



Queensland

*Fisheries Act 1994*

# **Fisheries (Coral Reef Fin Fish) Management Plan 2003**

**Current as at 23 May 2014**

## Information about this reprint

This reprint shows the legislation current as at the date on the cover and is authorised by the Parliamentary Counsel.

A new reprint of the legislation will be prepared by the Office of the Queensland Parliamentary Counsel when any change to the legislation takes effect. This change may be because a provision of the original legislation, or an amendment to it, commences or because a particular provision of the legislation expires or is repealed.

When a new reprint is prepared, this reprint will become a historical reprint. Also, if it is necessary to replace this reprint before a new reprint is prepared, for example, to include amendments with a retrospective commencement, an appropriate note would be included on the cover of the replacement reprint and on the copy of this reprint at [www.legislation.qld.gov.au](http://www.legislation.qld.gov.au).

The endnotes to this reprint contain detailed information about the legislation and reprint. For example—

- The table of reprints endnote lists any previous reprints and, for this reprint, gives details of any discretionary editorial powers under the *Reprints Act 1992* used by the Office of the Queensland Parliamentary Counsel in preparing it.
- The list of legislation endnote gives historical information about the original legislation and the legislation which amended it. It also gives details of uncommenced amendments to this legislation. For information about possible amendments to the legislation by Bills introduced in Parliament, see the Queensland Legislation Current Annotations at [www.legislation.qld.gov.au/Leg\\_Info/information.htm](http://www.legislation.qld.gov.au/Leg_Info/information.htm).
- The list of annotations endnote gives historical information at section level.

All Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints are not continued.



Queensland

# Fisheries (Coral Reef Fin Fish) Management Plan 2003

## Contents

---

		Page
<b>Chapter 1</b>	<b>Preliminary</b>	
<b>Part 1</b>	<b>Introduction</b>	
1	Short title . . . . .	5
2	What is the reef line fishery . . . . .	5
3	Application of plan . . . . .	5
4	Objective of plan and its achievement . . . . .	5
5	Interpretation . . . . .	7
<b>Chapter 3</b>	<b>Commercial fishery</b>	
<b>Part 1</b>	<b>Fishery symbols</b>	
14	Fishery symbols for commercial fishery . . . . .	7
15	Restrictions on writing 'RQ' fishery symbol . . . . .	7
<b>Part 2</b>	<b>Line units</b>	
<b>Division 1</b>	<b>General</b>	
43	Simplified outline of pt 2 . . . . .	8
48	Nature of a line unit . . . . .	8
49	Restriction on issue of line units . . . . .	9
<b>Division 2</b>	<b>Line unit entitlement and use</b>	
69	Meaning of entitlement of line unit holder . . . . .	9
70	When line unit entitlement is used for a line year . . . . .	10
71	No carrying forward of unused entitlement . . . . .	10
72	Line unit certificates . . . . .	10
73	Evidentiary provision for line unit certificate . . . . .	11
<b>Division 3</b>	<b>Evidentiary aids for use of entitlement</b>	
74	Unloaded fish notice is evidence of use of entitlement . . . . .	11
74A	Particular notice is evidence of unused entitlement . . . . .	12

Contents

---

<b>Division 4</b>	<b>Transfer of line units</b>	
<b>Subdivision 1</b>	<b>When line units may or may not be transferred</b>	
75	Purpose of sdiv 1 . . . . .	12
76	Only whole line units may be transferred . . . . .	12
77	Eligibility of transferee . . . . .	12
<b>Subdivision 2</b>	<b>Other provisions about line unit transfers</b>	
78	Line unit certificate changes required . . . . .	13
80A	Issue of fisher PIN for particular transferees . . . . .	13
81	Entitlement of transferee . . . . .	13
<b>Division 5</b>	<b>Change of PINs</b>	
84	Change of unit PIN . . . . .	14
85	Change of fisher PIN . . . . .	14
<b>Part 3</b>	<b>Conditions for authorities under fishery symbol 'RQ'</b>	
<b>Division 1</b>	<b>Preliminary</b>	
98	Application of divs 1–3 . . . . .	15
99	Area for 'RQ' fishery symbol. . . . .	15
<b>Division 2</b>	<b>General requirements about taking coral reef fin fish</b>	
100	Where coral reef fin fish may be taken . . . . .	16
101	What coral reef fin fish may be taken . . . . .	16
102	Permitted ways of taking fish (other than under RQ(L8) licence) . . . . .	16
103	Permitted ways of taking fish—RQ(L8) licence . . . . .	17
104	Using drop lines—RQ(L8) licence . . . . .	17
105	Using bottom set lines—RQ(L8) licence . . . . .	17
106A	Identification requirement to allow identification or counting of coral reef fin fish . . . . .	18
<b>Division 3</b>	<b>Use of commercial fishing boats</b>	
107	Using primary boats . . . . .	18
108	Using tender boats . . . . .	18
109	Permitted distance for assistant fisher to be under direction . . . . .	19
<b>Division 4</b>	<b>Line units</b>	
110	Purpose of div 4 . . . . .	20
111	Definitions for div 4. . . . .	20
112	Requirements for taking or possessing fish on authorised boat. . . . .	30
113	Requirement to give prior notice . . . . .	31
114	Requirement to give replacement prior notice if unloading particular changes . . . . .	31

115	Amendment or withdrawal of prior notice . . . . .	32
116	General requirements after prior notice given . . . . .	33
117	Additional requirements if prior notice stated fish will be unloaded . . . . .	34
118	Requirement to give transshipment notice . . . . .	36
119	General requirement for unloading fish . . . . .	36
120	Additional requirements for unloading fish if prior notice given . .	37
121	Requirements for weighing unloaded fish . . . . .	39
122	Requirement to give unloaded fish notice . . . . .	39
123	Notices to chief executive under this division . . . . .	40
<b>Part 4</b>	<b>Conditions for boat licences</b>	
126	Conditions of RQ licences about transshipping . . . . .	40
128	No new carrier boat licences . . . . .	41
<b>Part 5</b>	<b>Filleting permits</b>	
129	Chief executive may issue filleting permits . . . . .	42
130	What filleting permit authorises . . . . .	42
<b>Chapter 5</b>	<b>Miscellaneous provisions</b>	
<b>Part 2</b>	<b>Offences and criteria for suspension and cancellation</b>	
<b>Division 1</b>	<b>Prescribed serious fisheries offences</b>	
149	Serious fisheries offences . . . . .	43
<b>Division 2</b>	<b>Prescribed suspension and cancellation criteria</b>	
150	Criteria for suspending authorities . . . . .	44
151	Criteria for suspending line units . . . . .	45
152	Criteria for cancelling line units . . . . .	46
<b>Part 3</b>	<b>Provisions about reporting</b>	
<b>Division 1</b>	<b>Preliminary</b>	
153	Definitions for div 1 . . . . .	46
<b>Division 2</b>	<b>Fish imported or taken from outside State or relevant fishery area</b>	
154	Definition for div 2 . . . . .	47
155	Information requirement—coral reef fin fish bought outside the State . . . . .	47
155A	Information requirement—coral reef fin fish taken outside relevant fishery area . . . . .	48
<b>Division 3</b>	<b>Commercial carriage and storage</b>	
156	Records to be kept about commercial carriage of coral reef fin fish . . . . .	48

Contents

---

156A	Records to be kept about commercial storage of coral reef fin fish .....	49
<b>Chapter 6</b>	<b>Transitional provisions</b>	
<b>Division 2</b>	<b>Transitional provision for the Fisheries Management Plans Amendment Management Plan (No. 1) 2004</b>	
162	Existing notice identity numbers .....	50
<b>Schedule 7</b>	<b>Whole weight</b> .....	51
<b>Schedule 8</b>	<b>Dictionary</b> .....	53
 <b>Endnotes</b>		
1	Index to endnotes .....	58
2	Key .....	58
3	Table of reprints .....	58
4	List of legislation .....	59
5	List of annotations .....	62

---

# Fisheries (Coral Reef Fin Fish) Management Plan 2003

[as amended by all amendments that commenced on or before 23 May 2014]

## Chapter 1 Preliminary

### Part 1 Introduction

#### 1 Short title

This management plan may be cited as the *Fisheries (Coral Reef Fin Fish) Management Plan 2003*.

#### 2 What is the *reef line fishery*

The *reef line fishery* is activities by way of fishing relating to coral reef fin fish.

#### 3 Application of plan

This plan applies to the taking, possessing and other uses of coral reef fin fish for trade or commerce under licences on which the fishery symbol 'RQ' is written.

#### 4 Objective of plan and its achievement

- (1) The objective of this management plan is to provide for the the use, conservation and enhancement of the community's coral reef fin fish resources by managing commercial fishing for the reef line fishery in a way that seeks to—

[s 4]

---

- (a) apply and balance the principles of ecologically sustainable development; and
  - (b) promote ecologically sustainable development.
- (2) The objective is to be achieved mainly by—
- (a) restricting access to the reef line fishery for trade and commerce to holders of licences on which the fishery symbol ‘RQ’ is written; and
  - (b) using line units to limit the annual commercial harvest of coral reef fin fish by all holders of licences on which the fishery symbol ‘RQ’ is written.
- (3) In this section—
- principles of ecologically sustainable development*** see section 3(5) of the Act.

*Notes—*

- 1 This plan does not make any fisheries declarations. For relevant fisheries declarations for coral reef fin fish, see chapters 2, 3 and 4 and schedule 2 of the regulation.
- 2 This plan does not regulate the taking of coral reef fin fish by recreational fishers. For relevant provisions about that matter, see chapters 2, 3 and 4 and schedule 2 of the regulation.
- 3 This plan does not apply to acts done under Aboriginal tradition or Island custom. See section 14 (Defence for Aborigines and Torres Strait Islanders for particular offences) of the Act.
- 4 Coral reef fin fish may also be taken in particular commercial fisheries under the regulation. See chapter 7, part 1 (Aquarium fish fishery (‘A1’, ‘A2’)) and chapter 8, part 3 (Line fishery (Gulf of Carpentaria—spanish mackerel and other fin fish) (‘L4’)) of the regulation.



---

## **Part 2 Interpretation**

### **5 Interpretation**

- (1) Unless this plan provides otherwise, terms used in it have the meaning given in the regulation.
- (2) Subsection (1) is not limited to a term defined in the regulation but also applies to a provision of the regulation that aids the interpretation of a term used in the regulation.

*Examples of provisions for subsection (2)—*

chapter 1, part 2, divisions 3 to 7 of the regulation

- (3) The dictionary in schedule 8 defines particular terms used in this plan.

## **Chapter 3 Commercial fishery**

### **Part 1 Fishery symbols**

#### **14 Fishery symbols for commercial fishery**

The following are the fishery symbols for the commercial fishery—

- (a) ‘RQ’;
- (b) ‘A1’ and ‘A2’.

#### **15 Restrictions on writing ‘RQ’ fishery symbol**

The chief executive may write the ‘RQ’ fishery symbol on a commercial fishing boat licence only—

[s 43]

---

- (a) if the chief executive has approved a fishery symbol movement application and, under the application, the symbol is to be written on the licence; or
- (b) if the licence is a replacement of a commercial fishing boat licence on which the symbol was written.

## **Part 2                      Line units**

### **Division 1                      General**

#### **43                      Simplified outline of pt 2**

- (1) This part provides for the entitlements of line units and conditions for their transfer.
- (2) The following are the 3 types of line units—
  - (a) CT line units, for coral trout;
  - (b) RTE line units, for redthroat emperor;
  - (c) OS line units, for other coral reef fin fish.
- (3) Divisions 2 and 3 provide for the entitlements of line units and working out when they are used.
- (4) Division 4 prescribes conditions for the transfer of line units and provides for the entitlement under transferred line units.

#### **48                      Nature of a line unit**

Each line unit is—

- (a) an authority, the entitlement for which is provided for under division 5; and
- (b) a quota for the reef line fishery.

---

**49 Restriction on issue of line units**

The chief executive must not issue line units.

**Division 2 Line unit entitlement and use**

**69 Meaning of *entitlement* of line unit holder**

- (1) The holder of a line unit, or a person acting under a line unit, may take, in a line year, only the following quantity of the prescribed coral reef fin fish for the line unit—
  - (a) for a CT line unit—
    - (i) 1kg (whole weight); or
    - (ii) if section 69A applies—the weight in kilograms that is the adjusted weight equivalent worked out under that section for the line year;
  - (b) for an RTE line unit—1kg (whole weight);
  - (c) for an OS line unit—
    - (i) 1kg (whole weight); or
    - (ii) if section 69B applies—the weight in kilograms that is the adjusted weight equivalent worked out under that section for the line year.
- (2) The authorisation for a line year under subsection (1) is the holder's *entitlement* under the line unit for the line year.
- (3) However, the entitlement applies only while the holder holds an RQ licence that is in force.
- (4) The entitlement is subject to any relevant prohibitions or restrictions under the regulation, this plan or a condition or other provision of the line unit or RQ licence.

*Examples of relevant restrictions—*

the restrictions under sections 263 to 269 of the regulation

[s 70]

---

## **70 When line unit entitlement is *used* for a line year**

- (1) The entitlement of a line unit held by a person is *used* for a line year—
  - (a) when the holder, or a person acting under the line unit, has taken, in that line year under any RQ licence held by the line unit holder, an amount (in whole weight) of the prescribed coral reef fish for the line unit equalling the holder's entitlement under the line unit; or
  - (b) if section 71(2) applies.
- (2) The *unused entitlement* of a holder's line unit for a line year is the amount (in whole weight) of the prescribed coral reef fin fish for the line unit that has not been taken, for the line year, under any RQ licence held by the line unit holder.

## **71 No carrying forward of unused entitlement**

- (1) This section applies if, in a line year, a line unit holder takes an amount of the prescribed coral reef fin fish for the line units that is less than the total entitlements under the holder's line units.
- (2) The holder is taken, at the end of the line year, to have used all the entitlements under the line units held by the holder for the line year.

## **72 Line unit certificates**

- (1) The chief executive must issue a single certificate to each person who holds line units.
- (2) The certificate must state each of the following—
  - (a) the certificate number;
  - (b) the holder's name;
  - (c) how many of the following line units the holder has—
    - (i) CT line units;
    - (ii) RTE line units;

- (iii) OS line units;
- (d) if the chief executive has imposed conditions on the line units—the conditions;
- (e) if the chief executive has suspended any of the line units—
  - (i) the number and type of line units suspended; and
  - (ii) the period of the suspension.

### **73 Evidentiary provision for line unit certificate**

A line unit certificate is evidence of—

- (a) the number of line units held when the certificate was issued under section 72, replaced under section 71 of the Act or changed or replaced under section 78; and
- (b) the conditions, if any, imposed on the line units.

