



Queensland

# Fisheries Legislation Amendment Regulation (No. 1) 2015

## Subordinate Legislation 2015 No. 12

made under the

*Fisheries Act 1994*

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[s 1]

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## Part 1 Preliminary

### 1 Short title

This regulation may be cited as the *Fisheries Legislation Amendment Regulation (No. 1) 2015*.

## Part 2 Amendment of Fisheries (Coral Reef Fin Fish) Quota Declaration 2014

### 2 Declaration amended

This part amends the *Fisheries (Coral Reef Fin Fish) Quota Declaration 2014*.

### 3 Amendment of s 3 (Annual quota for reef line fishery—Act, s 44)

(1) Section 3, heading and subsection (1), ‘reef line fishery’—  
*omit, insert—*

reef line commercial fishery

(2) Section 3(2)—  
*omit, insert—*

(2) In this section—

**CT line unit** see the *Fisheries Regulation 2008*, schedule 11, part 2.

**line year** see the *Fisheries Regulation 2008*, schedule 11, part 2.

**OS line unit** see the *Fisheries Regulation 2008*, schedule 11, part 2.

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

*reef line commercial fishery* means the reef line fishery under the repealed *Fisheries (Coral Reef Fin Fish) Management Plan 2003*, section 2, continued under the *Fisheries Regulation 2008*, section 761(1) as the reef line commercial fishery.

*regulated coral reef fin fish* see the *Fisheries Regulation 2008*, schedule 11, part 2.

*regulated coral trout* see the *Fisheries Regulation 2008*, schedule 11, part 2.

*RTE line unit* see the *Fisheries Regulation 2008*, schedule 11, part 2.

## **Part 3**                      **Amendment of Fisheries Regulation 2008**

### **4**                      **Regulation amended**

This part amends the *Fisheries Regulation 2008*.

### **5**                      **Amendment of ch 1, pt 2, div 1, hdg (Relationship with management plans)**

Chapter 1, part 2, division 1, heading, ‘management plans’—  
*omit, insert—*

#### **East Coast Trawl Plan**

[s 6]

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**6 Replacement of s 3 (Regulation to be read with particular management plans)**

Section 3—

*omit, insert—*

**3 Regulation to be read with East Coast Trawl Plan**

For taking particular fish in, or possessing or using particular fish taken in, the east coast trawl fishery area, this regulation must be read together with the East Coast Trawl Plan.

*Note—*

See the East Coast Trawl Plan, section 6(1) and (2).

**7 Amendment of s 50 (Commercial fishing)**

(1) Section 50(1)(b)(i), and editor's note—

*omit, insert—*

(i) has been taken under chapter 10A, part 3; and

(2) Section 50(2), definitions *authorised boat* and *unloading area*, 'the Coral Reef Plan, section 111'—

*omit, insert—*

section 591W

**8 Amendment of s 204 (Types of permits)**

(1) After section 204(1)(c)—

*insert—*

(ca) a filleting permit to the holder of an RQ fishery licence;

(2) Section 204(1)(ca) and (d)—

*renumber* as section 204(1)(d) and (e).



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**9 Replacement of ch 5, pt 2, div 1, sdiv 2 (Other authorities)**

Chapter 5, part 2, division 1, subdivision 2—

*omit, insert—*

**Subdivision 2 Quota authorities**

**206 Types of quota authorities**

- (1) The following types of quota authorities are provided for under this regulation—
  - (a) SM units under chapter 10, parts 2 to 6;
  - (b) CT line units, OS line units and RTE line units under chapter 10A, parts 2 to 6;
  - (c) ITQ units under chapter 11, part 1A, division 7;
  - (d) T4-ITQ units under chapter 11, part 3, division 5.
- (2) The following types of quota authorities are provided for under the East Coast Trawl Plan—
  - (a) T1 effort units;
  - (b) T2 effort units.

**10 Insertion of new s 220AA**

Chapter 5, part 4, division 2—

*insert—*

**220AA Filleting permit**

The holder of a filleting permit, or a commercial fisher acting under a filleting permit, may fillet regulated coral reef fin fish stated on the permit but only on board a primary boat identified in the RQ fishery licence held by the permit holder.

[s 11]

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## 11 Insertion of new s 221

Chapter 5, part 5, division 1—

*insert—*

### 221 Restriction on issue of licence for regulated coral reef fin fish

- (1) The chief executive must not issue a carrier boat licence allowing the carriage of regulated coral reef fin fish.
- (2) However, the chief executive may issue a replacement for a licence mentioned in subsection (1) if—
  - (a) the licence was issued before the original notification day; and
  - (b) the holder applying for the replacement has held the licence continuously from the original notification day; and
  - (c) the application is for the replacement of the licence on the same, or substantially the same, conditions.
- (3) In this section—

*original notification day* means 12 September 2003.

*Editor's note—*

The repealed *Fisheries (Coral Reef Fin Fish) Management Plan 2003* was notified in the gazette on 12 September 2003.

## 12 Insertion of new s 223A

Chapter 5, part 5, division 1—

*insert—*

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**223A Authorisation under carrier boat licence for regulated coral reef fin fish**

It is a condition of a carrier boat licence allowing the carriage of regulated coral reef fin fish that a boat identified in the licence must not be used to carry live regulated 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—
  - (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 primary boat.

**13 Amendment of s 249 (Simplified outline of ch 6)**

Section 249(a), 'particular management plans'—

*omit, insert—*

the East Coast Trawl Plan

**14 Replacement of ch 6, pt 2 (Fishery symbols for particular commercial fisheries)**

Chapter 6, part 2—

*omit, insert—*

[s 15]

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## **Part 2                      Fishery symbols for East Coast Trawl Plan**

### **250 Particular fishery symbols included in East Coast Trawl Plan**

The East Coast Trawl Plan provides for the fishery symbols 'M1', 'M2', 'T1', 'T2', 'T5', 'T6', 'T7', 'T8' and 'T9'.

#### **15            Insertion of new s 253BE**

Chapter 6, part 3, division 2—

*insert—*

#### **253BERestrictions on writing fishery symbol 'RQ'**

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

- (a) 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) the licence is a replacement of a commercial fishing boat licence on which the symbol was written.

#### **16            Amendment of s 394 (Fishery symbol)**

Section 394, note—

*omit, insert—*

*Note—*

See also section 591D(a).

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**17 Amendment of s 402 (Fishery symbols)**

Section 402, note—

*omit, insert—*

*Note—*

See also section 591D(b).

