations are amended by inserting after regulation 46B in Part 5 the following:

"46BA. Molluscs generally to be retained in shell in the field

"(1) A person must not have in his or her possession a member of the Class Mollusca, commonly known as molluscs, that is not within its shell.

Penalty: \$10 000.

"(2) Subregulation (1) does not apply to a cephalopod, which includes but is not limited to the species commonly known as squid, octopus and cuttlefish.

"(3) It is a defence to a charge of an offence against subregulation (1) if the defendant proves that the member of the Class Mollusca was –

Fisheries Regulations

- (a) taken under a licence;
- (b) being prepared for immediate consumption; or
- (c) at the defendant's place of permanent residence."