## **Division 3 Evidentiary aids for use of entitlement**

### **74 Unloaded fish notice is evidence of use of entitlement**

- (1) This section applies if the holder, or another person acting for the holder, of CT line units, RTE line units or OS line units gives the chief executive an unloaded fish notice for the prescribed coral reef fin fish for the line units.
- (2) The notice is evidence that the holder has taken, under the line units, the whole weight equivalent of the amount of coral reef fin fish stated in the notice.
- (3) For subsection (2), the whole weight equivalent of the amount of coral reef fin fish stated in the notice is—
  - (a) for an amount stated for whole coral reef fin fish—the amount stated; or

[s 74A]

---

- (b) for an amount stated for coral reef fin fish that is not whole—the amount calculated in the way stated in schedule 7.

#### **74A Particular notice is evidence of unused entitlement**

- (1) This section applies if a holder of CT line units, RTE line units or OS line units has obtained a written notice from the chief executive stating the amount of unused entitlement under the CT line units, RTE line units or OS line units for a stated line year on a stated date.
- (2) The notice is evidence of the amount of unused entitlement under the CT line units, RTE line units or OS line units for the stated line year on the stated date.

### **Division 4 Transfer of line units**

#### **Subdivision 1 When line units may or may not be transferred**

##### **75 Purpose of sdiv 1**

This subdivision states, for section 65(1) of the Act, the circumstances in which line units may or may not be transferred.

##### **76 Only whole line units may be transferred**

A part of a line unit can not be transferred.

##### **77 Eligibility of transferee**

A line unit may be transferred only by the holder of the line unit to a person, other than the transferor, who holds an RQ licence.

---

## **Subdivision 2      Other provisions about line unit transfers**

### **78      Line unit certificate changes required**

If, under section 65B of the Act, an application to transfer a line unit is registered, the chief executive must give effect to the transfer by changing, cancelling or replacing the transferor's and transferee's current line unit certificates.

### **80A      Issue of fisher PIN for particular transferees**

- (1) This section applies if—
  - (a) the chief executive has approved an application for a transfer of line units; and
  - (b) the transferee did not hold any line units immediately before the transfer.
- (2) The chief executive must, immediately after the approval is given, issue the transferee a 4-digit identity number (a ***fisher PIN***) for the line units transferred to the transferee.

### **81      Entitlement of transferee**

- (1) The entitlement of the transferee under transferred line units is—
  - (a) for the line year in which the transfer takes effect—the entitlement of the transferor under the units immediately before the chief executive registers the transfer under section 65B of the Act; and
  - (b) for a later line year—the entitlement the transferor would have had under the units, had the transfer not taken place, at the beginning of the line year.
- (2) For subsection (1)(a), if part of the entitlement of the transferor under a transferred line unit is used, the whole

[s 84]

---

entitlement of the transferee under the transferred line unit is taken to be used.

## **Division 5                      Change of PINs**

### **84                      Change of unit PIN**

- (1) The holder of line units may, by written notice, ask the chief executive to change the unit PIN for the line units.
- (2) On receiving the notice, the chief executive must—
  - (a) change the unit PIN for the line units to another 4-digit number decided by the chief executive; and
  - (b) give the holder a written notice stating that the unit PIN has been changed.
- (3) The change of unit PIN takes effect when the notice mentioned in subsection (2) is given to the holder.

### **85                      Change of fisher PIN**

- (1) The holder of line units may change the fisher PIN for the line units by using the AIVR system.
- (2) The change of the fisher PIN for the line units takes effect when the holder is given a transaction number for the change.



---

## **Part 3**                      **Conditions for authorities under fishery symbol 'RQ'**

### **Division 1**                **Preliminary**

#### **98**        **Application of divs 1–3**

Divisions 1 to 3 apply to the taking and possessing of coral reef fin fish under a licence on which the fishery symbol 'RQ' is written.

*Note—*

See also section 208 (Authorisations subject to regulation, management plans and authorities) of the regulation.

#### **99**        **Area for 'RQ' fishery symbol**

The area for the fishery symbol 'RQ' consists of—

- (a) if the fishery symbol is written on a licence that also has the fishery symbol 'L1' written on it—the L1 fishery area; and
- (b) if the fishery symbol is written on a licence that also has the fishery symbol 'L2' or 'L3' written on it—the L2 or L3 fishery area; and
- (c) if the fishery symbol is written on a licence that also has the fishery symbol 'L6' or 'L7' written on it—the L6 or L7 fishery area; and
- (d) if the fishery symbol is written on an RQ(L8) licence—the L8 fishery area.

[s 100]

---

## **Division 2                      General requirements about taking coral reef fin fish**

### **100      Where coral reef fin fish may be taken**

Coral reef fin fish may be taken from the areas mentioned in section 99.

### **101      What coral reef fin fish may be taken**

- (1) The following coral reef fin fish may be taken—
  - (a) under an RQ(L8) licence—any coral reef fin fish other than coral trout and red emperor;
  - (b) under another licence on which the fishery symbol 'RQ' is written—any coral reef fin fish.
- (2) This section is subject to division 4.

### **102      Permitted ways of taking fish (other than under RQ(L8) licence)**

- (1) This section applies to the taking of coral reef fin fish under a licence on which the fishery symbol 'RQ' is written, other than an RQ(L8) licence.
- (2) Coral reef fin fish may be taken only by using hand or mechanically operated fishing lines or fishing rods with hand or mechanically operated reels.
- (3) A person must not use more than 3 fishing lines at a time.
- (4) The total number of hooks or lures attached to the lines must not be more than 6.

*Example—*

A person might use—

- (a) 1 fishing line with 6 hooks attached to it; or
- (b) 3 fishing lines with 1 lure attached to 2 of the lines and 4 hooks attached to the other line.

---

**103 Permitted ways of taking fish—RQ(L8) licence**

- (1) This section, and sections 104 and 105, apply to the taking of coral reef fin fish under an RQ(L8) licence.
- (2) Coral reef fin fish may be taken only by using drop lines or bottom set lines as required under section 104 or 105.
- (3) A person must be within 100m of a line or group of lines while they are in use.
- (4) A drop line and a bottom set line must not be used at the same time.

**104 Using drop lines—RQ(L8) licence**

- (1) A drop line must not have more than 50 hooks attached to it.
- (2) Not more than 6 drop lines may be used at a time.
- (3) Each drop line must have attached to it a light coloured float that is—
  - (a) marked with the boat mark of the primary boat identified on the holder's RQ licence; and
  - (b) at least 30cm in each of its dimensions.

**105 Using bottom set lines—RQ(L8) licence**

- (1) A bottom set line must not have more than 300 hooks attached to it.
- (2) Not more than 3 bottom set lines may be used at a time.
- (3) However, if more than 1 bottom set line is used, the combined number of hooks on the lines must not be more than 300.
- (4) Each end of a bottom set line must have attached to it a light coloured float that is—
  - (a) marked with the boat mark of the primary boat identified on the holder's RQ licence; and
  - (b) at least 30cm in each of its dimensions.

[s 106A]

---

### **106A Identification requirement to allow identification or counting of coral reef fin fish**

- (1) This section applies if—
  - (a) coral reef fin fish are on board a commercial fishing boat; and
  - (b) any fish on board the boat are stored in a sealed container.
- (2) The person in control of the boat must ensure the container has attached to it a label stating, clearly and legibly—
  - (a) if the container contains coral trout—the words 'coral trout' and the number of coral trout inside the container; or
  - (b) if the container contains redthroat emperor—the words 'redthroat emperor' and the number of redthroat emperor inside the container; or
  - (c) if the container contains other coral reef fin fish—the words 'other coral reef fin fish' and the number of other coral reef fin fish inside the container; or
  - (d) if the container contains fish other than coral reef fin fish—the words 'other species of fish' and the number of fish inside the container.

## **Division 3 Use of commercial fishing boats**

### **107 Using primary boats**

A primary boat longer than 20m must not be used.

### **108 Using tender boats**

- (1) A tender boat must not be used—

- 
- (a) in the L1 fishery area, the L2 or L3 fishery area or the L6 or L7 fishery area—more than 5n miles from its primary boat; or
  - (b) in the L8 fishery area—more than 800m from its primary boat.
- (2) Subsection (1) does not apply if—
- (a) the tender boat and its primary boat are located—
    - (i) in L2 or L3 fishery area; and
    - (ii) on the same reef; or
  - (b) both of the following apply—
    - (i) the tender boat is used only to carry—
      - (A) fish taken by its primary boat; or
      - (B) fishing apparatus used from its primary boat;
    - (ii) the tender boat and its primary boat are both within 2km of the mainland shore.

**109 Permitted distance for assistant fisher to be under direction**

- (1) If a commercial fisher and an assistant fisher are on separate commercial fishing boats, the permitted distance for the assistant fisher to be under direction is—
  - (a) in the L8 fishery area—800m; or
  - (b) in other waters—5n miles.
- (2) However, any distance is permitted if the boats are located—
  - (a) in the L2 or L3 fishery area; and
  - (b) on the same reef.

## **Division 4                      Line units**

### **110      Purpose of div 4**

This division prescribes conditions to which the following are subject—

- (a) line units;
- (b) for a commercial fisher acting under line units held by another person—the fisher's commercial fisher or assistant fisher licence.

### **111      Definitions for div 4**

In this division—

*amending notice deadline*, for an amending notice for a prior notice, means—

- (a) for an amending notice amending the landing period or landing place mentioned in the prior notice—the earlier of the following—
  - (i) when the first authorised boat, for the line unit holder by or for whom the prior notice was given, enters the area that is within 0.5n miles of the landing place mentioned in the prior notice;
  - (ii) if the landing place mentioned in the prior notice is at or north of latitude 15°50.30' south—3 hours before the landing period mentioned in the prior notice ends;

*Editor's note—*

Latitude 15°50.30' south approximately runs through Rattlesnake Point.

- (iii) if the landing place mentioned in the prior notice is south of latitude 15°50.30' south—1 hour before the landing period mentioned in the prior notice ends; or

- 
- (b) for another amending notice—the earlier of the following—
- (i) when the first authorised boat, for the line unit holder by or for whom the prior notice was given, enters the area that is within 0.5n miles of the landing place mentioned in the prior notice;
  - (ii) 1 hour before the landing period mentioned in the prior notice ends.

***authorised boat***, for a line unit holder, means—

- (a) the primary boat under any of the RQ licences held by the line unit holder; or
- (b) any of the primary boat's tender boats.

***authorised unloading time***, for unloading coral reef fin fish for which a prior notice or transhipment notice has not been given, means—

- (a) if the person unloading the fish has been given permission, by an inspector, to unload the fish on or after a stated time—the stated time; or
- (b) otherwise—
  - (i) if the authorised boat or transport vessel on which the fish are on board landed at or north of latitude 15°50.30' south and an unnotifiable landing notice for the landing was given before 9a.m. on the day the boat or vessel landed—3p.m. on the day the boat or vessel landed; or

*Editor's note—*

Latitude 15°50.30' south approximately runs through Rattlesnake Point.

- (ii) if the authorised boat or transport vessel on which the fish are on board landed at or north of latitude 15°50.30' south and an unnotifiable landing notice for the landing was given between 9a.m. and 4p.m. on the day the boat or vessel landed—6 hours after the boat or vessel landed; or

[s 111]

---

- (iii) if the authorised boat or transport vessel on which the fish are on board landed at or north of latitude 15°50.30' south and an unnotifiable landing notice for the landing was given after 4p.m. on the day the boat or vessel landed—3p.m. on the day after the boat or vessel landed; or
- (iv) if the authorised boat or transport vessel on which the fish are on board landed south of latitude 15°50.30' south—3 hours after the boat or vessel landed.

**identification code**, for a transport vessel, means the sequence of numbers that is to be used to identify the vessel and is—

- (a) nominated by the chief executive; and
- (b) published on the department's website.

*Editor's note—*

At 1 July 2004, the department's website was at <[www.dpi.qld.gov.au](http://www.dpi.qld.gov.au)> and the part of the website relating to fisheries resources and fish habitats was at <[www.dpi.qld.gov.au/fishweb](http://www.dpi.qld.gov.au/fishweb)>.

**landing period**, for a prior notice, see definition *prior notice particulars*, paragraph (e).

**landing place—**

- (a) for a prior notice—see definition *prior notice particulars*, paragraph (c); or
- (b) for a transshipment notice—see definition *transshipment notice particulars*, paragraph (d)(i); or
- (c) for an unnotifiable landing notice—see definition *unnotifiable landing notice particulars*, paragraph (c)(i).

**notifying period**, in relation to a prior notice or transshipment notice, means the period—

- (a) starting when the first authorised boat, for the line unit holder who is required to give the prior notice or transshipment notice, leaves for a fishing trip; and



- (b) ending—
  - (i) for a prior notice—when the prior notice deadline for the notice has passed; or
  - (ii) for a transhipment notice—immediately before the transport vessel, to which the coral reef fin fish on board the authorised boats for the holder were transferred, lands.

***prescribed numerical code***, for a place, means the sequence of numbers that may be used to identify the latitude and longitude coordinates for the place and is—

- (a) nominated by the chief executive; and
- (b) published on the department's website.

***prescribed person*** means each of the following—

- (a) the holder of line units;
- (b) a commercial fisher or assistant fisher acting under line units held by another person.

***prescribed reason***, for not giving a prior notice or transhipment notice, means either of the following—

- (a) the notice could not be given because all the relevant equipment on board the authorised boats for the line holder who was required to give the notice—
  - (i) was destroyed or made unusable during the notifying period by an unforeseeable and uncontrollable event; and
  - (ii) was not, and could not reasonably have been, replaced or made usable during the notifying period;
- (b) for not giving a prior notice—
  - (i) the authorised boats for the line unit holder who was required to give the notice landed because of an unforeseeable and uncontrollable event,

[s 111]

---

including, for example, a medical emergency, fire and extreme weather conditions; and

(ii) the notice could not be given because of the event.

**prior notice area** means any of the following—

- (a) a defined port area;
- (b) another area that is within 0.5n miles of a part of the State where landing of a boat is practicable.

**prior notice deadline**, for a prior notice, means the earlier of the following times—

- (a) the time the first authorised boat, for the line unit holder by or for whom the notice is given, enters the prior notice area;
- (b) if the landing place mentioned in the notice is at or north of latitude 15°50.30' south and the landing period mentioned in the notice ends during the period starting at 3p.m. and ending at 10p.m. on a day—6 hours before the first of the authorised boats, for the line unit holder by or for whom the notice is given, that will be landed at the place will land at the place;

*Editor's note—*

Latitude 15°50.30' south approximately runs through Rattlesnake Point.

