

Act 1994 No. 38

FISHERIES MANAGEMENT BILL 1994*

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The objects of this Bill are to conserve, develop and share the fishery resources of the State for the benefit of present and future generations.

In particular, this Bill has the following objects:

- (a) to conserve fish stocks and protect key fish habitats;
- (b) to promote viable commercial fishing and aquaculture industries;
- (c) to provide quality recreational fishing opportunities;
- (d) to appropriately share fisheries resources between the users of those resources.

PART 1—PRELIMINARY (clauses 1–7)

This Part sets out the short title, commencement, objects of the Bill and the expressions defined for the purposes of the Bill. The Part continues the description of the waters to which the proposed Act applies in accordance with the agreed Commonwealth/State arrangements.

PART 2—GENERAL FISHERIES MANAGEMENT (clauses 8–40)

This Part contains the general powers and functions relating to the management of commercial and recreational fisheries.

* Amended in committee—see table at end of volume.

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Division 1—Fishing closures (clauses 8–14)

This Division continues a power contained in the existing Fisheries and Oyster Farms Act 1935 (“the 1935 Act”) to control commercial and recreational fishing. The Division enables the Minister to close an area to fishing:

- by notification published in the Gazette; or
- in the case of an emergency—by notifying the closure in a newspaper circulating, or by radio or television broadcast, in the area in which the closure applies.

The closure can apply to the taking of all fish (or a specified class of fish) from all waters (or a specified class of waters). The closure can extend for a maximum of 5 years. The closure can be amended or revoked by the Minister.

The Division makes it an offence to take fish in contravention of a fishing closure or, with certain exceptions, to be in possession of fish so taken.

Division 2—Prohibited size fish, bag limits and protested fish (clauses 15–21)

This Division continues and expands provisions contained in the regulations under the 1935 Act restricting the taking of fish.

The Division enables the regulations to declare that fish smaller than a certain size or larger than a certain size, or both, are prohibited size fish. Size may be measured by length or by weight. Possession of prohibited size fish is made an offence.

The Division enables the regulations to specify bag limits for fish, that is, the maximum number of fish that can be taken on any one day or the maximum number of fish that a person can have in possession at any one time.

The Division also allows the regulations to declare that certain species cannot be taken for sale (i.e. species protected from commercial fishing) and that other species cannot be taken at all (i.e. totally protected species).

The Division provides defences against prosecutions for offences (e.g. fish cultivated in an aquaculture farm).

Division 3—Fishing gear (clauses 22–25)

This Division continues existing controls on fishing gear.

The Division enables the regulations to require the registration of specified classes of fishing gear and to make other provisions with respect to the use of fishing gear.

The Division makes it an offence for a person to use a net or trap to take fish unless the regulations authorise the use of such a net or trap by that person. The regulations currently restrict the use of most nets to commercial fishers.

The Division also makes it an offence to be in possession of any fishing gear in, on or adjacent to any waters if:

- (a) the use of that fishing gear by the person is not permitted in those waters; or
- (b) the taking of fish from those waters is prohibited at that time.

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Division 4—Total allowable catches (clauses 26–34)

This Division allows Total Allowable Catches (“a TAC”) to be set for the commercial fishing sector. The setting of any TAC will require public consultation.

A TAC will be set by a TAC Committee to be formed by the Minister. The Committee will have 4 members—including an independent chairperson, a natural resource economist, a fishery scientist and one other person appointed by the Minister.

Any TAC set will be published in the Gazette, will apply for a specified period and will be kept under review.

Whenever a TAC is set, the Minister is required to review the fishing controls affecting commercial and other fishers. A TAC set for a share management fishery is required to be allocated among the relevant commercial fishers in accordance with Part 3 of the proposed Act.

Division 5—General (clauses 35–40)

This Division contains some general provisions relating to fisheries management.

The Division makes it an offence, with certain exceptions, to be in possession of fish which were illegally taken.

The Division provides a defence to any prosecution if fish illegally taken are returned to their natural environment with the least possible injury.

