



New South Wales

Fisheries Management (General) Amendment (Management Advisory Committee Membership) Regulation 2004

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 Primary Industries

Explanatory note

The object of this Regulation is to make further provision for the circumstances in which an elected member of a Management Advisory Committee may be removed from office by the Minister. The Regulation allows a Management Advisory Committee member to be removed from office if he or she ceases to be an effective representative of commercial fishers, engages in conduct that is likely to bring the fishing industry into disrepute or engages in unruly or disruptive behaviour at Committee meetings.

This Regulation also increases the fee payable for the lodgment of an appeal to the Share Management Fisheries Appeal Panel under the Act.

This Regulation is made under the *Fisheries Management Act 1994*, including sections 84 (4), 231 and 289 (the general regulation-making power).

2004 No 793

Clause 1 Fisheries Management (General) Amendment (Management Advisory
Committee Membership) Regulation 2004

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(Management Advisory Committee Membership)
Regulation 2004**

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1 Name of Regulation

This Regulation is the *Fisheries Management (General) Amendment
(Management Advisory Committee Membership) Regulation 2004*.

2 Amendment of Fisheries Management (General) Regulation 2002

The *Fisheries Management (General) Regulation 2002* is amended as
set out in Schedule 1.

Schedule 1 Amendments

(Clause 2)

[1] Clause 140 Making of appeals to Share Appeal Panel (section 84 of the Act)

Omit clause 140 (2)–(4). Insert instead:

- (2) An appeal is to be made in a form approved by the Director-General and is to be accompanied by a lodgment fee of \$275.
- (3) The Director-General may waive or reduce the fee, or refund the fee or any part of it, in such circumstances as the Director-General considers appropriate.
- (4) The Director-General is to notify the person making the appeal of the receipt of his or her appeal.

[2] Clause 405 Vacancy in office of a member

Insert at the end of clause 405 (3) (c):

, or

- (d) has, in the opinion of the Minister, ceased to effectively represent the shareholders or commercial fishers he or she was elected to represent, or
- (e) has, in the opinion of the Minister, engaged in conduct that is likely to bring the fishing industry into disrepute, or
- (f) has been formally reprimanded by the chairperson of the MAC of which he or she is a member for unruly or disruptive behaviour at a meeting of the MAC on not less than 3 occasions (whether occurring at the same meeting or at different meetings of the MAC).