- (c) if the landing place mentioned in the notice is at or north of latitude 15°50.30' south and the landing period mentioned in the notice ends during the period starting at 10p.m. on a day (the **first day**) and ending at 3p.m. on the following day—4p.m. on the first day;
- (d) if the landing place mentioned in the notice is south of latitude 15°50.30' south—3 hours before the first of the authorised boats, for the line unit holder by or for whom the notice is given, that will be landed at the place will land at the place.

**prior notice particulars**, for a prior notice, means each of the following—

- (a) the current fisher PIN for the line units to which the notice relates;
- (b) the numerical part of the licence number of the RQ licence to which the coral reef fin fish the subject of the notice relate;
- (c) the prescribed numerical code or the latitude and longitude coordinates for the place (the *landing place*) at which any or all of the authorised boats, for the line holder by or for whom the notice is given, will be landed;
- (d) whether or not it is proposed to unload coral reef fin fish from or by using 1 or more of the authorised boats before the boats leave the unloading area for the landing place;
- (e) if the person giving the prior notice is prompted by the AIVR system to enter the following information—the following information—the estimated number of hours (the *landing period*), rounded to the nearest whole hour, between when the notice is given and when the authorised boats will land at the landing place;
- (f) if the person giving the prior notice is prompted by the AIVR system to enter the following information—the following information—
  - (i) the total number of containers containing each of the following in filleted form that are on board all the authorised boats when the notice is given—
    - (A) coral trout;
    - (B) redthroat emperor;
    - (C) other coral reef fin fish;
  - (ii) the total number of each of the following on board all the authorised boats when the notice is given—
    - (A) coral trout that are whole or gilled and gutted;

[s 111]

---

- (B) redthroat emperor that are whole or gilled and gutted;
- (C) other coral reef fin fish that are whole or gilled and gutted;
- (D) containers of other coral reef fin fish that are whole or gilled and gutted.

**relevant equipment** means equipment that can be used—

- (a) to use the AIVR system; or
- (b) to contact a person on land or on board a boat.

**retained fish conditions** means, for a prior notice, that an authorised boat must not leave the unloading area for the landing place for the prior notice with coral reef fin fish unless the holder, or someone else acting for the holder, has given the chief executive a retained fish notice for the fish at least the following period before the boat leaves the unloading area—

- (a) if the landing place is at or north of latitude 15°50.30' south—6 hours;
- (b) if the landing place is south of latitude 15°50.30' south—3 hours.

**retained fish notice** means a notice stating the retained fish notice particulars and given in compliance with the retained fish conditions.

**retained fish notice particulars**, for a retained fish notice, means each of the following—

- (a) the current fisher PIN for the line units to which the retained fish notice relates;
- (b) the numerical part of the licence number of the RQ licence that relates to the coral reef fin fish the subject of the retained fish notice;
- (c) if the person giving the retained fish notice is prompted by the AIVR system to enter the transaction number for the prior notice for which the retained fish notice is given—the transaction number;

- (d) the total number of each of the things mentioned in the definition *prior notice particulars*, paragraph (f) that will be on board the authorised boats immediately after all the authorised boats have left the unloading area for the landing place mentioned in the prior notice.

*transshipment notice particulars*, for a transshipment notice, means each of the following—

- (a) the current fisher PIN for the line units to which the notice relates;
- (b) the numerical part of the licence number for the RQ licence to which the coral reef fin fish the subject of the notice relate;
- (c) the identification code for the transport vessel to which the notice relates;
- (d) the prescribed numerical code or the latitude and longitude coordinates for the places—
- (i) at which the vessel will be landed (the *landing place*); and
- (ii) at which the coral reef fin fish that were transferred from the authorised boats, for the line unit holder by or for whom the notice is given, to the vessel will be unloaded;
- (e) the date on which the fish that were transferred from the authorised boats to the vessel will be unloaded;
- (f) if the person giving the transshipment notice is prompted by the AIVR system to enter the following information—the following information—
- (i) the total number of containers containing each of the following in filleted form that were transferred from the authorised boats to the vessel—
- (A) coral trout;
- (B) redthroat emperor;
- (C) other coral reef fin fish;

[s 111]

---

- (ii) the total number of each of the following that are whole or gilled and gutted and were transferred from the authorised boats to the vessel—
  - (A) coral trout;
  - (B) redthroat emperor;
  - (C) other coral reef fin fish.

***unloaded fish notice particulars***, for an unloaded fish notice, means each of the following—

- (a) the current fisher PIN for the line units to which the notice relates;
- (b) the numerical part of the licence number for the RQ licence to which the coral reef fin fish the subject of the notice relate;
- (c) if the person giving the unloaded fish notice is prompted by the AIVR system to enter the transaction number for a prior notice, transshipment notice or unnotifiable landing notice given in relation to the coral reef fin fish mentioned in the unloaded fish notice—the transaction number;
- (d) the weight of the following that were unloaded by or for the holder—
  - (i) each of the following in whole form—
    - (A) coral trout;
    - (B) redthroat emperor;
    - (C) other coral reef fin fish;
  - (ii) each of the following in gilled and gutted form—
    - (A) coral trout;
    - (B) redthroat emperor;
    - (C) other coral reef fin fish;
  - (iii) each of the following in filleted form—
    - (A) coral trout;

- (B) redthroat emperor;
- (C) fish of a species of cod or grouper and rosy snapper or lavender snapper;
- (D) goldband snapper;
- (E) fish of a species of tropical snapper or seaperch not mentioned in subsubparagraph (C) or (D);
- (F) fish of a species of emperor, other than redthroat emperor;
- (G) fish of any other species of coral reef fin fish or an unidentified species.

***unloading area***, for a landing place, means—

- (a) if the landing place is within a defined port area—the defined port area; or
- (b) if the landing place is not within a defined port area—an area within 0.5n miles of the landing place.

***unloading particular***, for a prior notice, means the information mentioned in the notice about whether or not it is proposed to unload coral reef fin fish from or by using 1 or more authorised boats, for the line unit holder by or for whom the notice is given, before the boats leave the unloading area for the landing place mentioned in the notice.

***unnotifiable landing notice*** see section 119(2)(b).

***unnotifiable landing notice particulars***, for an unnotifiable landing notice, means each of the following—

- (a) the current fisher PIN for the line units to which the notice relates;
- (b) the numerical part of the licence number for the RQ licence to which the coral reef fin fish the subject of the notice relate;
- (c) the prescribed numerical code or the latitude and longitude coordinates for the places—

[s 112]

---

- (i) at which the authorised boats or transport vessel to which the notice relates have been landed (the *landing place*); and
  - (ii) at which the coral reef fin fish on board the boats or vessel will be unloaded;
- (d) if the person giving the unnotifiable landing notice is prompted by the AIVR system to enter the following information—the following information—
- (i) the total number of containers containing each of the following in filleted form that are on board the boats or vessel when the notice is given—
    - (A) coral trout;
    - (B) redthroat emperor;
    - (C) other coral reef fin fish;
  - (ii) the total number of each of the following that are whole or gilled and gutted and are on board the boats or vessel when the notice is given—
    - (A) coral trout;
    - (B) redthroat emperor;
    - (C) other coral reef fin fish.

## **112 Requirements for taking or possessing fish on authorised boat**

A prescribed person may take coral reef fin fish from, or possess coral reef fin fish on board, an authorised boat for a line unit holder in a line year only if the holder holds the following line units with unused entitlements for the line year—

- (a) for coral trout—CT line units;
- (b) for redthroat emperor—RTE line units;
- (c) for other coral reef fin fish—OS line units.



---

### 113 Requirement to give prior notice

- (1) This section applies if—
  - (a) coral reef fin fish are on board an authorised boat for a line unit holder; and
  - (b) an authorised boat for the holder enters a prior notice area; and
  - (c) if the prior notice area is not a defined port area—it is proposed to land 1 or more authorised boats for the holder within the area.
- (2) The holder must give notice (*prior notice*) of the prior notice particulars to the chief executive before the prior notice deadline for the notice has passed.
- (3) The holder complies with subsection (2) if another person gives the notice, in compliance with the subsection, for the holder.
- (4) This section does not apply if—
  - (a) the authorised boats that are proposed to be landed are proposed to be landed at a place—
    - (i) north of latitude 15°16.57' south; or  
*Editor's note—*  
Latitude 15°16.57' south runs through South Cape Bedford.
    - (ii) on an island other than Bribie Island, Fraser Island, Magnetic Island, Moreton Island, North Stradbroke Island or South Stradbroke Island; and
  - (b) it is not proposed to unload coral reef fin fish at the place.

### 114 Requirement to give replacement prior notice if unloading particular changes

- (1) This section applies if—

[s 115]

---

- (a) a prior notice has been given by or for a line unit holder under section 113; and
  - (b) the notice stated that coral reef fin fish were not to be unloaded from or by using 1 or more authorised boats for the holder before the boats leave the unloading area for the landing place mentioned in the notice; and
  - (c) the holder, or another person acting for the holder, proposes to unload coral reef fin fish before the boats leave the unloading area.
- (2) The holder must give another notice (also a *prior notice*) to the chief executive stating that coral reef fin fish will be unloaded before the boats leave the unloading area.
- (3) The notice must—
- (a) state all the prior notice particulars; and
  - (b) be given before the prior notice deadline for the notice has passed.
- (4) A prior notice given under this section replaces the prior notice given under section 113.
- (5) The holder complies with subsection (2) if another person gives the notice, in compliance with the subsection and subsection (3), for the holder.

## **115 Amendment or withdrawal of prior notice**

- (1) This section—
- (a) applies if a prior notice has been given by or for a line unit holder; and
  - (b) states the only circumstances in which the notice may be amended or withdrawn.
- (2) If a prior notice particular, other than an unloading particular, for the notice changes, the holder, or a person acting for the holder, may by notice (*amending notice*) to the chief executive amend the prior notice to reflect the change.

- (3) An amending notice must be given before the amending notice deadline for the notice has passed.
- (4) Also, the holder, or a person acting for the holder, may, by notice to the chief executive, withdraw the prior notice at any time before coral reef fin fish are taken from any authorised boat for the holder.

### 116 General requirements after prior notice given

- (1) This section applies if a prior notice has been given by or for a line unit holder.
- (2) The person in control of a relevant authorised boat must ensure that—
  - (a) the boat lands—
    - (i) at the landing place mentioned in the notice; and
    - (ii) not more than 1 hour before or after the landing period mentioned in the notice ends; and
  - (b) the total number of each of the following on board all the authorised boats for the holder when the relevant authorised boat lands is a number (a ***complying number***) that is the same as the number stated in the prior notice or is, having regard to the circumstances, close to that number—
    - (i) coral trout;
    - (ii) redthroat emperor;
    - (iii) other coral reef fin fish; and
  - (c) if the person giving the prior notice was prompted by the AIVR system to enter the total number of the following on board the authorised boats for the holder—the total number of the following on board the authorised boats when the relevant authorised boat lands is a complying number—
    - (i) containers containing each of the following in filleted form—

[s 117]

---

- (A) coral trout;
  - (B) redthroat emperor;
  - (C) other coral reef fin fish;
- (ii) each of the following other than in filleted form—
- (A) coral trout;
  - (B) redthroat emperor;
  - (C) other coral reef fin fish.
- (3) Also, if a relevant authorised boat lands at the landing place mentioned in the notice before the landing period mentioned in the notice ends, the person in control of the boat must ensure the boat stays at the landing place until the landing period has ended.
- (4) In deciding under subsection (2)(a) or (b), whether a number is close, regard must be had to the degree of difficulty in counting the number stated in the prior notice.
- (5) Subsection (2)(a) does not apply if the relevant authorised boat does not land at the place, or does not land within the period, mentioned in that subsection because of a reason beyond the control of the person in control of the boat.
- (6) Subsection (3) does not require the person in control of the relevant authorised boat to be on board the boat after the boat has landed.
- (7) In this section—
- relevant authorised boat*, in relation to a prior notice, means an authorised boat, for the line unit holder by or for whom the notice was given, that is proposed to be landed at the landing place mentioned in the notice.

## **117 Additional requirements if prior notice stated fish will be unloaded**

- (1) This section applies if—

- 
- (a) a prior notice has been given by or for a line unit holder;  
and
  - (b) the notice stated that coral reef fin fish were to be unloaded from or by using 1 or more authorised boats for the holder before the boats leave the unloading area for the landing place mentioned in the notice.
- (2) A prescribed person must not take coral reef fin fish from an authorised boat for the holder after the prescribed time unless—
- (a) all the coral reef fin fish on board all the authorised boats for the holder have been unloaded; and
  - (b) an unloaded fish notice has been given, as required under section 122, for the fish.
- (3) However, subsection (2)(a) does not apply if the prescribed person complies with the retained fish conditions.
- (4) Also, if asked by an inspector after an authorised boat for the holder lands at the landing place, a prescribed person must tell the inspector—
- (a) the place (the *unloading place*) where the fish on board the authorised boats for the holder are to be unloaded; and
  - (b) the estimated time (the *unloading time*) at which the fish are to be unloaded.
- (5) If subsection (4) applies, a prescribed person must not unload, or allow to be unloaded, the fish on board the authorised boats other than at the unloading place and at the unloading time.
- (6) In this section—
- prescribed time*, in relation to a prior notice, means the earlier of the following—
- (a) the time the first authorised boat, for the line unit holder by or for whom the notice is given, enters the area within 0.5n miles of the landing place mentioned in the notice;

[s 118]

---

- (b) 1 hour before the landing period mentioned in the prior notice ends.

### **118 Requirement to give transshipment notice**

- (1) This section applies if coral reef fin fish are—
  - (a) taken from an authorised boat for a line unit holder; and
  - (b) transferred, before the fish are unloaded, to a following vessel (a *transport vessel*)—
    - (i) a boat identified in a carrier boat licence;
    - (ii) a commercial ship registered under the *Transport Operations (Marine Safety) Act 1994*; and
  - (c) proposed to be unloaded from or by using the vessel.
- (2) As soon as practicable after the fish are transferred to the vessel, the holder must give notice (*transshipment notice*) of the transshipment notice particulars to the chief executive.
- (3) The holder complies with subsection (2) if another person gives the notice, in compliance with the subsection, for the holder.
- (4) In this section—  
*commercial ship* see the *Transport Operations (Marine Safety) Regulation 2004*, schedule 15.

