



New South Wales

Fisheries Management (General) Amendment (Section 220ZB Exemption) 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 exempt fish the taking of which does not constitute an offence under Part 7A (Threatened species conservation) of the *Fisheries Management Act 1994* from section 220ZB of the Act (which creates an offence of buying, selling or possessing any fish or marine vegetation of a threatened species). The Regulation also makes some consequential amendments.

This Regulation is made under the *Fisheries Management Act 1994*, including sections 220ZB (2) (b) and 289 (the general regulation-making power).

2004 No 794

Clause 1 Fisheries Management (General) Amendment (Section 220ZB Exemption)
Regulation 2004

Fisheries Management (General) Amendment (Section 220ZB Exemption) Regulation 2004

under the

Fisheries Management Act 1994

1 Name of Regulation

This Regulation is the *Fisheries Management (General) Amendment (Section 220ZB Exemption) 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 20B Use of certain fishing gear prohibited in vicinity of Fish Rock**
Insert “Division 1 of” before “Part 11A” in the note to clause 20B (1).

[2] **Part 11A, and Division 1, headings**
Omit the heading to Part 11A. Insert instead:

Part 11A Threatened species conservation

Division 1 Prohibition or restriction of actions on critical habitat of grey nurse shark

[3] **Clause 340A Application of Division**
Omit “Part”. Insert instead “Division”.

[4] **Part 11A, Division 2**
Insert after clause 340C:

Division 2 Exemption from offence of buying, selling or possessing threatened species

340D Exemption

Any fish the taking of which does not constitute an offence under Part 7A of the Act are exempt from section 220ZB of the Act.