**18 Amendment of s 426 (Fishery symbol)**

Section 426—

*insert—*

*Note—*

See also section 591D(c).

**19 Amendment of ch 10, hdg (Licences for spanish mackerel)**

Chapter 10, heading, ‘Licences’—

*omit, insert—*

**Provisions**

**20 Amendment of s 557A (Adjusted weight equivalent for SM units)**

(1) Section 557A(5)(a), ‘line units’—

*omit, insert—*

SM units

(2) Section 557A(5), ‘line year’—

*omit, insert—*

SM year

[s 21]

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**21 Amendment of s 585 (SM unit certificate changes required)**

(1) Section 585(1), ‘an application to transfer’—

*omit, insert—*

the transfer of

(2) Section 585(2)—

*omit, insert—*

(2) The chief executive must give effect to the transfer by doing any of the following—

(a) changing, cancelling or replacing the transferor’s and transferee’s current SM unit certificates;

(b) issuing the transferee a new SM unit certificate.

**22 Amendment of s 587 (Issue of fisher PIN for particular transferees)**

Section 587(1)(a), ‘line units or’—

*omit.*

**23 Insertion of new ch 10A**

After chapter 10—

*insert—*

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## Chapter 10 Provisions for reef line commercial fishery

### Part 1 Reef line commercial fishery ('RQ')

#### Division 1 Preliminary

##### 591A Definitions for pt 1

In this part—

*line fishery area* see section 591D.

*line fishery symbol*, for a line fishery area, means the fishery symbol 'L1', 'L2', 'L3' or 'L8' for the commercial fishery to which the line fishery area relates.

##### 591B What is the *reef line commercial fishery*

The *reef line commercial fishery* is activities by way of fishing—

- (a) relating to regulated coral reef fin fish in the fishery area mentioned in section 591D; and
- (b) under the authorisations and conditions stated in division 3.

*Note*—

Regulated coral reef fin fish may also be taken in the aquarium fish fishery under chapter 7, part 1 and the line fishery (Gulf of Carpentaria—spanish mackerel and other fin fish) under chapter 8, part 3.

## **Division 2          Fishery symbol and area**

### **591C Fishery symbol for fishery**

The fishery symbol for the fishery is ‘RQ’.

### **591D Fishery area**

The fishery area consists of the following areas (each a *line fishery area*)—

- (a) if the fishery symbol is written on a licence on which the fishery symbol ‘L1’ is also written—the area mentioned in section 395;
- (b) if the fishery symbol is written on a licence on which the fishery symbol ‘L2’ or ‘L3’ is also written—the area mentioned in section 403;
- (c) if the fishery symbol is written on a licence on which the fishery symbol ‘L8’ is also written—the area mentioned in section 427.

## **Division 3          Authorisations and conditions**

### **591E What fish may be taken**

- (1) The following fish may be taken—
  - (a) under a licence on which the fishery symbol ‘L8’ is written—any regulated coral reef fin fish other than regulated coral trout and red emperor; and
  - (b) under another licence—any regulated coral reef fin fish.
- (2) This section is subject to part 3.



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**591F Permitted ways of taking regulated coral reef fin fish**

Regulated coral reef fin fish may be taken only in the way that fish may be taken under the line fishery symbol for the line fishery area in which the regulated coral reef fin fish is being taken.

*Note—*

See sections 397, 405 and 429.

**591G Identification requirement to allow identification or counting of regulated coral reef fin fish**

- (1) This section applies if—
  - (a) regulated 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 regulated coral trout—the words ‘coral trout’ and the number of regulated 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 regulated coral reef fin fish—the words ‘other coral reef fin fish’ and the number of other regulated coral reef fin fish inside the container; or
  - (d) if the container contains fish other than regulated coral reef fin fish—the words

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‘other species of fish’ and the number of fish inside the container.

### **591H Use of primary boat**

The conditions for using a primary boat under the licence are the conditions for using a primary boat under the line fishery symbol for the line fishery area in which the boat is being used.

*Note—*

See sections 398, 406 and 432.

### **591I Use of tender boat**

The conditions for using a tender boat under the licence are the conditions for using a tender boat under the fishery symbol for the line fishery area in which the tender boat is being used.

*Note—*

See sections 399, 407 and 433.

### **591J Permitted distance for assistant fisher to be under direction**

The permitted distance for an assistant fisher to be under direction of a commercial fisher is the distance permitted under the fishery symbol for the line fishery area where the assistant fisher is under direction.

*Note—*

See sections 400, 408 and 434.

### **591K Transshipping**

- (1) Regulated coral reef fin fish taken from a primary boat may be transhipped only to a tender boat of the primary boat.

- (2) Regulated coral reef fin fish taken from a tender boat may be transhipped only to—
- (a) the tender boat's primary boat; or
  - (b) another tender boat of the primary boat.

## **Part 2 Provisions about line units**

### **Division 1 General provisions**

#### **591L Types of line units**

The following are the types of line units—

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

#### **591M Nature of a line unit**

Each line unit is—

- (a) an authority, the entitlement for which is provided for under division 2; and
- (b) a quota for the reef line commercial fishery.

#### **591N Restriction on issue of line units**

The chief executive must not issue line units.

## Division 2 Entitlement

### 5910 Entitlement under a line unit

- (1) The holder of, or a person acting under, a CT line unit may take, in a line year, the weight of regulated coral trout worked out by dividing the annual quota for regulated coral trout for the line year by the total number of CT line units that have been issued.
- (2) The holder of, or a person acting under, a RTE line unit may take, in a line year, the weight of redthroat emperor worked out by dividing the annual quota for redthroat emperor for the line year by the total number of RTE line units that have been issued.
- (3) The holder of, or a person acting under, an OS line unit may take, in a line year, the weight of other regulated coral reef fin fish worked out by dividing the annual quota for other regulated coral reef fin fish for the line year by the total number of OS line units that have been issued.
- (4) The authorisation for a line year under subsection (1), (2) or (3) is the holder's *entitlement* under the line unit for the line year.
- (5) However, the entitlement—
  - (a) applies only while the holder holds an RQ fishery licence that is in force; and
  - (b) is subject to any relevant prohibitions or restrictions under this regulation, the line unit or the licence.

*Examples of relevant restrictions—*

- restrictions under fisheries declarations under chapter 2, 3 or 4
- conditions applying generally to licences with fishery symbols under chapter 6, part 6

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**591P 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 the line year, under any RQ fishery licence held by the holder, an amount (in whole weight) of the prescribed coral reef fin fish for the line unit equalling the holder's entitlement under the line unit; or
  - (b) if section 591Q 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 fishery licence held by the line unit holder.