### **119 General requirement for unloading fish**

- (1) A prescribed person must not unload, or allow to be unloaded, coral reef fin fish taken from an authorised boat for a line unit holder unless—
  - (a) a prior notice as required under section 113 or 114 has been given by or for the holder and the notice stated the fish were to be unloaded from or by using 1 or more authorised boats for the holder before the boats leave the unloading area for the landing place mentioned in the notice; or

- (b) a transshipment notice as required under section 118 has been given by or for the holder for the fish.
- (2) It is a defence to an offence relating to non-compliance with subsection (1) if the prescribed person proves—
- (a) the prior notice or transshipment notice was not given by or for the holder because of a prescribed reason; and
  - (b) the holder or another person acting for the holder gave the chief executive a notice (an *unnotifiable landing notice*) for the landing of the authorised boats for the holder, or the transport vessel to which the coral reef fin fish taken from the boats were transferred—
    - (i) immediately after the first of the boats, or the vessel, lands; and
    - (ii) stating the unnotifiable landing notice particulars; and
  - (c) the prescribed person did not, before the authorised unloading time—
    - (i) move, or allow to be moved, the boats or vessel to a place more than 200m from, or not visible to a person at, the landing place mentioned in the unnotifiable landing notice; or
    - (ii) move, or allow to be moved, the fish from the boats or vessel.

## **120 Additional requirements for unloading fish if prior notice given**

- (1) This section applies if—
- (a) a prior notice has been given by or for a line unit holder; and
  - (b) the notice stated that coral reef fin fish were to be unloaded from or by using 1 or more authorised boats for the holder before the boats leave the unloading area for the landing place mentioned in the notice.

[s 120]

---

- (2) A prescribed person must not unload, or allow to be unloaded, the coral reef fin fish unless section 116 has been complied with in relation to the notice.
- (3) Also, a prescribed person may unload, or allow to be unloaded, the fish—
  - (a) only after the landing period mentioned in the notice has ended; and
  - (b) if the fish are to be unloaded from or by using a tender boat of a primary boat for the holder—only if the tender boat is attached to, or is within 200m of, the primary boat; and
  - (c) only at a place that is open for entry, under the Act, by an inspector and is any of the following—
    - (i) the landing place mentioned in the notice;
    - (ii) if the landing place is within a defined port area—another place that is within the defined port area;
    - (iii) if the landing place is not within a defined port area—another place that is within 0.5n miles of the landing place.
- (4) Subsection (3)(a) does not apply if—
  - (a) the fish are unloaded by moving the boat carrying the fish to a place on land and, until the landing period has ended—
    - (i) the fish are kept on board the boat; and
    - (ii) the boat is kept at a place that is within 200m of, and visible to a person at, the landing place; or
  - (b) an inspector supervises the person unloading the fish.



---

## 121 Requirements for weighing unloaded fish

- (1) This section applies if coral reef fin fish taken by or for a line unit holder have been unloaded from or by using an authorised boat for the holder or a transport vessel.
- (2) The holder—
  - (a) must weigh, or cause to be weighed, the fish as soon as practicable after the fish have been unloaded; and
  - (b) may weigh, or allow to be weighed, the fish only at a place that is open for entry, under the Act, by an inspector.
- (3) The weight of the fish must be worked out using a scale that is verified or certified under the *National Measurement Act 1960* (Cwlth).

## 122 Requirement to give unloaded fish notice

- (1) This section applies if coral reef fin fish—
  - (a) were taken from an authorised boat for a line unit holder; and
  - (b) are unloaded from or by using the boat or a transport vessel.
- (2) The holder must give notice (*unloaded fish notice*) of the unloaded fish notice particulars to the chief executive—
  - (a) as soon as practicable after the first time the coral reef fin fish on board the boat or vessel are unloaded from or by using the boat or vessel; and
  - (b) if the coral reef fin fish are first unloaded by moving the boat or vessel carrying the fish to a place on land—as soon as practicable after the fish are first moved from the boat or vessel.
- (3) Also, the holder, or a commercial fisher acting for the holder, must—

[s 123]

---

- (a) retain possession of the coral reef fin fish until the unloaded fish notice is given; or
  - (b) for a live fish that is sold or given to another person—remain within 200m of the fish until the unloaded fish notice is given.
- (4) The holder complies with subsection (2) if another person gives the notice, in compliance with the subsection, for the holder.

### **123 Notices to chief executive under this division**

- (1) This section applies to each of the following notices—
- (a) a notice required to be given under section 113, 114 or 115;
  - (b) a retained fish notice;
  - (c) a transshipment notice;
  - (d) an unnotifiable landing notice;
  - (e) an unloaded fish notice.
- (2) The notice must be given to the chief executive by using the AIVR system.

## **Part 4 Conditions for boat licences**

### **126 Conditions of RQ licences about transshipping**

- (1) An RQ licence is subject to the conditions mentioned in this section.
- (2) Coral reef fin fish taken from the primary boat must not be transhipped to any of the following boats (the *prescribed boats*)—
- (a) another primary boat;

- 
- (b) the tender boat of another primary boat.
  - (3) Coral reef fin fish taken from a prescribed boat must not be transhipped to the primary boat.
  - (4) Coral reef fin fish taken from a tender boat must not be transhipped to a boat other than—
    - (a) the tender boat's primary boat; or
    - (b) another tender boat of the primary boat.
  - (5) Coral reef fin fish taken from any of the following boats must not be transhipped to a tender boat (the *relevant tender boat*)—
    - (a) a primary boat other than the relevant tender boat's primary boat;
    - (b) a tender boat of a primary boat other than the relevant tender boat's primary boat.

## **128 No new carrier boat licences**

- (1) The chief executive must not issue a carrier boat licence allowing the carriage of coral reef fin fish.
- (2) The chief executive may replace a carrier boat licence allowing the carriage of coral reef fin fish only if—
  - (a) the licence was issued before the notification day; and
  - (b) the holder applying for the replacement has held the licence continuously from the notification day; and
  - (c) the application is for the replacement of the licence on the same, or substantially the same, conditions.
- (3) A carrier boat licence issued before the notification day is subject to the condition that the boat must not be used to carry live coral reef fin fish unless—
  - (a) the boat is also identified in a commercial fishing boat licence; and
  - (b) the fish were taken from any of the following—

[s 129]

---

- (i) the boat;
- (ii) if the boat is a tender boat—the boat’s primary boat;
- (iii) if the boat is a primary boat—a tender boat of the boat.

## **Part 5 Filleting permits**

### **129 Chief executive may issue filleting permits**

- (1) The chief executive may issue filleting permits.
- (2) The chief executive may issue a filleting permit only to the holder of an RQ licence.

### **130 What filleting permit authorises**

The holder of a filleting permit, or a commercial fisher acting under the holder’s RQ licence, may fillet coral reef fin fish stated in the permit on board the primary boat identified on the holder’s RQ licence.

---

## Chapter 5      Miscellaneous provisions

### Part 2              Offences and criteria for                          suspension and cancellation

#### Division 1        Prescribed serious fisheries                          offences

#### 149      Serious fisheries offences

For the Act, schedule, definition *serious fisheries offence*, an offence constituted by any of the following in relation to the reef line fishery is a serious fisheries offence—

- (a) contravening the *Great Barrier Reef Marine Park Act 1975* (Cwth), section 38BA;
- (b) using a tender boat in a way that contravenes the *Great Barrier Reef Marine Park Regulations 1983* (Cwlth), section 49 or 51;
- (c) entering or using a marine park in contravention of the *Marine Parks Act 2004*, section 43 or the *Marine Parks Regulation 2006*, section 109.

*Note—*

Other fisheries offences are prescribed as serious fisheries offences under section 625 of the regulation.

## **Division 2**                      **Prescribed suspension and cancellation criteria**

### **150**      **Criteria for suspending authorities**

- (1) This section prescribes criteria under section 68B(4)(b)(i) of the Act for a court suspending any of the following authorities under section 68B(2) of the Act—
  - (a) a commercial fisher licence;
  - (b) a commercial fishing boat licence;
  - (c) an authority with the fishery symbol ‘A1’ or ‘A2’ written on it.
- (2) The prescribed criteria stated in subsection (3) apply only if—
  - (a) the authority holder has been convicted of a serious fisheries offence—
    - (i) mentioned in section 149; or
    - (ii) prescribed under section 625 of the regulation, other than an offence under section 79 of the Act; and
  - (b) the conviction is not a spent conviction.
- (3) For subsection (2), the prescribed criteria are as follows—
  - (a) for the first conviction—2 to 3 months suspension;
  - (b) for the second conviction—6 months to 1 year’s suspension;
  - (c) for the third or subsequent conviction—1 to 5 years suspension.
- (4) The prescribed criteria stated in subsection (5) apply only if—
  - (a) the authority holder has been convicted of an offence under section 79 of the Act; and
  - (b) the conviction is not a spent conviction.

---

*Editor's note—*

section 79 (Quota offences) of the Act

- (5) For subsection (4), the prescribed criteria are as follows—
- (a) for the first conviction—1 year's suspension;
  - (b) for the second or subsequent conviction—1 to 5 years suspension.
- (6) In this section—
- spent conviction*** means a conviction—
- (a) for which the rehabilitation period under the *Criminal Law (Rehabilitation of Offenders) Act 1986* has expired under that Act; and
  - (b) that is not revived under section 11 of that Act.

## **151 Criteria for suspending line units**

- (1) This section prescribes criteria under section 68B(4)(b)(i) of the Act for a court suspending line units under section 68B(2) of the Act.
- (2) The prescribed criteria apply if, in a line year—
- (a) the line unit holder takes an amount of the prescribed coral reef fin fish for the line units that exceeds the holder's total entitlements under the line units; or
  - (b) any RQ licence held by the line unit holder is suspended.
- (3) The prescribed criteria are—
- (a) for subsection (2)(a)—suspension for the following line year of the number of line units with entitlements equal to the amount by which the entitlements were exceeded; or
  - (b) for subsection (2)(b)—suspension for the line year of all the holder's line units with unused entitlements.

[s 152]

---

## 152 Criteria for cancelling line units

- (1) This section prescribes criteria under section 68B(4)(b)(i) of the Act for a court cancelling line units under section 68B(2) of the Act.
- (2) The prescribed criteria apply if, in a line year, a line unit holder is convicted of a serious fisheries offence involving taking or possessing an amount of coral reef fin fish that exceeds the holder's unused line unit entitlements for the line year by 500kg (whole weight) or more.
- (3) The prescribed criteria are cancellation of the number of the holder's line units with an entitlement equivalent to the amount of coral reef fin fish unlawfully taken or possessed by the holder.

# Part 3 Provisions about reporting

## Division 1 Preliminary

### 153 Definitions for div 1

In this division—

***group of species***, of coral reef fin fish, means the fish in each group of species of fish mentioned in a part under schedule 5 of the regulation.

*Editor's note*—

schedule 5 (Glossary of scientific names for particular coral reef fin fish species) of the regulation

***prescribed way***, for recording the weight or number of coral reef fin fish other than coral trout and redthroat emperor, means recording the weight or number of the fish—

- (a) as a total weight or number for all species of the fish; or



- (b) as a weight or number for—
  - (i) each individual species of the fish; or
  - (ii) each group of species of the fish; or
  - (iii) a combination of individual species and groups of species of the fish.

*relevant fishery area* means the ‘L1’, ‘L2’, ‘L3’, ‘L6’, ‘L7’ or ‘L8’ fishery area.

## **Division 2                      Fish imported or taken from outside State or relevant fishery area**

### **154      Definition for div 2**

In this division—

*the State* includes Queensland waters.

### **155      Information requirement—coral reef fin fish bought outside the State**

- (1) This section applies if a person buys coral reef fin fish outside the State and brings the coral reef fin fish into the State for trade or commerce.
- (2) The person must keep, in the approved form, a record of the particulars relating to the sale of the coral reef fin fish that would be required for a sale docket for the fish under section 655 of the regulation.
- (3) The person must keep the record for the period starting on the day the person brings the coral reef fin fish into the State and ending 5 years after the day the person stops possessing the coral reef fin fish.

[s 155A]

---

**155A Information requirement—coral reef fin fish taken outside relevant fishery area**

- (1) This section applies if a person—
  - (a) takes, for trade or commerce, coral reef fin fish from Queensland waters other than waters within a relevant fishery area; and
  - (b) unloads the coral reef fin fish in the State.
- (2) The person must keep, in the approved form, a record of the following information—
  - (a) the date the person took the coral reef fin fish;
  - (b) the number of coral reef fin fish taken by the person.
- (3) The person must keep the record for the period starting immediately before the person unloads the coral reef fin fish in the State and ending 5 years after the day the person stops possessing the coral reef fin fish.
- (4) For subsection (1), a person conducting a charter fishing trip does not take coral reef fin fish for trade or commerce only because the person takes the fish during the charter fishing trip.

**Division 3 Commercial carriage and storage**

**156 Records to be kept about commercial carriage of coral reef fin fish**

- (1) This section applies if a person in control of a boat or vehicle is transporting, on the boat or in the vehicle, coral reef fin fish for another person and for trade or commerce.
- (2) The person must ensure, at all times while the coral reef fin fish are on board the boat or in the vehicle—
  - (a) a written record of the carriage information is kept on board the boat or in the vehicle; and
  - (b) the record is available for immediate inspection.

(3) In this section—

*carriage information*, for a person transporting coral reef fin fish for another person, means the following—

- (a) the name of the other person for whom the person is transporting the coral reef fin fish;
- (b) the address of the place where the fish were collected by the person;
- (c) the address of the place where the fish are to be delivered by the person.

**156A Records to be kept about commercial storage of coral reef fin fish**

- (1) This section applies if a person stores, at a place, coral reef fin fish for another person and for trade or commerce.
- (2) The person must ensure, at all times while the coral reef fin fish are stored at the place—
  - (a) a written record of the name of the person for whom the person is storing the fish is kept at the place; and
  - (b) the record is available for immediate inspection.

## **Chapter 6      Transitional provisions**

### **Division 2      Transitional provision for the Fisheries Management Plans Amendment Management Plan (No. 1) 2004**

#### **162      Existing notice identity numbers**

From the commencement of this section, a notice identity number for line units stated on a notice or certificate given under this plan is taken to be the unit PIN for the line units.

## Schedule 7 Whole weight

section 74(3)(b) and schedule 8, definition *whole weight*, paragraph (b)

### 1 Fillets

For fillets from a fish, the whole weight of the fillets is the amount calculated using the formula—

$$WW = W \times CF$$

where—

*WW* means the whole weight in kilograms.

*W* means the weight of the fillets in kilograms.

*CF* means the following conversion factor—

- (a) for coral trout—2;
- (b) for a species of cod or grouper—2.1;
- (c) for goldband snapper—2.3;
- (d) for rosy snapper or lavender snapper—2.1;
- (e) for a species of tropical snapper or seaperch not mentioned in paragraph (c) or (d)—2.6;
- (f) for a species of emperor—2.5;
- (g) for any other species of coral reef fin fish or fish not identified as a particular species—2.

