

NORTHERN TERRITORY OF AUSTRALIA

Regulations 1990, No. 1*

Regulations under the *Fisheries Act*

I, JAMES HENRY MUIRHEAD, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, hereby make the following Regulations under the *Fisheries Act*.

Dated 29 January 1990.

J. H MUIRHEAD
Administrator

AMENDMENTS OF THE FISH AND FISHERIES REGULATIONS

1. COMMENCEMENT

These Regulations shall come into operation on 1 February 1990.

2. NEW REGULATION

The Fish and Fisheries Regulations are amended by inserting after regulation 58C the following:

"58D. ASSISTING COMMERCIAL OPERATIONS

"(1) In this regulation, 'assist', in relation to an action, means to assist a licensee by taking an action that the licensee may take by reason of his or her licence.

* Notified in the *Northern Territory Government Gazette* on 31 January 1990.

Fish and Fisheries Regulations

"(2) A person applying for a licence shall inform the Director in writing of the name and date of birth of each person intending to assist the applicant in doing any of the things specified in section 10(1) of the Act for which the assistant would otherwise be required to be licensed on his or her own behalf.

"(3) A licensee shall not permit a person to assist in an operation to which the licence relates without first informing the Director in writing of the name and date of birth of each person intended to assist in the operation.

Penalty: \$1,000.

"(4) A licensee shall give to the Director notice in writing within 7 days after an assistant ceases to assist a licensee.

Penalty: \$1,000.

"(5) The licensee is liable for any action by an assistant while on board the licensee's registered vessel or tender or using gear belonging to the licensee for the purpose of taking or handling fish or aquatic life for sale or for commercial purposes.

"(6) Notwithstanding regulation 58C, an assistant may do any of the things that the licensee may lawfully do, but is not permitted to sell fish or aquatic life without the permission of the licensee.

"(7) Evidence that a person was engaged in an operation relating to fish or aquatic life -

- (a) in the vicinity of a licensee; and
- (b) using or having in possession gear or equipment that apparently could not conveniently have been transported to that place without the assistance of the licensee,

is evidence that the person was assisting the licensee."