



New South Wales

# Fisheries Management (Aquaculture) Amendment (Transitional) Regulation 2001

under the

Fisheries Management Act 1994

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Fisheries Management Act 1994*.

The Hon EDWARD OBEID, M.L.C.,

Minister for Fisheries

## Explanatory note

The object of this Regulation is to remove from the *Fisheries Management (Aquaculture) Regulation 1995* provisions relating to the following matters:

- (a) the New South Wales Shellfish Quality Assurance Program,
- (b) the depuration of oysters.

Those matters are to be dealt with under the *Food Production (Seafood Safety Scheme) Regulation 2001*.

This Regulation also contains transitional arrangements to require:

- (a) any funds held by a shellfish quality assurance committee to be paid to Safe Food for distribution to the corresponding committees established under the *Food Production (Seafood Safety Scheme) Regulation 2001*, and
- (b) to require unexpended contributions to the New South Wales Shellfish Quality Assurance Program to be paid to Safe Food for the purposes of the New South Wales Shellfish Program operated under that Regulation.

**2001 No 968**

Fisheries Management (Aquaculture) Amendment (Transitional) Regulation 2001

Explanatory note

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This Regulation is made under the *Fisheries Management Act 1994*, including section 289 (the general regulation-making power).

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## **Fisheries Management (Aquaculture) Amendment (Transitional) Regulation 2001**

### **1 Name of Regulation**

This Regulation is the *Fisheries Management (Aquaculture) Amendment (Transitional) Regulation 2001*.

### **2 Commencement**

This Regulation commences on 14 December 2001.

### **3 Amendment of Fisheries Management (Aquaculture) Regulation 1995**

The *Fisheries Management (Aquaculture) Regulation 1995* is amended as set out in Schedule 1.

**2001 No 968**

Fisheries Management (Aquaculture) Amendment (Transitional)  
Regulation 2001

Schedule 1      Amendments

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**Schedule 1    Amendments**

(Clause 3)

**[1]    Part 2 Aquaculture permits**

Omit Division 4.

**[2]    Part 2A Depuration of oysters**

Omit the Part.

**[3]    Clause 64**

Insert after clause 63:

**64    Transitional provision—shellfish quality assurance program**

(1) On the commencement of this clause:

- (a) each local shellfish quality assurance committee appointed under clause 12C is dissolved, and
- (b) any funds held by a committee that is dissolved under this clause are to be paid to Safe Food for distribution in accordance with clause 4 (6) of Schedule 5 to the *Food Production (Seafood Safety Scheme) Regulation 2001*.

(2) Any contributions:

- (a) that were paid to the Minister under clause 12H before its repeal or that were payable under that clause and are paid to the Minister or recovered by the Minister after that repeal, and
- (b) that have not been expended, or that are not required to be expended, in meeting costs referred to in clause 12H (2) incurred before its repeal,

are to be paid to Safe Food to be used for the purposes referred to in clause 3 (5) of Schedule 5 to the *Food Production (Seafood Safety Scheme) Regulation 2001*.

**[4] Schedule 2 Provisions relating to members and procedure of committees**

Omit the definition of *committee* in clause 1. Insert instead:

*committee* means a committee appointed by the Minister in respect of a trust account under section 157 (4) of the Act.

**[5] Schedule 2, clause 1 (2)**

Omit the subclause.