### 2 Gilled and gutted fish

For gilled and gutted fish, the whole weight of the fish is the amount calculated using the formula—

$$WW = W \times 1.1$$

where—

*WW* means the whole weight in kilograms.

*W* means the weight of the gilled and gutted fish in kilograms.

**3 Trunked fish**

For a trunked fish, the whole weight of the fish is the amount calculated using the formula—

$$WW = W \times 1.4$$

where—

*WW* means the whole weight in kilograms.

*W* means the weight of the trunked fish in kilograms.

**4 Number of fish**

For a number of fish, the whole weight (in kilograms) of the fish is the the number of fish.

**5 Any other form**

For fish in a form not mentioned in sections 1 to 4 of this schedule, the whole weight is the weight of the fish in kilograms.

---

## Schedule 8 Dictionary

## section 5(3)

*amending notice deadline*, for chapter 3, part 3, division 4, see section 111.

*amendment notice*, for chapter 3, part 1, division 2, see section 17.

*authorised boat*, for chapter 3, part 3, division 4, see section 111.

*authorised unloading time*, for chapter 3, part 3, division 4, see section 111.

*coral reef fin fish* means regulated coral reef fin fish under the regulation.

*Note—*

For what are regulated coral reef fin fish and their common and scientific names see section 6 (Scientific names for species of fish) and schedule 5 (Glossary of scientific names for particular coral reef fin fish species) of the regulation.

*coral trout* means regulated coral trout under the regulation.

*CT line units* means coral trout line units issued under part 2 as it was in force before 1 July 2010.

*current fisher PIN*, for line units, means—

- (a) if the fisher PIN for the line units has been changed under section 85—the fisher PIN after the change under section 85; or
- (b) otherwise—the fisher PIN originally issued to the holder of the line units under section 61A or 80A.

*ecologically sustainable development* has the meaning given under section 3 of the Act.

*entitlement* see section 69(4).

*first line year* means the period from midnight on 1 July 2004 to midnight on 30 June 2005.

**fisher PIN**, for line units, see sections 61A and 80A.

**group of species**, for chapter 5, part 3, division 1, see section 153.

**identification code**, for chapter 3, part 3, division 4, see section 111.

**L1 fishery area** means the fishery area under section 395 of the regulation.

**L2 or L3 fishery area** means the fishery area under section 403 of the regulation.

**L6 or L7 fishery area** means the fishery area under section 419 of the regulation.

**L8 fishery area** means the fishery area under section 427 of the regulation.

**landing period**, for chapter 3, part 3, division 4, see section 111.

**landing place**, for chapter 3, part 3, division 4, see section 111.

**length**, of a fillet from a fish, means the length of the fillet's longest plane.

**line unit certificate** means a certificate issued under section 72, as replaced under section 71 of the Act or changed or replaced under section 78.

**line unit certificate changes** means amending, cancelling or issuing line unit certificates.

**line year**—

- 1 A **line year** means the period from midnight on 1 July in a year to midnight on 30 June in the next year.
- 2 However, the first line year does not start until midnight on 1 July 2004.

**notification day** means the day this plan is notified in the gazette.

**notifying period**, for chapter 3, part 3, division 4, see section 111.



***OS line units*** means other species line units issued under part 2 as it was in force before 1 July 2010.

***other coral reef fin fish*** means coral reef fin fish other than coral trout and redthroat emperor.

***plan*** means management plan.

***prescribed coral reef fin fish***, for a line unit, means—

- (a) for a CT line unit—coral trout; or
- (b) for an RTE line unit—redthroat emperor; or
- (c) for an OS line unit—other coral reef fin fish.

***prescribed numerical code***, for chapter 3, part 3, division 4, see section 111.

***prescribed person***, for chapter 3, part 3, division 4, see section 111.

***prescribed reason***, for chapter 3, part 3, division 4, see section 111.

***prescribed way***, for chapter 5, part 3, division 1, see section 153.

***prior notice*** see sections 113(2) and 114(2).

***prior notice area***, for chapter 3, part 3, division 4, see section 111.

***prior notice deadline***, for chapter 3, part 3, division 4, see section 111.

***prior notice particulars***, for chapter 3, part 3, division 4, see section 111.

***reasonably believes*** means believes on grounds that are reasonable in the circumstances.

***reef line fishery*** see section 2.

***region***, for schedule 1, see schedule 1, section 1.

***regulation*** means the *Fisheries Regulation 2008*.

***relevant day***, for chapter 3, part 2, division 3A, see section 65B.

**relevant equipment**, for chapter 3, part 3, division 4, see section 111.

**relevant fishery area**, for chapter 5, part 3, division 1, see section 153.

**retained fish conditions** see section 111.

**retained fish notice** see section 111.

**retained fish notice particulars** see section 111.

**RQ(L8) licence** means an RQ licence that also has the fishery symbol 'L8' written on it.

**RQ licence** means a commercial fishing boat licence with the 'RQ' fishery symbol written on it.

**RTE line units** means redthroat emperor line units issued under part 2 as it was in force before 1 July 2010.

**species of cod or grouper** means any of the species of regulated cod or grouper under the regulation.

**species of emperor** means any of the species of regulated emperor under the regulation.

**species of tropical snapper or seaperch** means any of the species of regulated tropical snapper or seaperch under the regulation.

**transshipment notice** see section 118(2).

**transshipment notice particulars**, for chapter 3, part 3, division 4, see section 111.

**transport vessel** see section 118(1)(b).

**unit PIN** see section 61(8)(a)(ii).

**unloaded fish notice** see section 122(2).

**unloaded fish notice particulars**, for chapter 3, part 3, division 4, see section 111.

**unloading area**, for chapter 3, part 3, division 4, see section 111.

**unloading particular**, for chapter 3, part 3, division 4, see section 111.

***unnotifiable landing notice***, for chapter 3, part 3, division 4, see section 119(2)(b).

***unnotifiable landing notice particulars***, for chapter 3, part 3, division 4, see section 111.

***unused entitlement*** see section 70(2).

***used*** see section 70(1).

***whole weight***, for coral reef fin fish means—

- (a) for whole fish—the weight of the fish in kilograms; or
- (b) for fish in another form—the weight of the fish worked out in the way stated in schedule 7.

*Example of another form for paragraph (b)—*

filleted fish

## Endnotes

### 1 Index to endnotes

		Page
2	Key .....	58
3	Table of reprints .....	58
4	List of legislation .....	59
5	List of annotations .....	62

### 2 Key

#### Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised version
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2012
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

### 3 Table of reprints

A new reprint of the legislation is prepared by the Office of the Queensland Parliamentary Counsel each time a change to the legislation takes effect.

The notes column for this reprint gives details of any discretionary editorial powers under the *Reprints Act 1992* used by the Office of the Queensland Parliamentary Counsel in preparing it. Section 5(c) and (d) of the Act are not mentioned as they contain mandatory

requirements that all amendments be included and all necessary consequential amendments be incorporated, whether of punctuation, numbering or another kind. Further details of the use of any discretionary editorial power noted in the table can be obtained by contacting the Office of the Queensland Parliamentary Counsel by telephone on 3003 9601 or email [legislation.queries@oqpc.qld.gov.au](mailto:legislation.queries@oqpc.qld.gov.au).

From 29 January 2013, all Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints is not continued with the relevant details for historical reprints included in this table.

Reprint No.	Amendments included	Effective	Notes
1	none	12 September 2003	
1A	none	13 December 2003	certain provs commenced
1B rv	2003 SL No. 368 2003 SL No. 379	19 December 2003	
1C rv	2003 SL No. 368	20 December 2003	
1D rv	2004 SL No. 111	1 July 2004	
1E rv	—	2 July 2004	provs exp 1 July 2004
1F	2005 SL No. 27	4 March 2005	R1F withdrawn, see R2
2	—	4 March 2005	
2A	2006 SL No. 25 2006 SL No. 136	1 July 2006	
2B	—	13 September 2006	provs exp 12 September 2006
2C	2006 SL No. 265	3 November 2006	
2D	2008 SL No. 84	1 April 2008	
2E	2008 SL No. 157	13 June 2008	R2E withdrawn, see R3
3	—	13 June 2008	
3A	2009 SL No. 62	22 May 2009	
3B	2009 SL No. 213	9 October 2009	
3C	2009 Act No. 24	1 December 2009	
3D	2009 SL No. 33	1 January 2010	
3E	2009 Act No. 50 2010 SL No. 164	1 July 2010	R3E withdrawn, see R4
4	—	1 July 2010	
4A	2012 SL No. 252	21 December 2012	

Current as at	Amendments included	Notes
6 December 2013	2013 SL No. 270	
23 May 2014	2014 SL No. 69	

## 4 List of legislation

### *Regulatory impact statements*

For subordinate legislation that has a regulatory impact statement, specific reference to the statement is included in this list.

*Explanatory notes*

All subordinate legislation made on or after 1 January 2011 has an explanatory note. For subordinate legislation made before 1 January 2011 that has an explanatory note, specific reference to the note is included in this list.

**Fisheries (Coral Reef Fin Fish) Management Plan 2003 SL No. 212**

made by the chief executive on 2 September 2003

notfd gaz 12 September 2003 pp 128–31

ss 1–2 commenced on date of notification

ch 2 pt 2, ch 3 pt 3 div 1, ch 3 pt 3 div 2 sdivs 1–3, ch 4 commenced 13 December 2003 (see s 2(1))

ch 3 pt 3 div 2 sdiv 4, ss 153–156 commenced 1 July 2004 (see s 2(2))

remaining provisions commenced on date of notification

exp 1 September 2014 (see SIA s 54)

Notes—(1) The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

(2) A regulatory impact statement and explanatory note were prepared.

amending legislation—

**Fisheries Management Plans Amendment Management Plan (No. 4) 2003 SL No. 368**

**pts 1–2**

notfd gaz 19 December 2003 pp 1307–13

ss 1–2 commenced on date of notification

s 4 commenced 20 December 2003 (see s 2)

remaining provisions commenced on date of notification

**Fisheries Management Plans Amendment Management Plan (No. 5) 2003 SL No. 379**

**pts 1–2**

notfd gaz 19 December 2003 pp 1307–13

commenced on date of notification

Note—A regulatory impact statement and explanatory note were prepared.

**Fisheries Management Plans Amendment Management Plan (No. 1) 2004 SL No. 111**

**pts 1–2**

notfd gaz 25 June 2004 pp 573–81

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2004 (see s 2)

Note—A regulatory impact statement and explanatory note were prepared.

**Fisheries Management Plans Amendment Management Plan (No. 1) 2005 SL No. 27**

**pts 1–2**

notfd gaz 4 March 2005 pp 758–9

commenced on date of notification

**Fisheries Management Plans Amendment Management Plan (No. 1) 2006 SL No. 25**

**pts 1–2**

notfd gaz 24 February 2006 pp 798–801

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2006 (see s 2)

Note—An explanatory note was prepared.

**Fisheries Management Plans Amendment Management Plan (No. 2) 2006 SL No. 136**

**pts 1–2**

notfd gaz 16 June 2006 pp 787–90

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2006 immediately after the commencement of the Fisheries Management Plans Amendment Management Plan (No. 1) 2006 SL No. 25 (see s 2(3))

**Fisheries Management Plans Amendment Management Plan (No. 3) 2006 SL No. 265**

**pts 1–2**

notfd gaz 3 November 2006 pp 1103–4

commenced on date of notification

**Fisheries Management Plans Amendment Management Plan (No. 1) 2008 SL No. 84**

**pts 1–2**

notfd gaz 28 March 2008 pp 1721–4

ss 1–2 commenced on date of notification

remaining provisions commenced 1 April 2008 (see s 2)

Note—An explanatory note was prepared.

**Fisheries Management Plans Amendment Management Plan (No. 2) 2008 SL No. 157**

**pts 1–2**

notfd gaz 13 June 2008 pp 948–51

commenced on date of notification

**Primary Industries and Fisheries Legislation Amendment Regulation (No. 1) 2009**

**SL No. 33 ss 1, 2(2), pt 2**

notfd gaz 17 April 2009 pp 1775–6

ss 1–2 commenced on date of notification

remaining provisions commenced 1 January 2010 (see s 2(2))

Note—A regulatory impact statement and explanatory note were prepared.

**Fisheries Management Plans Amendment Management Plan (No. 1) 2009 SL No. 62**

**s 1, pt 2**

notfd gaz 22 May 2009 pp 331–3

commenced on date of notification

**Queensland Civil and Administrative Tribunal (Jurisdiction Provisions) Amendment**

**Act 2009 No. 24 ss 1–2, ch 5 pt 28**

date of assent 26 June 2009

ss 1–2 commenced on date of assent

remaining provisions commenced 1 December 2009 (2009 SL No. 252)

**Fisheries Legislation Amendment Regulation (No. 4) 2009 SL No. 213 pts 1–2**

notfd gaz 9 October 2009 pp 445–6

commenced on date of notification

**Trade Measurement Legislation Repeal Act 2009 No. 50 ss 1–2, 18 sch**

date of assent 19 November 2009

ss 1–2 commenced on date of assent

Endnotes

---

remaining provisions commenced 1 July 2010 (2010 SL No. 127)

**Fisheries Legislation Amendment Regulation (No. 1) 2010 SL No. 164 pts 1–2**

notfd gaz 1 July 2010 pp 921–2

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2010 (see s 2)

**Fisheries Legislation Amendment Regulation (No. 1) 2012 SL No. 252 pts 1–2**

notfd gaz 21 December 2012 pp 599–602

commenced on date of notification

**Fisheries Legislation Amendment Regulation (No. 1) 2013 SL No. 270 pts 1, 3**

notfd <www.legislation.qld.gov.au> 6 December 2013

commenced on date of notification

**Fisheries Legislation Amendment Regulation (No. 1) 2014 SL No. 69 ss 1, 2(2), pt 3**

notfd <www.legislation.qld.gov.au> 23 May 2014

ss 1–2 commenced on date of notification

s 22 commences 1 July 2014 (see s 2(2))

remaining provisions commenced on date of notification

## 5 List of annotations

### CHAPTER 1—PRELIMINARY

#### What is the *reef line fishery*

- s 2            amd 2004 SL No. 111 s 4  
              sub 2006 SL No. 25 s 4  
              amd 2008 SL No. 84 s 4

#### Application of plan

- s 3            amd 2006 SL No. 25 s 5; 2008 SL No. 84 s 5

#### Objective of plan and its achievement

- s 4            amd 2006 SL No. 25 s 6  
              sub 2008 SL No. 84 s 6  
              amd 2009 SL No. 62 s 4