**591Q No carrying forward of unused entitlement**

- (1) This section applies if, in a line year, a line unit holder, or a person acting under the line unit, takes an amount of prescribed coral reef fin fish for the line unit 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.

**Division 3 Line unit certificates**

**591R Content of line unit certificates**

- (1) A line unit certificate must state each of the following—
  - (a) the certificate number;

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- (b) the name of the person who holds the line units mentioned in the certificate;
  - (c) the number of each of the following line units held by the person—
    - (i) CT line units;
    - (ii) OS line units;
    - (iii) RTE 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.
- (2) Only 1 line unit certificate may be issued to the line unit holder for all line units held by the holder.

### **591S Evidentiary provision for line unit certificate**

A line unit certificate is evidence of—

- (a) the number of line units held when the certificate was—
  - (i) issued; or
  - (ii) changed or replaced under section 591ZP; and
- (b) the conditions, if any, imposed on the line units.

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## **Division 4            Evidentiary aids for use of entitlement**

### **591T Unloaded fish notice is evidence of use of entitlement**

- (1) This section applies if the holder of a line unit, or a person acting for the holder, gives the chief executive an unloaded fish notice for prescribed coral reef fin fish for the line unit.
- (2) The notice is evidence that the holder has taken, under the line unit, the whole weight equivalent of the amount of regulated coral reef fin fish stated in the notice.
- (3) For subsection (2), the whole weight equivalent of the amount of regulated coral reef fin fish stated in the notice is—
  - (a) for an amount stated for whole regulated coral reef fin fish—the amount stated; or
  - (b) for an amount stated for regulated coral reef fin fish that is not whole—the amount calculated in the way stated in schedule 11, part 1, section 12(1) to (4) that applies to the fish.

### **591U Particular notice is evidence of unused entitlement**

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

## **Part 3                      Conditions for line units**

### **Division 1                Purpose**

#### **591V Purpose of pt 3**

This part prescribes conditions for—

- (a) line units; and
- (b) if a commercial fisher is acting under line units held by another person—the fisher’s commercial fisher licence.

### **Division 2                Interpretation**

#### **591W Definitions for pt 3**

In this part—

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

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

*landing period* see section 591ZA(e)(i).

*landing place*, for a prior notice, see section 591ZA(c).

*prescribed numerical code*, for a place, means the sequence of numbers—

- (a) that may be used to identify the latitude and longitude coordinates for the place; and
- (b) that is nominated by the chief executive; and
- (c) published on the department’s website.



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

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

***prior notice*** means—

- (a) a notice given under section 591Z(3); or
- (b) if a replacement prior notice is given under section 591ZB(2), the replacement prior notice.

***prior notice area*** means—

- (a) a defined port area; or
- (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 between 3p.m. and 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, will land at the place;
- (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

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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, will land at the place.

*prior notice particulars* see section 591ZA.

*transhipment notice* see section 591ZG(2).

*transport vessel* see section 591ZG(1)(b).

*unloaded fish notice* see section 591ZL(2).

*unloading area* 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* see section 591ZA(d).

*unnotifiable landing notice* see section 591ZI(2).

### **591X Notices to chief executive**

The following notices must be given to the chief executive using the AIVR system—

- (a) a prior notice;
- (b) a replacement prior notice under section 591ZB(2);
- (c) an amending notice under section 591ZC(2);
- (d) a retained fish notice under section 591ZE(1);
- (e) a transhipment notice;

- (f) an unnotifiable landing notice;
- (g) an unloaded fish notice.

### **Division 3            Requirements for taking or possessing regulated coral reef fin fish**

#### **591Y Regulated coral reef fin fish to be taken or possessed only with unused entitlements**

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

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

### **Division 4            Requirements for giving prior notice of regulated coral reef fin fish**

#### **591Z Requirement to give prior notice**

- (1) This section applies if—
  - (a) regulated coral reef fin fish are on 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

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authorised boats for the holder within the area.

- (2) 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
    - (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 regulated coral reef fin fish at the place.
- (3) The holder, or a person authorised by the holder, must give a prior notice to the chief executive before the prior notice deadline for the notice has passed.

### **591ZA Particulars to be stated in prior notice**

A prior notice must state each of the following (the *prior notice particulars*)—

- (a) the current fisher PIN for the line units to which the notice relates;
- (b) the numerical part of the licence number of the licence to which the regulated coral reef fin fish the subject of the notice relates;
- (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 unit holder by or for whom the notice is given, will be landed;
- (d) whether or not it is proposed to unload regulated coral reef fin fish from, or using, 1

or more of the authorised boats before the boats leave the unloading area for the landing place (the *unloading particular*);

- (e) the following information, if the person giving the prior notice is prompted by the AIVR system to enter it—
- (i) 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;
  - (ii) 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) regulated coral trout;
    - (B) redthroat emperor;
    - (C) other regulated coral reef fin fish;
  - (iii) the total number of each of the following on board all the authorised boats when the notice is given—
    - (A) regulated coral trout that are whole or gilled and gutted;
    - (B) redthroat emperor that are whole or gilled and gutted;
    - (C) other regulated coral reef fin fish that are whole or gilled and gutted;
    - (D) containers of other regulated coral reef fin fish that are whole or gilled and gutted.

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### **591ZB Requirement to give replacement prior notice if unloading particular changes**

- (1) This section applies if—
  - (a) a prior notice has been given by or for a line unit holder under section 591Z; and
  - (b) the notice stated that regulated coral reef fin fish were not to be unloaded from, or 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 regulated coral reef fin fish before the boats leave the unloading area.
- (2) The holder, or a person authorised by the holder, must give another prior notice (a ***replacement prior notice***) to the chief executive before the prior notice deadline for the other notice has ended.
- (3) The replacement prior notice must state—
  - (a) the prior notice particulars; and
  - (b) that the regulated coral reef fin fish will be unloaded before the boats leave the unloading area.
- (4) A replacement prior notice given under subsection (2) replaces the prior notice given under section 591Z.

### **591ZC Amendment or withdrawal of prior notice**

- (1) This section applies if a prior notice has been given by or for a line unit holder.
- (2) If a prior notice particular, other than an unloading particular for the notice changes, the

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holder, or a person authorised by the holder, may give the chief executive a notice (an ***amending notice***) stating the changes.

