



New South Wales

Fisheries Management (General) Amendment (Fish Receivers) Regulation 2005

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 amend the *Fisheries Management (General) Regulation 2002 (the Principal Regulation)*:

- (a) to provide for more than 2 premises to be identified in a single certificate of registration for Class B fish receivers and for an application fee of \$1,411 for each premises after the first 2 premises, and
- (b) to provide that, in respect of Class A and Class B fish receivers:
 - (i) the application for registration as a fish receiver must identify each of the premises at which the fish receiver proposes to receive fish, and
 - (ii) each of those premises identified in the application for registration is to be specified in the certificate of registration, and
 - (iii) registration as a fish receiver has effect only in relation to the premises so specified, and
 - (iv) it is a condition of registration as a fish receiver that a fish receiver receives fish only at the premises so specified.

This Regulation also provides that the Minister for Primary Industries is authorised to refuse an application for registration as a fish receiver that is not otherwise made in accordance with the substituted clause 285 (Applications for registration as fish receivers) of the Principal Regulation.

This Regulation is made under the *Fisheries Management Act 1994*, including sections 117, 118 and 289 (the general regulation-making power).

2005 No 16

Clause 1

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2005

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Receivers) Regulation 2005**

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Fisheries Management Act 1994

1 Name of Regulation

This Regulation is the *Fisheries Management (General) Amendment (Fish Receivers) Regulation 2005*.

2 Commencement

This Regulation commences on 1 March 2005.

3 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 3)

[1] Clause 285

Omit the clause. Insert instead:

285 Applications for registration as fish receiver

- (1) An application for registration as a fish receiver must identify each of the premises at which the fish receiver proposes to receive fish.
- (2) For the purpose of section 118 (2) of the Act, the prescribed fee in respect of an application for registration as a Class A Registered Fish Receiver is \$847.
- (3) For the purpose of section 118 (2) of the Act, the prescribed fee in respect of an application for registration as a Class B Registered Fish Receiver is:
 - (a) \$2,822 for one or two premises that are identified in the application at which the fish receiver receives fish from commercial fishers or persons acting on behalf of commercial fishers, and
 - (b) \$1,411 for each additional premises that are identified in the application at which the fish receiver receives fish from commercial fishers or persons acting on behalf of commercial fishers.

[2] Clause 286 Grounds for refusing application for registration

Insert “or the application is not otherwise made in accordance with clause 285” after “fish receiver” in clause 286 (c).

[3] Clause 286A

Insert after clause 286:

286A Registration limited to specified premises

- (1) Each of the premises identified in the application for registration as a fish receiver is to be specified in the certificate of registration issued under section 118 (5) of the Act.
- (2) For the purposes of section 117 of the Act, registration as a fish receiver has effect only in relation to the premises so specified.
- (3) It is a condition of registration as a fish receiver that a fish receiver receives fish only at the premises so specified.