#### Interpretation

- s 5            amd 2006 SL No. 25 s 7; 2008 SL No. 84 s 7

#### Scientific names of coral reef fin fish

- s 6            amd 2004 SL No. 111 s 5  
              om 2006 SL No. 25 s 8

#### References to latitudes and longitudes—sch 3A

- s 6A          ins 2003 SL No. 379 s 3  
              om 2008 SL No. 84 s 8

### CHAPTER 2—CLOSED WATERS AND REGULATED FISH DECLARATIONS

- ch hdg        om 2008 SL No. 84 s 8



**PART 1—CLOSED WATERS****pt hdg** om 2008 SL No. 84 s 8**Division 1—Annual closures****div hdg** ins 2003 SL No. 379 s 4  
om 2008 SL No. 84 s 8**Closures—sch 3****prov hdg** sub 2003 SL No. 379 s 5  
**s 7** amd 2004 SL No. 111 s 6  
om 2008 SL No. 84 s 8**Prohibited activities****s 8** amd 2003 SL No. 368 s 4; 2003 SL No. 379 s 6; 2006 SL No. 25 s 9  
om 2008 SL No. 84 s 8**Division 2—Grey nurse shark protection area closures****div hdg** ins 2003 SL No. 379 s 7  
om 2008 SL No. 84 s 8**Subdivision 1—Schedule 3A, part 1****sdiv 1 (ss 8A–8B)** ins 2003 SL No. 379 s 7  
om 2008 SL No. 84 s 8**Subdivision 2—Schedule 3A, part 2****sdiv 2 (ss 8C–8E)** ins 2003 SL No. 379 s 7  
om 2008 SL No. 84 s 8**PART 2—REGULATED FISH****pt hdg** om 2008 SL No. 84 s 8**Division 1—Fish regulated by number****div hdg** om 2008 SL No. 84 s 8**Fish regulated by number—sch 4, pt 1****s 9** amd 2006 SL No. 25 s 10  
om 2008 SL No. 84 s 8**Exemption for recreational fishers on particular extended licensed charter fishing trips****prov hdg** amd 2006 SL No. 25 s 11(1)  
**s 10** amd 2006 SL No. 25 s 11(2)–(3)  
om 2008 SL No. 84 s 8**Division 2—Fish regulated by size****div hdg** om 2008 SL No. 84 s 8**Fish regulated by size—sch 4, pt 2****s 11** om 2008 SL No. 84 s 8**Exemption for particular commercial fishers****s 12** amd 2003 SL No. 368 s 5  
om 2008 SL No. 84 s 8

Endnotes

---

**Division 3—Fish regulated by species**

**div 3 (s 13)** om 2008 SL No. 84 s 8

**CHAPTER 3—COMMERCIAL FISHERY**

**PART 1—FISHERY SYMBOLS**

**Division 1—General provisions**

**div hdg** om 2010 SL No. 164 s 5

**Restrictions on writing ‘RQ’ fishery symbol**

**s 15** amd 2006 SL No. 25 s 12; 2010 SL No. 164 s 4

**Division 2—Obtaining fishery symbol ‘RQ’**

**div hdg** om 2010 SL No. 164 s 6

**Subdivision 1—Preliminary**

**sdiv hdg** om 2010 SL No. 164 s 6

**Simplified outline of div 2**

**s 16** om 2010 SL No. 164 s 6

**Definitions for div 2**

**s 17** def *adjusted criteria* sub 2004 SL No. 111 s 7  
def *special reconsideration notice* ins 2004 SL No. 111 s 7(2)  
def *special south-east Queensland licence* ins 2004 SL No. 111 s 7(2)  
om 2010 SL No. 164 s 6

**Meaning of *event-based special circumstance***

**s 18** om 2010 SL No. 164 s 6

**Meaning of *recent entrant special circumstance***

**s 19** om 2010 SL No. 164 s 6

**Meaning of *seasonal effect special circumstance***

**s 20** amd 2003 SL No. 368 s 6  
om 2010 SL No. 164 s 6

**Meaning of *special south-east Queensland licence***

**s 20A** ins 2004 SL No. 111 s 8  
om 2010 SL No. 164 s 6

**Effect of transfer of licence to corporation for ss 18–20**

**s 21** om 2010 SL No. 164 s 6

**Subdivision 2—Relevant licences and criteria**

**sdiv hdg** om 2010 SL No. 164 s 6

**Application of div 2 to relevant licences**

**s 22** amd 2006 SL No. 25 s 13  
om 2010 SL No. 164 s 6

**Criteria to be met for relevant licence**

**s 23** amd 2003 SL No. 111 s 9  
om 2010 SL No. 164 s 6

**First criteria**

s 24 om 2010 SL No. 164 s 6

**Second criteria**

s 25 amd 2004 SL No. 111 s 10  
om 2010 SL No. 164 s 6

**Subdivision 3—First consideration by chief executive**

sdiv 3 (ss 26–27) om 2010 SL No. 164 s 6

**Subdivision 4—Preliminary notice and application for reconsideration**

sdiv hdg om 2010 SL No. 164 s 6

**Chief executive to give preliminary notice**

s 28 om 2010 SL No. 164 s 6

**Requirements for preliminary notice**

s 29 amd 2004 SL No. 111 s 11; 2009 Act No. 24 s 521  
om 2010 SL No. 164 s 6

**Applying for reconsideration**

s 30 amd 2004 SL No. 111 s 12  
om 2010 SL No. 164 s 6

**Chief executive to decide whether reason for reconsideration established**

s 31 amd 2009 Act No. 24 s 522  
om 2010 SL No. 164 s 6

**Information chief executive may consider in deciding whether reason for reconsideration is established**

s 32 om 2010 SL No. 164 s 6

**Subdivision 5—Reconsideration and adjustment of criteria**

sdiv hdg om 2010 SL No. 164 s 6

**Criteria reapplied if reason for reconsideration established**

s 33 amd 2009 Act No. 24 s 523  
om 2010 SL No. 164 s 6

**Adjusted criteria for event-based special circumstance**

s 34 om 2010 SL No. 164 s 6

**Adjusted first criteria for recent entrant special circumstance**

s 35 om 2010 SL No. 164 s 6

**Adjusted first criteria for seasonal effect special circumstance**

s 36 om 2010 SL No. 164 s 6

**Subdivision 5A—Special reconsideration for special south-east Queensland licences**

sdiv hdg om 2010 SL No. 164 s 6

**Application and purpose of subdiv 5A**

s 36A ins 2004 SL No. 111 s 13  
om 2010 SL No. 164 s 6

Endnotes

---

**Application for special reconsideration of particular licences**

s 36B ins 2004 SL No. 111 s 13  
amd 2006 SL No. 25 s 14; 2009 Act No. 24 s 524  
om 2010 SL No. 164 s 6

**Chief executive to decide whether licence is special south-east Queensland licence**

s 36C ins 2004 SL No. 111 s 13  
amd 2009 Act No. 24 s 525  
om 2010 SL No. 164 s 6

**Information chief executive may consider in deciding whether licence is a special south-east Queensland licence**

s 36D ins 2004 SL No. 111 s 13  
om 2010 SL No. 164 s 6

**Criteria reapplied if licence is special south-east Queensland licence**

s 36E ins 2004 SL No. 111 s 13  
amd 2009 Act No. 24 s 526  
om 2010 SL No. 164 s 6

**Adjusted criteria for special south-east Queensland licences**

s 36F ins 2004 SL No. 111 s 13  
om 2010 SL No. 164 s 6

**Subdivision 6—Amendment notice and amendment of licences**

sdiv hdg om 2010 SL No. 164 s 6

**Chief executive to amend licences and give amendment notice**

s 37 amd 2004 SL No. 111 s 14; 2006 SL No. 25 s 14  
om 2010 SL No. 164 s 6

**Requirements for amendment notice**

s 38 amd 2009 Act No. 24 s 527  
om 2010 SL No. 164 s 6

**Taking or possessing coral reef fin fish under amended licence**

s 39 om 2010 SL No. 164 s 6

**Division 3—Changing fishery symbol ‘RQ’ to another authority**

div hdg om 2006 SL No. 25 s 15

**Definition for div 3**

s 40 om 2006 SL No. 25 s 15

**Application to change fishery symbol ‘RQ’ to another primary licence of holder**

s 41 om 2006 SL No. 25 s 15

**How chief executive must deal with application**

s 42 om 2006 SL No. 25 s 15

**PART 2—LINE UNITS**

**Division 1—General**

**Simplified outline of pt 2**

s 43 amd 2004 SL No. 111 s 15; 2006 SL No. 25 s 16; 2009 SL No. 62 s 5; 2010

SL No. 164 s 7

**Definitions for pt 2**

**s 44** def *adjusted allocation provisions* amd 2003 SL No. 368 s 7  
 def *prescribed recorded catch* ins 2004 SL No. 111 s 16  
 amd 2009 SL No. 62 s 6  
 om 2010 SL No. 164 s 8

**Meaning of event-based special circumstance**

**s 45** om 2010 SL No. 164 s 8

**Meaning of recent entrant special circumstance**

**s 46** om 2010 SL No. 164 s 8

**Effect of transfer of licence to corporation for ss 45, 46 and 65A**

**prov hdg** amd 2004 SL No. 111 s 17

**s 47** amd 2004 SL No. 111 s 17  
 om 2010 SL No. 164 s 8

**Division 2—General provisions about line units**

**div hdg** om 2010 SL No. 164 s 8

**Nature of a line unit**

**s 48** amd 2006 SL No. 25 s 17

**Restriction on issue of line units**

**s 49** sub 2010 SL No. 164 s 9

**When line unit is issued**

**s 50** om 2010 SL No. 164 s 9

**Division 3—Issue of line units**

**div hdg** om 2010 SL No. 164 s 9

**Subdivision 1—Number of line units to be issued to eligible holders**

**sdiv hdg** om 2010 SL No. 164 s 9

**Purpose of subdiv 1**

**s 51** om 2010 SL No. 164 s 9

**Number of line units to be issued to eligible holders**

**s 52** amd 2004 SL No. 111 s 18  
 om 2010 SL No. 164 s 9

**Working out number of additional line units**

**s 53** om 2010 SL No. 164 s 9

**Working out line unit factor**

**s 54** om 2010 SL No. 164 s 9

**Average catch amount**

**s 55** om 2010 SL No. 164 s 9

**Standardised catch amount**

**s 56** amd 2009 SL No. 62 s 7

Endnotes

---

om 2010 SL No. 164 s 9

**Interpretation of unlawful, ambiguous or incomplete relevant logbook information**

s 57 om 2010 SL No. 164 s 9

**Subdivision 2—Catch history notice**

sdiv hdg om 2010 SL No. 164 s 9

**Chief executive to give catch history notice**

s 58 om 2010 SL No. 164 s 9

**Requirements for catch history notice**

s 59 amd 2004 SL No. 111 s 19; 2009 SL No. 62 s 8  
om 2010 SL No. 164 s 9

**Subdivision 3—Application for issue of line units**

sdiv hdg om 2010 SL No. 164 s 9

**Application for issue of line units**

s 60 om 2010 SL No. 164 s 9

**Deciding application for issue of line units**

s 61 amd 2004 SL No. 111 s 20; 2009 Act No. 24 s 528  
om 2010 SL No. 164 s 9

**Issue of fisher PIN**

s 61A ins 2004 SL No. 111 s 21  
om 2010 SL No. 164 s 9

**Allocation provisions to be applied if reason for adjusted allocation is established**

s 62 om 2010 SL No. 164 s 9

**Adjusted allocation provisions for event-based special circumstance**

s 63 om 2010 SL No. 164 s 9

**Adjusted allocation provisions for recent entrant special circumstance**

s 64 om 2010 SL No. 164 s 9

**Particular applications for line units must be decided before start of 1st line year**

s 65 om 2010 SL No. 164 s 9

**Division 3A—Additional units**

div hdg ins 2004 SL No. 111 s 22  
om 2010 SL No. 164 s 9

**Application of div 3A**

s 65A ins 2004 SL No. 111 s 22  
om 2010 SL No. 164 s 9

**Definitions for div 3A**

s 65B ins 2004 SL No. 111 s 22  
def *recorded catch amount* amd 2009 SL No. 62 s 9  
om 2010 SL No. 164 s 9

**Chief executive must issue additional units**

s 65C ins 2004 SL No. 111 s 22  
om 2010 SL No. 164 s 9

**Working out average recorded catch**

s 65D ins 2004 SL No. 111 s 22  
amd 2009 SL No. 62 s 10  
om 2010 SL No. 164 s 9

**Interpretation of unlawful, ambiguous or incomplete relevant logbook information**

s 65E ins 2004 SL No. 111 s 22  
om 2010 SL No. 164 s 9

**Requirements for application for issue of additional line units**

s 65F ins 2004 SL No. 111 s 22  
om 2010 SL No. 164 s 9

**Division 4—Reduction in entitlements of line units**

div hdg om 2010 SL No. 164 s 9

**Application of div 4**

s 66 amd 2009 Act No. 24 s 529  
om 2010 SL No. 164 s 9

**Chief executive to amend entitlements**

s 67 amd 2009 SL No. 62 s 11  
om 2010 SL No. 164 s 9

**Notice and taking of effect of reduction in entitlement**

s 68 amd 2008 SL No. 84 s 9  
om 2010 SL No. 164 s 9

**Division 2—Line unit entitlement and use**

div hdg (prev div 5 hdg) renum 2010 SL No. 164 s 10

**Meaning of *entitlement* of line unit holder**

s 69 amd 2006 SL No. 25 s 18; 2008 SL No. 157 s 3; 2010 SL No. 164 s 11

**Adjusted weight equivalent for CT line units**

s 69A ins 2010 SL No. 164 s 12  
om 2014 SL No. 69 s 23

**Adjusted weight equivalent for OS line units**

s 69B ins 2010 SL No. 164 s 12  
om 2014 SL No. 69 s 23

**Notice of adjusted weight equivalent**

s 69C ins 2010 SL No. 164 s 12  
om 2014 SL No. 69 s 23

**When line unit entitlement is *used* for a line year**

s 70 amd 2006 SL No. 25 s 19

**No carrying forward of unused entitlement**

s 71 amd 2006 SL No. 25 s 20

Endnotes

---

**Line unit certificates**

s 72 amd 2004 SL No. 111 s 23; 2006 SL No. 25 s 21

**Evidentiary provision for line unit certificate**

s 73 amd 2006 SL No. 25 s 22

**Division 3—Evidentiary aids for use of entitlement**

div hdg (prev div 6 hdg) renum 2010 SL No. 164 s 10

**Unloaded fish notice is evidence of use of entitlement**

s 74 sub 2004 SL No. 111 s 24

**Particular notice is evidence of unused entitlement**

s 74A ins 2004 SL No. 111 s 25

**Division 4—Transfer of line units**

div hdg (prev div 7 hdg) renum 2010 SL No. 164 s 10

**Subdivision 1—When line units may or may not be transferred**

sdiv hdg ins 2006 SL No. 25 s 23

**Purpose of sdiv 1**

s 75 sub 2006 SL No. 25 s 23

**Eligibility of transferee**

s 77 amd 2006 SL No. 265 s 3

**Subdivision 2—Other provisions about line unit transfers**

sdiv hdg ins 2006 SL No. 25 s 24

**Line unit certificate changes required**

s 78 amd 2004 SL No. 111 s 26  
sub 2006 SL No. 25 s 24

**Requirement if application for transfer of all line units**

s 79 sub 2004 SL No. 111 s 27  
om 2006 SL No. 25 s 24

**When transfer of line units takes effect**

s 80 amd 2004 SL No. 111 s 28  
om 2008 SL No. 84 s 10

**Issue of fisher PIN for particular transferees**

s 80A ins 2004 SL No. 111 s 29

**Entitlement of transferee**

s 81 amd 2006 SL No. 25 s 25

**Division 8—Substituting RQ licence to which line units relate**

div hdg om 2006 SL No. 25 s 26

**Application to substitute RQ licence to which line units relate**

s 82 om 2006 SL No. 25 s 26

**How chief executive must deal with application**

s 83 amd 2004 SL No. 111 s 30



om 2006 SL No. 25 s 26

**Division 5—Change of PINs**

**div hdg** sub 2004 SL No. 111 s 31  
(prev div 9 hdg) renum 2010 SL No. 164 s 10

**Change of unit PIN**

**prov hdg** amd 2004 SL No. 111 s 32(1)  
**s 84** prev s 84 om 2004 SL No. 111 s 31  
pres s 84 (prev s 86) amd 2003 SL No. 111 s 32(1)  
renum 2003 SL No. 111 s 32(2)

