



# Fisheries Management (Abalone Share Management Plan) Amendment (Miscellaneous) Regulation 2003

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*.

IAN MICHAEL MACDONALD, M.L.C.,  
Minister for Agriculture and Fisheries

## Explanatory note

The objects of this Regulation are as follows:

- (a) to change the fishing period for the abalone share management fishery from a calendar year to a financial year, and to adjust the manner of calculating community contributions accordingly,
- (b) to provide that endorsement holders in the fishery are to keep a record of the validated weight of abalone caught by them (that is, the weight of the abalone determined by weighing them with accurate scales).

This Regulation is made under the *Fisheries Management Act 1994*, including section 289 (the general regulation-making power) and sections 57, 60 and 77.

**2003 No 392**

Clause 1 Fisheries Management (Abalone Share Management Plan) Amendment  
(Miscellaneous) Regulation 2003

---

**Fisheries Management (Abalone Share Management Plan) Amendment (Miscellaneous) Regulation 2003**

under the

Fisheries Management Act 1994

**1 Name of Regulation**

This Regulation is the *Fisheries Management (Abalone Share Management Plan) Amendment (Miscellaneous) Regulation 2003*.

**2 Commencement**

This Regulation commences on 1 July 2003.

**3 Amendment of Fisheries Management (Abalone Share Management Plan) Regulation 2000**

The *Fisheries Management (Abalone Share Management Plan) Regulation 2000* is amended as set out in Schedule 1.

---

## Schedule 1 Amendments

(Clause 3)

### [1] Appendix, Abalone Share Management Plan

Omit the definition of *fishing period* and the Note following that definition from clause 2.

Insert instead:

*fishing period* has the meaning given by clause 14.

### [2] Appendix, clause 14

Omit clause 14 (2). Insert instead:

- (2) The determination is to be made in respect of each fishing period.
- (3) In this clause, *fishing period* means each period of 12 months commencing on 1 July and ending on 30 June in the following year or such other period as the Minister may determine after consultation with the Management Advisory Committee.

### [3] Appendix, clause 30

Omit clause 30 (1) (a). Insert instead:

- (a) the validated weight of the abalone (being the weight determined by weighing the abalone with accurate scales), and

### [4] Appendix, clause 30 (4) (c)

Omit the paragraph. Insert instead:

- (c) the validated weight of the abalone (being the weight determined by weighing the abalone with accurate scales),

**2003 No 392**

Fisheries Management (Abalone Share Management Plan) Amendment  
(Miscellaneous) Regulation 2003

Schedule 1 Amendments

---

**[5] Appendix, clause 37**

Omit clause 37 (3). Insert instead:

- (3) The community contribution is calculated as follows:

$$CC = S/TS \times 6/100 \times TAC \times P$$

where:

*CC* is the community contribution.

*S* is the number of shares in the fishery held by the shareholder on the last day of the fishing period.

*TS* is the total number of shares in the fishery.

*TAC* is the total allowable catch for abalone (in kilograms) for the fishing period.

*P* is the average beach price for abalone (in kilograms) during the fishing period, determined by the Minister on the basis of records kept by the Director.

**[6] Appendix, clause 37 (8)**

Insert after clause 37 (7):

- (8) The period from 1 January 2003 to 30 June 2003 is taken to be a fishing period for the purpose of calculating the community consultation contribution payable in respect of that period.

BY AUTHORITY

---