

NORTHERN TERRITORY OF AUSTRALIA
AMENDMENT OF THE FISH AND FISHERIES REGULATIONS
TABLE OF PROVISIONS

Regulation

1. Principal Regulations
2. Taking barramundi
3. New regulation:
 "7AB. DALY RIVER CLOSED SEASON"
4. Waters closed to gill-netting
5. Illegal fishing
6. Surrender of licence
7. Levy
8. Mary River Fish Management Zone

NORTHERN TERRITORY OF AUSTRALIA

Regulations 1989, No. 3*

Regulations under the Fisheries Act

I, ERIC EUGENE JOHNSTON, 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 2 February 1989.

E.E. JOHNSTON
Administrator

AMENDMENT OF THE FISH AND FISHERIES REGULATIONS

1. PRINCIPAL REGULATIONS

In these Regulations the Fish and Fisheries Regulations are referred to as the Principal Regulations.

2. TAKING BARRAMUNDI

(1) Regulation 7A of the Principal Regulations is amended by inserting after subregulation (1) the following:

"(1A) No amateur fisherman shall take a barramundi having an overall length of less than 50 cm.

"(1B) No person shall have in possession a barramundi or the carcass of, or a fillet or other piece of fish obtained from, a barramundi having an overall length of less than 50 cm taken by an amateur fisherman."

* Notified in the Northern Territory Government Gazette on 2 February 1989.

Fish and Fisheries Regulations

(2) Regulation 7A(1B) of the Principal Regulations (as inserted by subregulation (1) of this regulation) applies in relation to barramundi taken by amateur fishermen on or after the commencement of these regulations.

3. NEW REGULATION

The Principal Regulations are amended by inserting after regulation 7AA the following:

"7AB. DALY RIVER CLOSED SEASON

"(1) In subregulation (2), 'closed area' means that part of the Daly River and Anson Bay bounded to the east by a line drawn across the river from the defined western bank of the old outlet channel of Moon Billabong at grid reference FL 556101 map 4971 Anson due south to the opposite bank, and, to the west by a line drawn between the most northerly point of Cliff Head at grid reference FL 298211 map 4971 Anson and the most westerly point of the north bank of the outlet regarded as part of the Reynolds River at grid reference FL 326347 map 4971 Anson, and includes all tributaries of the Daly River that are downstream from the boundary line first mentioned.

"(2) No amateur fisherman shall, during a closed season commencing on 1 October of each year and expiring with 31 January next following -

- (a) take barramundi from the closed area, or be in possession of barramundi taken from the closed area during the closed season; or
- (b) be in possession in the closed area of any gear which is or may be used to take barramundi."

4. WATERS CLOSED TO GILL-NETTING

Regulation 21 of the Principal Regulations is amended -

- (a) by inserting in subregulation (1)(a) after "mouths" the words "or of the boundaries of an area of the sea closed to gill-netting for barramundi";
- (b) by omitting from Table 1 the items relating to Map Sheet - Anson 4971 and Map Sheet - Point Stuart 5273; and
- (c) by omitting from Table 2 -
 - (i) in the item headed "Map Sheet - Anson 4971" the word "A" and substituting "For the purposes of the barramundi fishery, a straight

Fish and Fisheries Regulations

6. SURRENDER OF LICENCE

Regulation 23A of the Principal Regulations is amended by omitting subregulations (1), (2) and (3) and substituting the following:

"(1) The Director shall, in pursuance of a buy-back scheme determined by the Minister, offer, in the manner determined, to the holders of Class A1 licences endorsed with units of gill-netting -

- (a) the sum of \$75,000 to the holder of a licence endorsed with 8 or more units of gill-netting or, where the licence is endorsed with fewer than 8 units of gill-netting, the sum of \$10,000 for each unit; and
- (b) a further sum in accordance with a scale determined by the Minister based on the fishing effort and the income derived from barramundi fishing by the licensee under the licence during the previous 3 years.

"(2) The Director shall not accept any acceptance by a licensee of the offer under subregulation (1) after 31 December 1990."

7. LEVY

(1) Regulation 23B of the Principal Regulations is amended by omitting subregulations (3) and (4).

(2) Any levy paid pursuant to regulation 23B of the Principal Regulations shall be applied in defraying the costs of purchasing licences and units of gill-netting under any buy-back scheme instituted before the operation of regulation 23A of the Principal Regulations as amended by regulation 6 of these regulations.

(3) When the Director is satisfied that the total amount of levy paid under regulation 23B of the Principal Regulations is approximately 50% of the costs referred to in subregulation (2), he shall give notice of that fact in the Gazette, and the liability for levy under regulation 23B shall cease as from the date of publication of the notice.

8. MARY RIVER FISH MANAGEMENT ZONE

Part I of Schedule I to the Principal Regulations is amended -

- (a) by inserting in paragraph (b) after "Bay" the words "and then westerly along the low water mark to a point on the low water mark as may be indicated by a marker, being a point 3 km east in a straight line from the northernmost part of the eastern bank of the mouth of Sampan Creek, and then due north for 3 nautical miles";

Fish and Fisheries Regulations

- (b) by omitting from paragraph (c) the word "Bay;" and substituting "Bay and then easterly along the low water mark to a point on the low water mark as may be indicated by a marker, being a point 3 km west in a straight line from the northernmost part of the western bank of the mouth of Tommycut Creek, and then due north for 3 nautical miles; and"; and
 - (c) by omitting paragraph (d) and substituting the following:
 - "(d) to the north by a line, drawn between the seaward ends of the eastern and western boundaries of the Management Zone, which runs parallel to the shore and river mouths of Chambers Bay at low water,".
-
-