- (3) An amending notice must be given before the amending notice deadline for the notice has ended.
- (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 regulated coral reef fin fish are taken from any authorised boat for the holder.
- (5) A prior notice may be amended or withdrawn only under this section.
- (6) In this section—

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

- (a) if the amending notice changes the landing period or landing place mentioned in the prior notice—the earlier of the following times—
  - (i) when the first authorised boat for the line unit holder enters the area within 0.5n miles of the landing place;
  - (ii) if the landing place 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 is south of latitude 15°50.30' south—1 hour before the landing period mentioned in the prior notice ends; or

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- (b) for another amending notice—the earlier of the following—
  - (i) when the first authorised boat for the line unit holder enters the area within 0.5n miles of the landing place;
  - (ii) 1 hour before the landing period ends.

## **Division 5            Requirements after prior notice of regulated coral reef fin fish**

### **591ZD General requirements after prior notice given**

- (1) This section applies to a person in control of an authorised boat for the line unit holder (a *relevant authorised boat*) that is proposed to be landed at a landing place mentioned in a prior notice.
- (2) The person must ensure that—
  - (a) the relevant authorised boat lands at the landing place no more than 1 hour before or after the landing period mentioned in the notice ends; and
  - (b) when the relevant authorised boat lands, the total number of each of the following on all authorised boats for the holder is the same as the number stated in the prior notice or, having regard to the circumstances, is close to that number—
    - (i) the following regulated coral reef fin fish that are whole or gilled and gutted—
      - (A) regulated coral trout;
      - (B) redthroat emperor;



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

### **591ZE Requirement to give retained fish notice**

- (1) A line unit holder, or a person authorised by the holder, must not allow an authorised boat for the holder to leave the unloading area for the landing place mentioned in a prior notice with regulated coral reef fin fish on the boat unless the holder or person has given the chief executive a notice (a *retained fish notice*) under this section.
- (2) The line unit holder or authorised person must give the retained fish notice within 1 of the

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following periods before the authorised boat leaves or is proposed to leave the unloading area for the landing place—

- (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.
- (3) The retained fish notice must state 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 licence to which the regulated coral reef fin fish the subject of the notice relates;
  - (c) if the person giving the retained fish notice is prompted by the AIVR system to enter the transaction number for the prior notice in relation to which the retained fish notice is given—the transaction number;
  - (d) the following information, if the person giving the retained fish notice is prompted by the AIVR system to enter it—
    - (i) the total number of containers containing each of the following in filleted form that are on board all the authorised boats when the retained notice is given—
      - (A) regulated coral trout;
      - (B) redthroat emperor;
      - (C) other regulated coral reef fin fish;
    - (ii) the total number of each of the following that are whole or gilled and gutted on board all the authorised boats when the retained notice is given—

- (A) regulated coral trout;
- (B) redthroat emperor;
- (C) other regulated coral reef fin fish;
- (D) containers of other regulated coral reef fin fish.

**591ZF Additional requirements if prior notice stated fish will be unloaded**

- (1) This section applies if a prior notice given by, or for, a line unit holder stated that regulated coral reef fin fish were to be unloaded from, or 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 regulated coral reef fin fish from an authorised boat for the holder after the prescribed time unless—
  - (a) all the regulated 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 591ZL, for the regulated coral reef fin fish that have been unloaded.
- (3) However, subsection (2)(a) does not apply if the prescribed person has complied with section 591ZE.
- (4) 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

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- (b) the estimated time (the *unloading time*) at which the fish are to be unloaded.
- (5) If a prescribed person has informed an inspector of the unloading place and unloading time under subsection (4), the prescribed person must not unload, or allow to be unloaded, the fish on 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) when the first of the authorised boats for the line unit holder enters the area within 0.5n miles of the landing place mentioned in the prior notice;
  - (b) 1 hour before the landing period mentioned in the prior notice ends.

### **591ZG Requirement to give transhipment notice**

- (1) This section applies if regulated coral reef fin fish are—
  - (a) taken from an authorised boat for a line unit holder; and
  - (b) transferred, before the fish are transhipped, to either of the following vessels (each a *transport vessel*)—
    - (i) a boat identified on 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 using, the transport vessel to which they have been transferred.

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- (2) The line unit holder, or a person authorised by the holder, must give a notice (a ***transshipment notice***) to the chief executive as soon as practicable after the fish are transferred to the transport vessel.
- (3) The transshipment notice must state 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 licence to which the fish the subject of the notice relates;
  - (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—
    - (i) the place at which the transport vessel will be landed; and
    - (ii) the place at which the fish will be unloaded from the transport vessel;
  - (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 it, 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 transport vessel—
      - (A) regulated coral trout;
      - (B) redthroat emperor;
      - (C) other regulated coral reef fin fish;

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

*commercial ship* see the *Transport Operations (Marine Safety) Act 1994*, section 10A.

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

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

## **Division 6                    Requirements for unloading regulated coral reef fin fish**

### **591ZH General requirement for unloading fish**

- (1) A prescribed person must not unload, or allow to be unloaded, regulated coral reef fin fish taken from an authorised boat for a line unit holder unless—
  - (a) a prior notice has been given by or for the holder and the notice stated the fish were to be unloaded from, or 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 has been given by or for the holder for the fish.
- (2) However, subsection (1) does not apply if—
- (a) the prior notice or transshipment notice was not given by or for the line unit holder because of a prescribed reason; and
  - (b) the line unit holder or a person authorised by the holder gave the chief executive an unnotifiable landing notice for the landing of—
    - (i) the authorised boats for the line unit holder; or
    - (ii) the transport vessel, to which the regulated coral reef fin fish taken from the boats were transferred, immediately after the first of the boats, or the vessel, landed; and
  - (c) the prescribed person did not, before the authorised unloading time—
    - (i) move, or allow to be moved, the authorised boats or transport vessel to a place more than 200m from, or not visible to a person at, the place mentioned in section 591ZI(3)(c)(i); or
    - (ii) move, or allow to be moved, the fish from the boats or vessel.
- (3) In this section—
- authorised unloading time***, for unloading regulated coral reef fin fish for which a prior notice or transshipment 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

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- (b) otherwise—
  - (i) if the authorised boat or transport vessel containing the fish are 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
  - (ii) if the authorised boat or transport vessel containing the fish 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
  - (iii) if the authorised boat or transport vessel containing the fish 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 containing the fish landed south of latitude 15°50.30' south—3 hours after the boat or vessel landed.

