



# Fisheries Management (General) Amendment (Ministerial Fisheries Advisory Council) Regulation 2013

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*.

KATRINA ANN HODGKINSON, MP  
Minister for Primary Industries

## Explanatory note

The objects of this Regulation are as follows:

- (a) to abolish the Seafood Industry Advisory Council,
- (b) to make provision with respect to the establishment of a Ministerial Fisheries Advisory Council.

This Regulation is made under the *Fisheries Management Act 1994*, including sections 229, 231 and 289 (the general regulation-making power).

**2013 No 170**

Clause 1

Fisheries Management (General) Amendment (Ministerial Fisheries  
Advisory Council) Regulation 2013

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**Fisheries Management (General) Amendment  
(Ministerial Fisheries Advisory Council) Regulation  
2013**

under the

Fisheries Management Act 1994

**1 Name of Regulation**

This Regulation is the *Fisheries Management (General) Amendment  
(Ministerial Fisheries Advisory Council) Regulation 2013*.

**2 Commencement**

This Regulation commences on the day on which it is published on the  
NSW legislation website.

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## **Schedule 1      Amendment of Fisheries Management (General) Regulation 2010**

### **[1]    Clause 64 Identification of recognised fishing grounds**

Omit clause 64 (5) (a) and (b). Insert instead:

- (a) provide a copy of the draft map to the Advisory Council on Recreational Fishing, and
- (b) invite that Council to make recommendations about the draft map within such time (being not less than 30 days from the date on which the copy of the draft map is provided to the Council) as the Minister may specify in the invitation, and

### **[2]    Clause 286 Establishment of advisory councils**

Omit clause 286 (a). Insert instead:

- (a) a Ministerial Fisheries Advisory Council,

### **[3]    Clause 287**

Omit the clause. Insert instead:

#### **287    Ministerial Fisheries Advisory Council**

- (1) The Ministerial Fisheries Advisory Council is to be composed of the following members:
  - (a) one person who the Minister is satisfied has expertise in commercial fishing or will represent commercial fishing interests,
  - (b) one person who the Minister is satisfied has expertise in recreational fishing or will represent recreational fishing interests,
  - (c) one person who the Minister is satisfied has expertise in aquaculture or will represent aquaculture interests,
  - (d) one person who the Minister is satisfied has expertise in Aboriginal cultural fishing or will represent Aboriginal cultural fishing interests,
  - (e) one person who the Minister is satisfied has expertise in conservation of aquatic resources or will represent those conservation interests,
  - (f) a senior officer of the Department.
- (2) The member referred to in subclause (1) (f) is not entitled to vote at meetings of the Council.

**2013 No 170**

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Schedule 1 Amendment of Fisheries Management (General) Regulation 2010

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- (3) The Minister may, by advertisement published in a newspaper circulating throughout the State, call for expressions of interest in membership of the Ministerial Fisheries Advisory Council.

**[4] Clauses 295 (f), 300 (1) and 302 (1)**

Omit “Seafood Industry Advisory Council” wherever occurring.

Insert instead “Ministerial Fisheries Advisory Council”.

**[5] Clause 298 Chairperson and deputy chairperson of Ministerial Fisheries Advisory Council and Advisory Council on Recreational Fishing**

Omit clause 298 (2) (a). Insert instead:

- (a) in the opinion of the Minister:
  - (i) has no direct or indirect pecuniary interest in the fishery concerned, and
  - (ii) in relation to the Ministerial Fisheries Advisory Council:
    - (A) does not represent the Department or any of the interests referred to in clause 287 (1) (a)–(e), and
    - (B) has significant expertise and experience in the management of fisheries, and

**[6] Clause 298 (6)**

Insert “voting” before “member”.

**[7] Clause 302 Quorum**

Insert “, excluding any members not entitled to vote at meetings of the Council” after “being” in clause 302 (1).