

Queensland



Subordinate Legislation 1996 No. 266

Fisheries Act 1994

FISHERIES AMENDMENT REGULATION (No. 2) 1996

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MINOR AMENDMENTS

Short title

1. This regulation may be cited as the *Fisheries Amendment Regulation (No. 2) 1996*.

Commencement

2.(1) Section 11 commences on 1 February 1997.

(2) The remaining provisions commence on the date of notification.

Regulation amended

3. This regulation amends the *Fisheries Regulation 1995*.

Amendment of s 10 (Scientific names of fish)

4.(1) Section 10(2)(c), after ‘regulated fish’—

insert—

‘(other than small spotted grunter bream or spotted grunter bream (grunter))’.

(2) Section 10(2)—

insert—

‘(d) for small spotted grunter bream and spotted grunter bream (grunter)—Grant EM (1993), *Grant’s Guide to Fishes*, (6th edition), EM Grant Pty Ltd, 19 Australia Court, Scarborough, Queensland.’.

Amendment of s 16 (Closed waters)

5. Section 16—

insert—

‘(5) However, subsection (4)(b) does not apply to possessing fish mentioned in schedule 2, section 46A.¹’.

Insertion of s 18A

6. After s 18—

insert—

‘Possessing certain grunter regulated

‘**18A.(1)** This section applies if taking a spotted grunter bream (grunter) in the Gulf of Carpentaria is regulated under this part.

‘(2) Possessing the grunter, in the Gulf of Carpentaria or elsewhere, is also regulated.’.

Amendment of s 98 (Identifying and counting fish)

7. Section 98, heading—

omit, insert—

‘Identifying and counting fish—general’.

Insertion of new s 98A

8. After section 98—

insert—

‘Identifying and counting grunter taken in Gulf of Carpentaria

‘**98A.(1)** This section—

- (a) applies to a recreational fisher who possesses a spotted grunter bream (grunter) taken in the Gulf of Carpentaria; and
- (b) is in addition to section 98.

¹ Schedule 2 (Closed waters—commercial fishing)
Section 46A (Prohibited activities)

‘(2) If the recreational fisher possesses a grunter on a boat, the recreational fisher must not fillet it or remove its head until it is brought ashore.

‘(3) If the recreational fisher brings a grunter ashore and fillets it or removes its head, the recreational fisher must not return it to the boat.’.

Replacement of sch 1, s 1 (Barramundi)

9. Schedule 1, section 1—

omit, insert—

‘Barramundi

‘1. For barramundi the closed season is—

- (a) in the Gulf of Carpentaria—from midday on 6 October to midday on 1 February; and
- (b) elsewhere—from midday on 1 November to midday on 1 February.’.

Amendment of sch 4 (Regulated fish)

10.(1) Schedule 4, part 2, division 2, before ‘**Tropical rock lobster area**’—

insert—

‘Gulf of Carpentaria

spotted grunter bream (grunter)—20 whole fish or 40 fillets’.

(2) Schedule 4, part 3, division 4, under heading ‘**Other fish**’, after ‘gold lipped pearl oyster—less than 13 cm or more than 23 cm’—

insert—

‘grunter—see spotted grunter bream’.

(3) Schedule 4, part 3, division 4, ‘small spotted javelin-fish’—

omit, insert—

‘small spotted grunter bream’.

(4) Schedule 4, part 3, division 4, ‘spotted javelin-fish’—

omit, insert—

‘spotted grunter bream (grunter)’.

(5) Schedule 4, part 3—

insert—

‘Division 4A—Fish regulated by size and area

‘Gulf of Carpentaria

spotted grunter bream (grunter)—less than 40 cm’.

Amendment of sch 13 (Net fisheries (commercial))

11.(1) Schedule 13, section 56—

insert—

‘(5) If a set mesh net is used in a river or creek, no other net may be used at the same time.’.

(2) Schedule 13, section 58(1), ‘50 mm’—

omit, insert—

‘162.5 mm’.

(3) Schedule 13, sections 59(1), 62(1), 63(1), and 64(1), ‘150 mm’—

omit, insert—

‘162.5 mm’.

Amendment of sch 16 (Glossary of scientific names used for fish)

12.(1) Schedule 16, ‘barred grunter bream *Pomadasys kaakan*’—

omit.

(2) Schedule 16, ‘small spotted javelin-fish *Pomadasys opercularis*’—

omit.

(3) Schedule 16, ‘spotted grunter bream *Pomadasys agenteus*’—
omit.

(4) Schedule 16, ‘spotted javelin-fish *Pomadasys hasta*’—
omit.

(5) Schedule 16—
insert—

‘grunter—see spotted grunter bream (grunter)

small spotted grunter bream

Pomadasys agenteus

spotted grunter bream (grunter)

Pomadasys kaakan’.

Insertion of new s 16 in sch 17, pt 2

13. Schedule 17, part 2—

insert—

‘Meaning of “Gulf of Carpentaria” for ss 18A, 98A and schs 1 and 4

‘16. For sections 18A, 98A and schedules 1 and 4, “**Gulf of Carpentaria**” means the waters in the Gulf of Carpentaria and adjoining waterways south of the intersection of longitude 142° 09' east with the shore, other than waterways in the Lake Tinaroo area.’.

SCHEDULE

MINOR AMENDMENTS

section 3

1. Schedule 12, sections 12(k), 21(b)(vii), 28(h) and 35(h) and schedule 13, sections 3(2)(b)(vii), 12(2)(g), 21(b)(vii), 45(b)(vii), 55(h) and 97(b)(viii), after ‘spotted grunter bream’—

insert—

‘(grunter)’.

2. Sections 15(1) and (2) and 23(3), after ‘closed season for barramundi’—

insert—

‘in schedule 1, section 1(b)’.

ENDNOTES

1. Made by the Governor in Council on 3 October 1996.
2. Notified in the gazette on 4 October 1996.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Primary Industries, Fisheries and Forestry.