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

- (a) starting when the first of the authorised boats for the line unit holder who is required to give the prior notice or transshipment notice leaves for a fishing trip; and
- (b) ending—



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- (i) for a prior notice—when the prior notice deadline for the notice has ended; or
  - (ii) for a transhipment notice—immediately before the transport vessel, containing the regulated coral reef fin fish transferred from the authorised boats for the holder, lands.

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

- (a) all the relevant equipment on the authorised boats for the line holder—
  - (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) the authorised boats for the line unit holder landed because of an unforeseeable and uncontrollable event and the notice could not be given because of the event.

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

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

### **591ZI Requirement to give unnotifiable landing notice**

- (1) This section applies if a line unit holder or a person authorised by the holder—

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- (a) proposes to unload, or allows to be unloaded, regulated coral reef fin fish taken from an authorised boat for the line unit holder; and
  - (b) has not given a prior notice or transshipment notice for a prescribed reason as mentioned in section 591ZH(3).
- (2) The line unit holder or authorised person must give a notice (an ***unnotifiable landing notice***) to the chief executive at the following time—
- (a) if the fish is on any of the authorised boats for the holder—immediately after the first of the boats lands;
  - (b) if the fish has been transferred from any of the authorised boats of the holder to a transport vessel—immediately after the transport vessel lands.
- (3) The unnotifiable landing notice must state 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 licence to which the fish the subject of the notice relates;
  - (c) the prescribed numerical code or the latitude and longitude coordinates for—
    - (i) the place where the authorised boats or transport vessel to which the notice relates have been landed; and
    - (ii) the place where the fish on the boats or vessel will be unloaded;
  - (d) if the person giving the 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 authorised boats or transport vessel when the notice is given—
  - (A) regulated coral trout;
  - (B) redthroat emperor;
  - (C) other regulated 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 authorised boats or transport vessels when the notice is given—
  - (A) regulated coral trout;
  - (B) redthroat emperor;
  - (C) other regulated coral reef fin fish.

**591ZJ Additional requirements for unloading fish if prior notice given**

- (1) This section applies if a prior notice given by or for a line unit holder stated that regulated coral reef fin fish were to be unloaded from, or 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 unload the fish, or allow the fish to be unloaded, unless section 591ZD has been complied with.
- (3) Also, a prescribed person may unload the fish, or allow the fish to be unloaded, only if—
  - (a) the fish is unloaded after the landing period mentioned in the prior notice has ended; and

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- (b) for fish being unloaded from, or using, a tender boat—the tender boat is attached to, or is within 200m of, its primary boat; and
  - (c) the fish is unloaded at 1 of the following places that is open for entry, under the Act, by an inspector—
    - (i) the landing place;
    - (ii) if the landing place is within a defined port area—another place within the defined port area;
    - (iii) if the landing place is not within a defined port area—another place within 0.5n miles of the landing place.
- (4) However, subsection (3)(a) does not apply if—
- (a) an inspector supervises the person unloading the fish; or
  - (b) both of the following apply—
    - (i) the fish are unloaded by moving the boat carrying the fish to a place on land;
    - (ii) until the landing period has ended—
      - (A) the fish are kept on the boat; and
      - (B) the boat is kept at a place that is within 200m of, and visible to a person at, the landing place.

### **591ZK Requirements for weighing unloaded fish**

- (1) This section applies if regulated coral reef fin fish taken by or for a line unit holder have been unloaded from, or using, an authorised boat for the holder or a transport vessel.
- (2) The holder must weigh the fish, or allow the fish to be weighed—

- (a) as soon as practicable after the fish have been unloaded; and
  - (b) 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).

### **591ZL Requirement to give unloaded fish notice**

- (1) This section applies if regulated coral reef fin fish are—
- (a) taken from an authorised boat for a line unit holder; and
  - (b) unloaded from, or using, the authorised boat or a transport vessel.
- (2) The line unit holder, or a person authorised by the holder, must give a notice (an ***unloaded fish notice***) to the chief executive—
- (a) as soon as practicable after the first time the fish on the boat or vessel are unloaded from, or using, the boat or vessel; and
  - (b) if the 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 line unit holder, or the person authorised by the holder, must—
- (a) retain possession of the 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.

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- (4) The unloaded fish notice must state 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 licence to which the fish the subject of the notice relates;
  - (c) if the person giving the 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 fish mentioned in the unloaded fish notice—the transaction number;
  - (d) the weight of each of the following in whole form and gilled and gutted form unloaded by or for the holder—
    - (i) regulated coral trout;
    - (ii) redthroat emperor;
    - (iii) other regulated coral reef fin fish;
  - (e) the weight of each of the following in filleted form unloaded by or for the holder—
    - (i) regulated coral trout;
    - (ii) redthroat emperor;
    - (iii) regulated emperor, other than redthroat emperor;
    - (iv) regulated cod or grouper, rosy snapper and lavender snapper;
    - (v) goldband snapper;
    - (vi) regulated tropical snapper or seaperch, other than fish mentioned in subparagraphs (iii) or (iv);

- (vii) other regulated coral reef fin fish and fish of an unidentified species.

## **Part 4                    Transfer of line units**

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

#### **591ZM Purpose of div 1**

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

#### **591ZN Only whole line units may be transferred**

A part of a line unit can not be transferred.

#### **591ZO 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 fishery licence.

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

#### **591ZP Line unit certificate changes required**

- (1) This section applies if, under section 65B of the Act, the chief executive registers the transfer of line units.
- (2) The chief executive must give effect to the transfer by doing any of the following—

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- (a) changing, cancelling or replacing the transferor's and transferee's current line unit certificates;
- (b) issuing the transferee a new line unit certificate.

### **591ZQ Entitlement of transferee**

- (1) The entitlement of the transferee under line units transferred in a line year is as follows—
  - (a) for that part of the line year after registration of the transfer—the entitlement of the transferor under the line units immediately before the registration;
  - (b) for a later line year—the entitlement the transferor would have had under the line units at the beginning of the line year, as if the line units had not been transferred.
- (2) For subsection (1)(a), if part of the entitlement of the transferor under a transferred line unit has been used, the whole entitlement of the transferee under the transferred line unit is taken to have been used.

### **591ZR Issue of fisher PIN for particular transferees**

- (1) This section applies if—
  - (a) the chief executive registers the 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 transfer is registered, issue the transferee a 4-digit identity number (a *fisher PIN*) for the line units.

*Note—*



See also schedule 11, part 2, definition *fisher pin*.

## **Part 5                      Change of PINs**

### **591ZS 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 identity number (the *new unit PIN*) decided by the chief executive; and
  - (b) give the holder a written notice stating the new unit PIN.
- (3) The change of unit PIN takes effect when the notice mentioned in subsection (2) is given to the holder.