**Change of fisher PIN**

**s 85** prev s 85 om 2004 SL No. 111 s 31  
pres s 85 ins 2004 SL No. 111 s 33

**Division 10—Change of notice identity number**

**div hdg** om 2004 SL No. 111 s 31

**PART 3—CONDITIONS FOR AUTHORITIES UNDER FISHERY SYMBOL ‘RQ’**

**pt hdg** sub 2008 SL No. 84 s 11(1)

**Application of div 1**

**s 87** om 2008 SL No. 84 s 11(2)

**Area for fishery symbol ‘A1’ or ‘A2’**

**s 88** om 2008 SL No. 84 s 11(2)

**Where coral reef fin fish may be taken**

**s 89** om 2008 SL No. 84 s 11(2)

**What coral reef fin fish may be taken**

**s 90** om 2008 SL No. 84 s 11(2)

**Permitted ways of taking fish**

**s 91** om 2008 SL No. 84 s 11(2)

**General conditions of taking fish**

**s 92** om 2008 SL No. 84 s 11(2)

**Selling fish**

**s 93** om 2008 SL No. 84 s 11(2)

**Using fishing lines**

**s 94** om 2008 SL No. 84 s 11(2)

**Using cast nets**

**s 95** om 2008 SL No. 84 s 11(2)

**Using scoop nets**

**s 96** om 2008 SL No. 84 s 11(2)

**Using seine nets**

**s 97** om 2008 SL No. 84 s 11(2)

Endnotes

---

**Division 1—Preliminary**

**div hdg** prev pt 3 div 1 hdg om 2008 SL No. 84 s 11(2)  
(prev pt 3 div 2 sdiv 1 hdg) amd 2008 SL No. 84 s 11(4)

**Application of divs 1–3**

**prov hdg** amd 2006 SL No. 25 s 27  
**s 98** sub 2004 SL No. 111 s 34; 2008 SL No. 84 s 12

**Division 2—General requirements about taking coral reef fin fish**

**div hdg** prev pt 3 div 2 hdg om 2008 SL No. 84 s 11(3)  
(prev pt 3 div 2 sdiv 2 hdg) amd 2008 SL No. 84 s 11(4)

**What coral reef fin fish may be taken**

**s 101** amd 2008 SL No. 84 s 13

**Prohibitions to allow identification or counting of coral reef fin fish**

**s 106** sub 2004 SL No. 111 s 35  
om 2008 SL No. 84 s 14

**Identification requirement to allow identification or counting of coral reef fin fish**

**s 106A** ins 2004 SL No. 111 s 35  
amd 2009 SL No. 62 s 12

**Division 3—Use of commercial fishing boats**

**div hdg** (prev pt 3 div 2 sdiv 3 hdg) amd 2008 SL No. 84 s 11(4)

**Using primary boats**

**s 107** amd 2008 SL No. 157 s 4

**Using tender boats**

**s 108** amd 2006 SL No. 25 s 28

**Division 4—Line units**

**div hdg** (prev pt 3 div 2 sdiv 4 hdg) sub 2004 SL No. 111 s 36  
amd 2008 SL No. 84 s 11(4)

**Purpose of div 4**

**prov hdg** amd 2006 SL No. 25 s 29(1); 2008 SL No. 84 s 15(1)  
**s 110** sub 2004 SL No. 111 s 36  
amd 2006 SL No. 25 s 29(2); 2008 SL No. 84 s 15(2)

**Definitions for div 4**

**prov hdg** amd 2006 SL No. 25 s 30(1); 2008 SL No. 84 s 16(1)  
**s 111** sub 2004 SL No. 111 s 36  
amd 2008 SL No. 84 s 16(2)  
def *authorised boat* sub 2006 SL No. 25 s 30(2)–(3)  
def *prior notice particulars* amd 2006 SL No. 25 s 30(4)–(7); 2008 SL No. 84  
s 15(3)–(5); 2009 SL No. 62 s 13(1); 2009 SL No. 213 s 3(3)  
def *retained fish conditions* ins 2006 SL No. 25 s 30(3)  
amd 2006 SL No. 136 s 4  
sub 2009 SL No. 213 s 3(1)–(2)  
def *retained fish notice* ins 2006 SL No. 25 s 30(3)  
sub 2009 SL No. 213 s 3(1)–(2)

def *retained fish notice particulars* ins 2006 SL No. 25 s 30(3)

amd 2008 SL No. 84 s 15(6)

def *transshipment notice particulars* amd 2006 SL No. 25 s 30(4); 2008 SL No. 84 s 15(7)–(9); 2009 SL No. 62 s 13(2)

def *unloaded fish notice particulars* amd 2006 SL No. 25 s 30(4); 2008 SL No. 84 s 15(10); 2009 SL No. 62 s 13(3)–(4)

def *unnotifiable landing notice particulars* amd 2006 SL No. 25 s 30(4); 2008 SL No. 84 s 15(11)–(13); 2009 SL No. 62 s 13(5)

#### **Requirements for taking or possessing fish on authorised boat**

s 112 sub 2004 SL No. 111 s 36

amd 2006 SL No. 25 s 31; 2009 SL No. 62 s 14

#### **Requirement to give prior notice**

s 113 sub 2004 SL No. 111 s 36

#### **Requirement to give replacement prior notice if unloading particular changes**

s 114 sub 2004 SL No. 111 s 36

#### **Amendment or withdrawal of prior notice**

s 115 sub 2004 SL No. 111 s 36

#### **General requirements after prior notice given**

s 116 sub 2004 SL No. 111 s 36

amd 2006 SL No. 25 s 32; 2009 SL No. 62 s 15

#### **Additional requirements if prior notice stated fish will be unloaded**

s 117 sub 2004 SL No. 111 s 36

amd 2006 SL No. 25 s 33

#### **Requirement to give transshipment notice**

s 118 sub 2004 SL No. 111 s 36

amd 2005 SL No. 27 s 3

#### **General requirement for unloading fish**

s 119 sub 2004 SL No. 111 s 36

#### **Additional requirements for unloading fish if prior notice given**

s 120 sub 2004 SL No. 111 s 36

#### **Division 4—General provisions about guidelines**

div hdg om 2004 SL No. 111 s 36

#### **Requirements for weighing unloaded fish**

s 121 sub 2004 SL No. 111 s 36

amd 2009 Act No. 50 s 18 sch

#### **Requirement to give unloaded fish notice**

s 122 sub 2004 SL No. 111 s 36

#### **Notices to chief executive under this division**

prov hdg amd 2008 SL No. 84 s 17

s 123 sub 2004 SL No. 111 s 36

amd 2006 SL No. 25 s 34; 2009 SL No. 213 s 4

Endnotes

---

**Admissibility of guidelines in proceedings**

s 124 om 2004 SL No. 111 s 36

**PART 4—CONDITIONS FOR BOAT LICENCES**

**Restriction on amending RQ licence to modify or replace boat**

s 125 exp 1 July 2004 (see s 125(3))

**Conditions of RQ licences about transshipping**

s 126 amd 2006 SL No. 25 s 35

**Conditions of particular tender licences**

s 127 om 2006 SL No. 25 s 8

**No new carrier boat licences**

s 128 amd 2003 SL No. 368 s 8; 2006 SL No. 25 s 36

**CHAPTER 4—OTHER FISHING**

ch hdg om 2008 SL No. 84 s 18

**PART 1—COMMERCIAL FISHING TOURS**

pt hdg om 2006 SL No. 25 s 37

**Application of ch 4**

s 131 sub 2006 SL No. 25 s 37

om 2008 SL No. 84 s 18

**What coral reef fin fish may be taken**

s 132 sub 2006 SL No. 25 s 37

om 2008 SL No. 84 s 18

**Permitted ways of taking coral reef fin fish**

s 133 sub 2006 SL No. 25 s 37

om 2008 SL No. 84 s 18

**Prohibitions to allow identification or counting of coral reef fin fish**

s 134 sub 2006 SL No. 25 s 37

om 2008 SL No. 84 s 18

**Possession of fillets on a boat during extended licensed charter fishing trip**

s 135 amd 2004 SL No. 111 s 37

sub 2006 SL No. 25 s 37

om 2008 SL No. 84 s 18

**Possession of fillets on other boats**

s 136 sub 2004 SL No. 111 s 38; 2006 SL No. 25 s 37

om 2008 SL No. 84 s 18

**PART 2—RECREATIONAL FISHING**

pt hdg om 2006 SL No. 25 s 37

**Prohibition on possessing dead coral reef fin fish on board a boat**

s 137 sub 2006 SL No. 25 s 37

om 2008 SL No. 84 s 18

**Prohibition on returning particular fillets to boat**

s 138 sub 2006 SL No. 25 s 37  
om 2008 SL No. 84 s 18

**Prohibition on possessing live coral reef fin fish on boat**

s 139 sub 2006 SL No. 25 s 37  
om 2008 SL No. 84 s 18

**Prohibitions to allow identification or counting of coral reef fin fish**

s 140 amd 2004 SL No. 111 s 39  
om 2006 SL No. 25 s 37

**Prohibition on possessing live coral reef fin fish on boat**

s 141 sub 2004 SL No. 111 s 40  
om 2006 SL No. 25 s 37

**PART 3—ABORIGINAL AND TORRES STRAIT ISLANDER FISHING**

pt hdg om 2006 SL No. 25 s 38

**Aboriginal and Torres Strait Islander rights not affected**

s 142 om 2008 SL No. 84 s 18

**CHAPTER 5—MISCELLANEOUS PROVISIONS****PART 1—REVIEW OF PLAN**

pt hdg om 2008 SL No. 84 s 18

**Division 1—Reviews required**

div 1 (ss 143–147) om 2008 SL No. 84 s 18

**Division 2—Consultation requirements for reviews**

div 2 (s 148) om 2008 SL No. 84 s 18

**PART 2—OFFENCES AND CRITERIA FOR SUSPENSION AND CANCELLATION****Division 1—Prescribed serious fisheries offences****Serious fisheries offences**

s 149 amd 2004 SL No. 111 s 41; 2006 SL No. 25 s 39; 2008 SL No. 84 s 19; 2012 SL No. 252 s 3; 2013 SL No. 270 s 18

**Division 2—Prescribed suspension and cancellation criteria****Criteria for suspending authorities**

s 150 amd 2004 SL No. 111 s 42; 2006 SL No. 25 s 40; 2008 SL No. 84 s 20; 2009 SL No. 33 s 4

**Criteria for suspending line units**

s 151 amd 2004 SL No. 111 s 43; 2006 SL No. 25 s 41

**Criteria for cancelling line units**

s 152 amd 2004 SL No. 111 s 44

**PART 3—PROVISIONS ABOUT REPORTING**

pt hdg sub 2008 SL No. 84 s 21

**Division 1—Preliminary**

div hdg ins 2004 SL No. 111 s 45

Endnotes

---

sub 2008 SL No. 84 s 21

**Definitions for div 1**

- s 153** sub 2004 SL No. 111 s 45  
def *buying and selling particulars* om 2008 SL No. 84 s 22(1)  
def *group of species* sub 2008 SL No. 84 s 22  
def *prescribed way* amd 2009 SL No. 62 s 16  
def *taking particulars* om 2008 SL No. 84 s 22(1)

**Division 2—Fish imported or taken from outside State or relevant fishery area**

- div hdg** ins 2004 SL No. 111 s 45  
sub 2008 SL No. 84 s 24–25

**Definition for div 2**

- s 154** sub 2004 SL No. 111 s 45; 2008 SL No. 84 ss 23, 25

**Information requirement—coral reef fin fish bought outside the State**

- s 155** sub 2004 SL No. 111 s 45  
amd 2006 SL No. 25 s 42  
sub 2008 SL No. 84 ss 23, 25

**Information requirement—coral reef fin fish taken outside relevant fishery area**

- s 155A** ins 2008 SL No. 84 s 25

**Division 3—Commercial carriage and storage**

- div hdg** ins 2008 SL No. 84 s 25

**Records to be kept about commercial carriage of coral reef fin fish**

- s 156** sub 2004 SL No. 111 s 45

**Records to be kept about commercial storage of coral reef fin fish**

- s 156A** ins 2004 SL No. 111 s 45

**Notice requirement for bringing coral reef fin fish into particular fishery area**

- s 156B** ins 2004 SL No. 111 s 45  
om 2008 SL No. 84 s 26

**Counting fillets as whole fish**

- s 157** om 2008 SL No. 84 s 24

**CHAPTER 6—TRANSITIONAL PROVISIONS**

**Division 1—General transitional provisions**

- div hdg** ins 2004 SL No. 111 s 46  
exp 12 September 2006 (see s 161)