### **591ZT 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 by the AIVR system for the change.

## **Part 6                      Prescribed criteria for suspending and cancelling line units**

### **591ZU 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 prescribed coral reef fin fish for the line units that exceeds the holder's total entitlements under the line units; or
  - (b) an RQ fishery 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.

### **591ZV 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 regulated coral reef fin fish that exceeds the

holder's unused line unit entitlements for the line year by at least 500kg (whole weight).

- (3) The prescribed criteria is cancellation of the number of the holder's line units with an entitlement equivalent to the amount of regulated coral reef fin fish unlawfully taken or possessed by the holder.

**24 Amendment of s 600V (ITQ unit certificate changes required)**

- (1) Section 600V(1), 'an application to transfer'—

*omit, insert—*

the transfer of

- (2) Section 600V(2)—

*omit, insert—*

- (2) The chief executive must give effect to the transfer by doing any of the following—
  - (a) changing, cancelling or replacing the transferor's and transferee's current ITQ unit certificates;
  - (b) issuing the transferee a new ITQ unit certificate.

**25 Amendment of s 625 (Fisheries offences prescribed as serious fisheries offences—Act, schedule)**

- (1) Section 625(1), note—

*omit, insert—*

*Note—*

See also the East Coast Trawl Plan, section 188.

- (2) Section 625(3), editor's note—

*omit.*

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(3) Section 625—

*insert—*

- (4) Also, an offence constituted by any of the following in relation to the reef line commercial fishery is prescribed as a serious fisheries offence—
- (a) contravening the *Great Barrier Reef Marine Park Act 1975* (Cwlth), section 38BA;
  - (b) using a tender boat in a way that contravenes the *Great Barrier Reef Marine Park Regulations 1983* (Cwlth), regulation 49(2) 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.

**26 Amendment of s 625A (Criteria for suspension of licences—Act, s 68B)**

(1) Section 625A(1), ‘commercial fisher licence or’—

*omit, insert—*

commercial harvest fishery licence on which is written the fishery symbol ‘A1’ or ‘A2’, commercial fisher licence or

(2) Section 625A(1)(b)(i), after ‘590’—

*insert—*

or 591ZU

(3) Section 625A(1)(b)(iii)—

*omit.*

**27 Replacement of ch 14, pt 5 (Spanish mackerel)**

Chapter 14, part 5—

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*omit, insert—*

## **Part 5                    Other particular fish**

### **Division 1              Preliminary**

#### **659 Application of pt 5**

This part applies to the following fish (*relevant fish*)—

- (a) spanish mackerel;
- (b) regulated coral reef fin fish.

### **Division 2              Importation**

#### **660 Information requirements—relevant fish bought outside the State**

- (1) This section applies if a person buys relevant fish outside the State and brings the fish into the State for trade or commerce.
- (2) The person must keep, in the approved form, a record of the particulars for the fish required for a sale docket under section 655.
- (3) The person must keep the record from the day the person brings the fish into the State until 5 years after the day the person stops possessing the fish.

#### **661 Information requirement—relevant fish taken outside relevant fishery area**

- (1) This section applies if a person—
  - (a) takes, for trade or commerce, relevant fish from Queensland waters other than waters within a relevant fishery area; and

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- (b) unloads the 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 fish;
  - (b) the number of the fish taken by the person.
- (3) The person must keep the record from immediately before the person unloads the fish in the State until 5 years after the day the person stops possessing the fish.
- (4) For subsection (1), a person conducting a charter fishing trip does not take relevant fish for trade or commerce only because the person takes the fish during the charter fishing trip.
- (5) In this section—  
*relevant fishery area* means a fishery area mentioned in section 395, 403, 427 or 549.

## **Division 3            Commercial carriage and storage**

### **662 Information requirements for commercial carriage of relevant fish**

- (1) This section applies if a person in control of a boat or vehicle (a *commercial carrier*) is transporting, on the boat or in the vehicle, relevant fish for another person (the *consignor*) for trade or commerce.
- (2) However, this section does not apply if a sale docket accompanies the consignment of the relevant fish under section 656(2).
- (3) The commercial carrier must keep a record of the following information in the approved form—
  - (a) the name of the consignor;

- (b) the address of the place where the commercial carrier collected the fish;
  - (c) the address of the place where the commercial carrier is to deliver the fish.
- (4) The commercial carrier must ensure that, while the fish are on board the boat or in the vehicle, the record is—
- (a) kept on board the boat or in the vehicle; and
  - (b) available for immediate inspection.

### **663 Records to be kept about commercial storage of relevant fish**

- (1) This section applies if a person (the *warehouse keeper*) stores relevant fish at a place for another person (the *consignor*) for trade or commerce.
- (2) The warehouse keeper must—
  - (a) keep a written record stating the name of the consignor; and
  - (b) ensure that while the fish is stored at the place, the record is—
    - (i) kept at the place; and
    - (ii) available for inspection.

## **28 Insertion of new ch 16, pt 2, div 7**

After section 753—

*insert—*

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## **Division 7            Transitional provisions for Fisheries Legislation Amendment Regulation (No. 1) 2015**

### **754 Definition for div 6**

In this division—

*repealed plan* means the repealed *Fisheries (Coral Reef Fin Fish) Management Plan 2003*.

### **755 Licences continue**

- (1) This section applies to a commercial fishing boat licence—
  - (a) that was in force immediately before the commencement; and
  - (b) on which the fishery symbol ‘RQ’ is written.
- (2) The licence is taken to be a licence of the same type under this regulation.

### **756 CT, OS and RTE line units continue**

- (1) This section applies if—
  - (a) before 1 July 2010, a CT line unit, OS line unit or RTE line unit was issued under chapter 3, part 2 of the repealed plan as in force before 1 July 2010; and
  - (b) the CT line unit, OS line unit or RTE line unit was in force immediately before the commencement.
- (2) The CT line unit is continued as a CT line unit under this regulation.
- (3) The OS line unit is continued as an OS line unit under this regulation.



- (4) The RTE line unit is continued as a RTE line unit under this regulation.

### **757 Line unit certificates continue**

- (1) This section applies if—
- (a) before the commencement, a line unit certificate was—
    - (i) issued under section 72 of the repealed plan; or
    - (ii) issued under section 72 of the repealed plan and—
      - (A) changed or replaced under section 78 of the repealed plan; or
      - (B) replaced under section 71 of the Act; and
  - (b) the line unit certificate was in force immediately before the commencement.
- (2) The line unit certificate is a line unit certificate under this regulation.

### **758 Fisher PINs for line units continue**

- (1) This section applies if—
- (a) before the commencement, a fisher PIN was—
    - (i) issued for line units under section 61A(2) of the repealed plan as in force before 1 July 2010; or
    - (ii) changed under section 85 of the repealed plan; and
  - (b) the fisher PIN as issued or changed was the fisher PIN for the line units immediately before the commencement.

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- (2) The fisher PIN is the fisher PIN for the line units under this regulation.

### **759 Unit PINs for line units continue**

- (1) This section applies if—
  - (a) before the commencement, a unit PIN was—
    - (i) issued for line units under section 61(8)(a)(ii) of the repealed plan as in force before 1 July 2010; or
    - (ii) changed under section 84 of the repealed plan; and
  - (b) the unit PIN as issued or changed was the unit PIN for the line units immediately before the commencement.
- (2) The unit PIN is the unit PIN for the line units under this regulation.

### **760 Filleting permits continue**

- (1) This section applies if—
  - (a) before the commencement, a filleting permit was issued under section 129 of the repealed plan; and
  - (b) the filleting permit was in force immediately before the commencement.
- (2) The filleting permit is taken to be a filleting permit under this regulation.

### **761 Continuation of reef line fishery as reef line commercial fishery for annual quota for 2014-15 line year**

- (1) For applying an annual quota for the reef line commercial fishery for the 2014-15 line year—

- 
- (a) the reef line fishery under section 2 of the repealed plan continues as the reef line commercial fishery under this regulation; and
  - (b) a reference in a document to the reef line fishery is taken to be a reference to the reef line fishery under section 2 of the repealed plan continued under paragraph (a) as the reef line commercial fishery.
- (2) In this section—
- 2014-15 line year** means the line year starting on 1 July 2014 and ending on 30 June 2015.

### **762 References to repealed plan**

In a document, a reference to a particular provision (the *old provision*) of the repealed plan may, if the context permits, be taken to be a reference to any provision of this regulation that corresponds, or substantially corresponds, to the old provision.

### **29 Amendment of sch 2 (Regulated fish declarations)**

- (1) Schedule 2, part 2, entry for ‘a regulated coral reef fin fish’, column 4, ‘under the Coral Reef Plan’—  
*omit.*
- (2) Schedule 2, part 2, entry for ‘a regulated coral reef fin fish, other than bluespotted coral trout’, column 4, after ‘long’—  
*insert—*  
    , measured along its longest plane

### **30 Amendment of sch 9 (Other fees)**

- (1) Schedule 9, table 1, under the heading ‘Other commercial fisheries under regulation’—

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*insert—*

12	RQ	0
13	CT line unit	0.3428
14	OS line unit	0.1713
15	RTE line unit	0.1713

- (2) Schedule 9, table 2, heading ‘Coral Reef Plan’ and items 1 to 4 under that heading—

*omit.*

### **31 Amendment of sch 11 (Dictionary)**

- (1) Schedule 11, heading, ‘sections 4 and 562(3)’—

*omit, insert—*

sections 4, 562(3) and 591T(3)

- (2) Schedule 11, part 1, section 8(5), note—

*omit, insert—*

*Example—*

If the person holds, or is acting under, an SM unit or line unit, spanish mackerel or regulated coral reef fin fish taken by the person as a recreational fisher are included in the use of the entitlements under the SM unit or line unit.

- (3) Schedule 11, part 1—

*insert—*

#### **12 Meaning of *whole weight* of regulated coral reef fin fish**

- (1) The *whole weight* of regulated coral reef fin fish that is filleted is the weight worked out using the following formula—

$$WW = W \times CF$$

where—

**WW** is the whole weight, in kilograms, of the fish.

**W** is the weight, in kilograms, of the filleted fish.

**CF** is—

- (a) for filleted regulated coral trout—2; or
  - (b) for filleted regulated cod or grouper—2.1; or
  - (c) for filleted goldband snapper—2.3; or
  - (d) for filleted rosy snapper or lavender snapper—2.1; or
  - (e) for filleted regulated tropical snapper or seaperch not mentioned in paragraph (c) or (d)—2.6; or
  - (f) for filleted regulated emperor—2.5; or
  - (g) for any other regulated coral reef fin fish or fish not identified as a particular species—2.
- (2) The **whole weight** of regulated coral reef fin fish that is gilled and gutted is the weight worked out using the following formula—

$$\mathbf{WW = W \times 1.1}$$

where—

**WW** is the whole weight, in kilograms, of the fish.

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

- (3) The **whole weight**, in kilograms, of a number of regulated coral reef fin fish is the number of the fish.
- (4) The **whole weight** of regulated coral reef fin fish to which subsections (1) to (3) do not apply is the weight, in kilograms, of the fish.

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- (4) Schedule 11, part 2, definitions, *annual quota*, *authorised boat*, *commercial carrier*, *consignor*, *Coral Reef Plan*, *CT line unit*, *entitlement*, *fisher PIN*, *general fisheries permit*, *landing period*, *landing place*, *line fishery area*, *line fishery symbol*, *line unit*, *OS line unit*, *prescribed numerical code*, *prescribed person*, *prior notice*, *prior notice area*, *prior notice deadline*, *prior notice particulars*, *quota authority*, *RTE line unit*, *the State*, *transshipment notice*, *transport vessel*, *unit PIN*, *unloaded fish notice*, *unloading area*, *unloading particular*, *unnotifiable landing notice*, *unused entitlement*, *used*, *warehouse keeper* and *whole weight*—

*omit.*

- (5) Schedule 11, part 2—

*insert*—

***annual quota***, for the commercial spanner crab fishery (managed area A) or reef line commercial fishery, means the annual quota declared by the chief executive for the fishery under the Act, section 44.

***authorised boat***—

- (a) for chapter 5, part 6, division 2, see section 227; or
- (b) for chapter 10, part 3, see section 565; or
- (c) for chapter 10A, part 3, see section 591W; or
- (d) for chapter 11, part 3, division 6, see section 614W; or
- (e) for chapter 14, part 2, see section 644.

***CT line unit*** means a CT line unit continued under section 756(2).

***entitlement***—

- (a) under an ITQ unit, see section 600O(2); or
- (b) under a line unit, see section 591O(4); or

- (c) under an SM unit, see section 557(2); or
- (d) under a T4-ITQ unit, see section 614H(2).