**Existing approval to replace boat**

- s 158** om 2006 SL No. 25 s 8

**Existing approval of temporary boat**

- s 159** om 2006 SL No. 25 s 8

**Primary commercial fishing boat licence QFV 121 781**

- prov hdg** amd 2006 SL No. 25 s 43(1)  
**s 160** amd 2006 SL No. 25 s 43(2)  
exp 12 September 2006 (see s 161)

**Expiry of div 1**

- prov hdg** amd 2004 SL No. 111 s 47(1)  
**s 161** amd 2004 SL No. 111 s 47(2)  
 exp 12 September 2006 (see s 161)

**Division 2—Transitional provision for the Fisheries Management Plans Amendment Management Plan (No. 1) 2004**

- div hdg** ins 2004 SL No. 111 s 48

**Existing notice identity numbers**

- s 162** prev s 162 om R1 (see RA s 40)  
 pres s 162 ins 2004 SL No. 111 s 48

**CHAPTER 7—AMENDMENT OF FISHERIES (GULF OF CARPENTARIA INSHORE FIN FISH) MANAGEMENT PLAN 1999**

- ch hdg** om R1 (see RA s 40)

**Amendment of sch 4 (Aids to interpretation and definitions)**

- s 163** om R1 (see RA s 40)

**SCHEDULE 1—HOW MAIN PURPOSE IS TO BE ACHIEVED**

- sch hdg** om 2008 SL No. 84 s 27

**Definitions for sch 1**

- s 1** om 2008 SL No. 84 s 27  
 def *catch and effort data* amd 2006 No. 25 s 44(1)–(2)

**How main purpose is to be achieved**

- s 2** amd 2006 No. 25 s 44(1)–(3)  
 om 2008 SL No. 84 s 27

**How achievement is to be measured**

- s 3** om 2008 SL No. 84 s 27

**Review events**

- s 4** amd 2006 No. 25 s 44(1)–(2), (4)  
 om 2008 SL No. 84 s 27

**SCHEDULE 2—CORAL REEF FIN FISH**

- amd 2004 SL No. 111 s 49  
 om 2006 SL No. 25 s 45

**SCHEDULE 3—PERIODS FOR ANNUAL WATER CLOSURES**

- sch hdg** amd 2003 SL No. 379 s 8  
**sch** amd 2003 SL No. 368 s 9  
 om 2008 SL No. 84 s 27

**SCHEDULE 3A—GREY NURSE SHARK PROTECTION AREA CLOSURES**

- ins 2003 SL No. 379 s 9  
 om 2008 SL No. 84 s 27

**SCHEDULE 4—REGULATED FISH**

- om 2008 SL No. 84 s 27

Endnotes

---

**SCHEDULE 5—ADJUSTED CRITERIA FOR EVENT-BASED SPECIAL CIRCUMSTANCES**

**sch hdg** om 2010 SL No. 164 s 13

**Definitions for sch 5**

**s 1** def *eligible coral reef fin fish* sub 2004 SL No. 111 s 50  
om 2010 SL No. 164 s 13

**Prescribed period of 1 year's duration**

**s 2** om 2010 SL No. 164 s 13

**Prescribed period 1/1/97–19/5/97**

**s 3** amd 2003 SL No. 368 s 10(1)  
om 2010 SL No. 164 s 13

**Prescribed period 20/5/97–30/12/97**

**s 4** amd 2003 SL No. 368 s 10(2)  
om 2010 SL No. 164 s 13

**Coral reef fin fish taken before 1/1/90 or after 31/12/01 not to be included**

**s 5** om 2010 SL No. 164 s 13

**Amounts of eligible coral reef fin fish to be rounded up to nearest 10kg**

**s 6** om 2010 SL No. 164 s 13

**SCHEDULE 6—TOTAL CATCH OF CORAL REEF FIN FISH FOR ALLOCATION OF LINE UNITS**

amd 2009 SL No. 62 s 17  
om 2010 SL No. 164 s 13

**SCHEDULE 7—WHOLE WEIGHT**

**sch hdg** amd 2004 SL No. 111 s 51

**Fillets**

**s 1** amd 2008 SL No. 84 s 28; 2009 SL No. 62 s 18

**SCHEDULE 8—DICTIONARY**

def *adjusted allocation provisions* amd 2003 SL No. 368 s 11  
om 2010 SL No. 164 s 14(1)

def *adjusted criteria* sub 2004 SL No. 111 s 52(1)–(2)  
om 2010 SL No. 164 s 14(1)

def *amending notice deadline* ins 2004 SL No. 111 s 52(2)  
amd 2008 SL No. 84 s 29(3)

def *authorised boat* amd 2008 SL No. 84 s 29(3)

def *authorised unloading time* ins 2004 SL No. 111 s 52(2)  
amd 2008 SL No. 84 s 29(3)

def *average commercial catch* om 2008 SL No. 84 s 29(1)

def *boat mark* om 2006 SL No. 25 s 46(1)

def *buying and selling particulars* ins 2004 SL No. 111 s 52(2)  
om 2008 SL No. 84 s 29(1)

def *catch and effort data* om 2008 SL No. 84 s 29(1)

def *catch history notice* om 2010 SL No. 164 s 14(1)

def *close relative* om 2010 SL No. 164 s 14(1)



- def **complying number** ins 2004 SL No. 111 s 52(2)  
om 2006 SL No. 25 s 46(1)
- def **coral reef fin fish** om 2006 SL No. 25 s 46(1)  
ins 2008 SL No. 84 s 29(2)
- def **coral trout** sub 2008 SL No. 84 s 29(1)–(2)
- def **crew member** sub 2006 SL No. 25 s 46(1)–(2)  
om 2008 SL No. 84 s 29(1)
- def **criteria** om 2010 SL No. 164 s 14(1)
- def **CT line units** sub 2010 SL No. 164 s 14
- def **current fisher PIN** ins 2004 SL No. 111 s 52(2)
- def **decision notice** amd 2004 SL No. 111 s 52(3)  
om 2009 Act No. 24 s 530
- def **director** om 2010 SL No. 164 s 14(1)
- def **disregarded fish** om 2010 SL No. 164 s 14(1)
- def **eligible authority** om 2010 SL No. 164 s 14(1)
- def **eligible coral reef fin fish** om 2010 SL No. 164 s 14(1)
- def **eligible holder** om 2010 SL No. 164 s 14(1)
- def **entitlement** amd 2014 SL No. 69 s 24
- def **event** om 2010 SL No. 164 s 14(1)
- def **event-based special circumstance** om 2010 SL No. 164 s 14(1)
- def **event period** om 2010 SL No. 164 s 14(1)
- def **first criteria** om 2010 SL No. 164 s 14(1)
- def **first line year** amd 2004 SL No. 111 s 52(4)
- def **fisher PIN** ins 2004 SL No. 111 s 52(2)
- def **fishery** om 2006 SL No. 25 s 46(1)
- def **former Authority** om 2006 SL No. 25 s 46(1)
- def **former licence** om 2010 SL No. 164 s 14(1)
- def **group of species** ins 2004 SL No. 111 s 52(2)
- def **identification code** ins 2004 SL No. 111 s 52(2)  
amd 2008 SL No. 84 s 29(3)
- def **issued** om 2010 SL No. 164 s 14(1)
- def **L1 fishery area** sub 2008 SL No. 84 s 29(1)–(2)
- def **L2 or L3 fishery area** sub 2008 SL No. 84 s 29(1)–(2)
- def **L6 or L7 fishery area** sub 2008 SL No. 84 s 29(1)–(2)
- def **L8 fishery area** sub 2008 SL No. 84 s 29(1)–(2)
- def **landed fish notice** om 2004 SL No. 111 s 52(1)
- def **landing period** ins 2004 SL No. 111 s 52(2)  
amd 2008 SL No. 84 s 29(3)
- def **landing place** ins 2004 SL No. 111 s 52(2)  
amd 2008 SL No. 84 s 29(3)
- def **line unit certificate** sub 2006 SL No. 25 s 46(1)–(2)
- def **line unit factor** om 2010 SL No. 164 s 14(1)
- def **line year** amd 2004 SL No. 111 s 52(4)
- def **logbook information** om 2010 SL No. 164 s 14(1)
- def **member** om 2010 SL No. 164 s 14(1)
- def **notice identity number** om 2004 SL No. 111 s 52(1)
- def **notifying period** ins 2004 SL No. 111 s 52(2)  
amd 2008 SL No. 84 s 29(3)

Endnotes

---

- def ***OS line units*** sub 2010 SL No. 164 s 14
- def ***other coral reef fin fish*** amd 2009 SL No. 62 s 19(1)
- def ***preliminary notice*** om 2010 SL No. 164 s 14(1)
- def ***prescribed coral reef fin fish*** amd 2009 SL No. 62 s 19(2)
- def ***prescribed numerical code*** ins 2004 SL No. 111 s 52(2)  
amd 2008 SL No. 84 s 29(3)
- def ***prescribed period*** om 2010 SL No. 164 s 14(1)
- def ***prescribed person*** ins 2004 SL No. 111 s 52(2)  
amd 2008 SL No. 84 s 29(3)
- def ***prescribed persons*** om 2004 SL No. 111 s 52(1)
- def ***prescribed reason*** ins 2004 SL No. 111 s 52(2)  
amd 2008 SL No. 84 s 29(3)
- def ***prescribed recorded catch*** ins 2004 SL No. 111 s 52(2)  
om 2010 SL No. 164 s 14(1)
- def ***prescribed way*** ins 2004 SL No. 111 s 52(2)
- def ***primary boat*** om 2006 SL No. 25 s 46(1)
- def ***primary licence*** om 2006 SL No. 25 s 46(1)
- def ***prior notice*** sub 2004 SL No. 111 s 52(1)–(2)
- def ***prior notice area*** ins 2004 SL No. 111 s 52(2)  
amd 2008 SL No. 84 s 29(3)
- def ***prior notice deadline*** ins 2004 SL No. 111 s 52(2)  
amd 2008 SL No. 84 s 29(3)
- def ***prior notice particulars*** ins 2004 SL No. 111 s 52(2)  
amd 2008 SL No. 84 s 29(3)
- def ***reason for adjusted allocation*** om 2010 SL No. 164 s 14(1)
- def ***reason for reconsideration*** om 2010 SL No. 164 s 14(1)
- def ***recent entrant special circumstance*** om 2010 SL No. 164 s 14(1)
- def ***reconsideration notice*** om 2010 SL No. 164 s 14(1)
- def ***recorded catch amount*** sub 2004 SL No. 111 s 52(1)–(2)  
om 2010 SL No. 164 s 14(1)
- def ***red throat emperor*** om 2008 SL No. 84 s 29(1)
- def ***reef line fishery*** ins 2006 SL No. 25 s 46(2)
- def ***regulation*** sub 2008 SL No. 84 s 29(1)–(2)
- def ***relevant day*** ins 2004 SL No. 111 s 52(2)
- def ***relevant equipment*** ins 2004 SL No. 111 s 52(2)  
amd 2008 SL No. 84 s 29(3)
- def ***relevant fishery area*** ins 2004 SL No. 111 s 52(2)
- def ***relevant licence*** om 2010 SL No. 164 s 14(1)
- def ***relevant logbook information*** om 2010 SL No. 164 s 14(1)
- def ***relevant period*** ins 2004 SL No. 111 s 52(2)  
om 2010 SL No. 164 s 14(1)
- def ***relevant years*** om 2010 SL No. 164 s 14(1)
- def ***reliable information*** om 2010 SL No. 164 s 14(1)
- def ***retained fish conditions*** ins 2006 SL No. 25 s 46(2)
- def ***retained fish notice*** ins 2006 SL No. 25 s 46(2)
- def ***retained fish notice particulars*** ins 2006 SL No. 25 s 46(2)
- def ***RQ licence*** amd 2008 SL No. 157 s 5

- def **RTE line units** amd 2009 SL No. 62 s 19(3)  
sub 2010 SL No. 164 s 14
- def **seasonal effect special circumstance** om 2010 SL No. 164 s 14(1)
- def **second criteria** om 2010 SL No. 164 s 14(1)
- def **special circumstance** om 2010 SL No. 164 s 14(1)
- def **special reconsideration notice** ins 2004 SL No. 111 s 52(2)  
om 2010 SL No. 164 s 14(1)
- def **special south-east Queensland licence** ins 2004 SL No. 111 s 52(2)  
om 2010 SL No. 164 s 14(1)
- def **species of cod or grouper** sub 2008 SL No. 84 s 29(1)–(2)
- def **species of emperor** sub 2008 SL No. 84 s 29(1)–(2)
- def **species of jobfish** amd 2004 SL No. 111 s 52(5)–(6)  
om 2008 SL No. 84 s 29(1)
- def **species of parrotfish, surgeonfish or sweetlips** om 2008 SL No. 84 s 29(1)
- def **species of tropical snapper or seaperch** sub 2008 SL No. 84 s 29(1)–(2)
- def **species of wrasse** om 2008 SL No. 84 s 29(1)
- def **standardised catch amount** om 2010 SL No. 164 s 14(1)
- def **tag** om 2004 SL No. 111 s 52(1)
- def **taking particulars** ins 2004 SL No. 111 s 52(2)  
om 2008 SL No. 84 s 29(1)
- def **tender boat** om 2006 SL No. 25 s 46(1)
- def **tender licence** om 2006 SL No. 25 s 46(1)
- def **transhipment notice** sub 2004 SL No. 111 s 52(1)–(2)
- def **transhipment notice particulars** ins 2004 SL No. 111 s 52(2)  
amd 2008 SL No. 84 s 29(3)
- def **transport vessel** sub 2004 SL No. 111 s 52(1)–(2)
- def **unaffected year** om 2010 SL No. 164 s 14(1)
- def **unidentified fish** om 2010 SL No. 164 s 14(1)
- def **unit PIN** ins 2004 SL No. 111 s 52(2)
- def **unloaded fish notice** ins 2004 SL No. 111 s 52(2)
- def **unloaded fish notice particulars** ins 2004 SL No. 111 s 52(2)  
amd 2008 SL No. 84 s 29(3)
- def **unloading area** ins 2004 SL No. 111 s 52(2)  
amd 2008 SL No. 84 s 29(3)
- def **unloading particular** ins 2004 SL No. 111 s 52(2)  
amd 2008 SL No. 84 s 29(3)
- def **unnotifiable landing notice** ins 2004 SL No. 111 s 52(2)  
amd 2008 SL No. 84 s 29(3)
- def **unnotifiable landing notice particulars** ins 2004 SL No. 111 s 52(2)  
amd 2008 SL No. 84 s 29(3)
- def **whole weight** sub 2008 SL No. 84 s 29(1)–(2)