***filleting permit*** means a filleting permit issued under chapter 5.

***fisher PIN*** means—

- (a) for line units—
  - (i) the fisher PIN for the units continued under section 758(2); or
  - (ii) the 4-digit identity number issued for the units under section 591ZR(2); or
  - (iii) if the fisher PIN for the line unit is changed under section 591ZT, the fisher PIN as changed; or
- (b) for SM units—
  - (i) the fisher PIN for the units continued under section 725; or
  - (ii) the 4-digit identity number issued for the units under section 587(2); or
  - (iii) if the fisher PIN for the units is changed under section 589, the fisher PIN as changed; or
- (c) for T4-ITQ units—
  - (i) the 4-digit identity number issued for the units under section 614F(b); or
  - (ii) if the fisher PIN for the units is changed under section 614S, the fisher PIN as changed.

***general fisheries permit*** see section 204(1)(e).

***landing period***—

- (a) for chapter 10, part 3, see section 569(e)(i);  
or

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- (b) for chapter 10A, part 3, see section 591ZA(e)(i); or
- (c) for chapter 11, part 3, division 6, see section 614ZA(e)(i).

***landing place***—

- (a) for chapter 10, part 3, see section 565; or
- (b) for chapter 10A, part 3, see section 591ZA(c); or
- (c) for chapter 11, part 3, division 6, see section 614ZA(c).

***line fishery area***—

- (a) for chapter 10, part 1, see section 546; or
- (b) for chapter 10A, part 1, see section 591D.

***line fishery symbol***—

- (a) for chapter 10, part 1, see section 546; or
- (b) for chapter 10A, part 1, see section 591A.

***line unit***, for chapter 10A, means a CT line unit, OS line unit or RTE line unit.

***line unit certificate*** means—

- (a) a line unit certificate continued under section 757; or
- (b) if the certificate is replaced under section 71 of the Act, or changed or replaced under section 591ZP(2), the certificate as replaced or changed.

***line year*** means a period of 1 year starting on 1 July in a year and ending on 30 June in the next year.

***OS line unit*** means an OS line unit continued under section 756(3).



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

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

***prescribed numerical code***—

- (a) for chapter 10, part 3, see section 565; or
- (b) for chapter 10A, part 3, see section 591W;  
or
- (c) for chapter 11, part 3, division 6, see section 614W.

***prescribed person***—

- (a) for chapter 10, part 3, see section 565; or
- (b) for chapter 10A, part 3, see section 591W;  
or
- (c) for chapter 11, part 3, division 6, see section 614W.

***prior notice***—

- (a) for chapter 10, part 3, see section 565; or
- (b) for chapter 10A, part 3, see section 591W;  
or
- (c) for chapter 11, part 3, division 6, see section 614W.

***prior notice area***—

- (a) for chapter 10, part 3, see section 565; or
- (b) for chapter 10A, part 3, see section 591W;  
or
- (c) for chapter 11, part 3, division 6, see section 614W.

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***prior notice deadline—***

- (a) for chapter 10, part 3, see section 565; or
- (b) for chapter 10A, part 3, see section 591W;  
or
- (c) for chapter 11, part 3, division 6, see section 614W.

***prior notice particulars—***

- (a) for chapter 10, part 3, see section 569; or
- (b) for chapter 10A, part 3, see section 591ZA;  
or
- (c) for chapter 11, part 3, division 6, see section 614ZA.

***quota authority*** means an authority of a type mentioned in section 206.

***reef line commercial fishery*** see section 591B.

***relevant fish***, for chapter 14, part 5, see section 659.

***RQ fishery licence*** means a commercial fishing boat licence on which is written the fishery symbol 'RQ'.

***RTE line unit*** means a RTE line unit continued under section 756(4).

***transshipment notice—***

- (a) for chapter 10, part 3, see section 576(2); or
- (b) for chapter 10A, part 3, see section 591ZG(2).

***transport vessel—***

- (a) for chapter 10, part 3, see section 576(1)(b);  
or
- (b) for chapter 10A, part 3, see section 591ZG(1)(b).

***unit PIN*** means—

- (a) for line units—
  - (i) the unit PIN for the units continued under section 759; or
  - (ii) if the unit PIN for the units is changed under section 591ZS, the unit PIN as changed; or
- (b) for SM units—
  - (i) the unit PIN for the units continued under section 726; or
  - (ii) if the unit PIN for the units is changed under section 588, the unit PIN as changed; or
- (c) for T4-ITQ units—
  - (i) the unit PIN for the units issued under section 614F(a); or
  - (ii) if the unit PIN for the units is changed under section 614R, the unit PIN as changed.

***unloaded fish notice***—

- (a) for chapter 10, see section 581(2); or
- (b) for chapter 10A, see section 591ZL(2); or
- (c) for chapter 11, part 3, division 6, see section 614ZK(2).

***unloading area***—

- (a) for chapter 10, part 3, see section 565; or
- (b) for chapter 10A, part 3, see section 591W; or
- (c) for chapter 11, part 3, division 6, see section 614W.

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***unloading particular—***

- (a) for chapter 10, part 3, see section 569(d); or
- (b) for chapter 10A, part 3, see section 591ZA(d); or
- (c) for chapter 11, part 3, division 6, see section 614ZA(d).

***unnotifiable landing notice—***

- (a) for chapter 10, part 3, see section 578(2); or
- (b) for chapter 10A, part 3, see section 591ZI(2); or
- (c) for chapter 11, part 3, division 6, see section 614ZH(2).

***unused entitlement—***

- (a) for ITQ units, see section 600P(2); or
- (b) for line units, see section 591P(2); or
- (c) for SM units, see section 558(2); or
- (d) for T4-ITQ units, see section 614I(2).

***used—***

- (a) for an entitlement under an ITQ unit, see section 600P(1); or
- (b) for an entitlement under a line unit, see section 591P(1); or
- (c) for an entitlement under a SM unit, see section 558(1); or
- (d) for an entitlement under a T4-ITQ unit, see section 614I(1).

***whole weight—***

- (a) for an amount of spanish mackerel—see section 11 of this schedule; or
- (b) for an amount of regulated coral reef fin fish—see section 12 of this schedule.

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## **Part 4                      Repeal of management plan**

### **32        Management plan repealed**

The Fisheries (Coral Reef Fin Fish) Management Plan 2003, SL No. 212 is repealed.

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#### ENDNOTES

- 1     Made by the Governor in Council on 23 April 2015.
- 2     Notified on the Queensland legislation website on 24 April 2015.
- 3     The administering agency is the Department of Agriculture and Fisheries.

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