The Division enables the Minister to issue permits authorising the taking and possession of fish for scientific and other authorised purposes by any method or from any waters. The permit enables fish to be taken or in possession for those authorised purposes despite any other provision of the proposed Act.

The Division entitles anyone to take fish from a freshwater river or creek even if the bed of the waters is not Crown land, if the person is in a boat or on the bed of those waters.

The Division makes it an offence not to remove an obstruction from a recognised fishing ground when requested by a fisheries officer.

**PART3—COMMERCIAL SHARE MANAGEMENT FISHERIES
(clauses 41–101)**

This Part contains a new concept in NSW fisheries legislation. At present, commercial fishers are licensed each year to take fish for sale. A variety of legislative and administrative arrangements at present enable those fishers to sell their entitlements to fish (e.g. in connection with the transfer of licensed boats or of permits to take fish in a restricted fishery such as the abalone fishery).

Under the new concept introduced by this Part, licensed commercial fishers will be eligible for shares in defined commercial fisheries. Those shares will provide long term fishing access rights to commercial fishers for a charge which covers the cost of management and a “community contribution” charge. Each share management fishery is to be monitored by a Management Advisory Committee and is to be subject to periodic public review.

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The proposed Act does not specify which fisheries will be defined as share management fisheries or the particular management arrangements for the fishery. The Part enables fisheries to be defined, by proclamation of the Governor, by the method of fishing, the species of fish taken or the area of fishing. Accordingly, in some defined fisheries a person's share holding could entitle the person to an annual allocation of quota for a certain species, in others to use a certain type or amount of gear or size of boat. Management plans are to be prepared for the defined fisheries following industry and public consultation.

Division 1—Summary of staged implementation (clause 41)

This Division sets out the four-stage process for the implementation of a share management fishery.

Stage 1—consultation with industry about which fisheries should become share management fisheries.

Stage 2—share management fishery defined by its inclusion in Schedule 1 to the proposed Act. During this stage, an interim Management Advisory Committee is established, criteria for the allocation of shares are determined, applications by commercial fishers for shares may be made and shares are provisionally issued.

Stage 3—hearing of appeals about provisional share issue and preparation of a management plan. During this stage the commercial fishers who may fish in the fishery is limited to provisional shareholders.

Stage 4—publication of management plan and final issue of fully transferable shares.

Division 2—Declaration of share management fisheries (clauses 42–45)

This Division sets out the process which must be followed to create or abolish a share management fishery. Provision is made for consultation with industry before a fishery is either added to, or omitted from, Schedule 1. Once the management plan for a fishery is made, compensation is to be paid if the fishery is omitted from Schedule 1 (alternative arrangements may be agreed instead for the issue of shares in a replacement share management fishery).

Division 3—Issue of shares (clauses 46–52)

This Division sets out the procedure which must be followed for issuing shares in a fishery.

The Minister is required to invite eligible persons to apply for shares. The notice must set out the criteria for entitlement to shares. Notice is also to be given to all commercial fishers.

The Division sets out the method for determining who is entitled to apply for shares and the number of shares to which they are entitled. Generally, shares are to be allocated on the basis of catch history or current entitlements in the fishery.

Any eligible person or corporation may apply for shares. However, provision is made for the regulations to prevent ownership of shares by any class of persons (for instance, non-residents of Australia).

Shares are to be issued on a provisional basis pending the final implementation of the fishery.

Division 4—Limited access to fishery after issue of shares (clauses 53–55)

This Division provides that a share management fishery will become a limited access fishery from the date the provisional shares take effect. Once the fishery is a limited access fishery, only commercial fishers who are shareholders or their nominees may fish in that fishery. Provision is made for persons who have pending appeals for shares to have access to the fishery. Persons who are so entitled to fish will require an appropriate endorsement on their fishing licence.

Where a fishery is already a restricted fishery (e.g. the rock lobster, abalone and prawn trawl fisheries), the restricted fishery provisions cease to apply at this stage and it becomes a limited access fishery.

Division 5—Management plans (clauses 56–65)

This Division provides for management plans for share management fisheries. Such plans may deal with the rights of shareholders, fishing activities and any other matter relating to the management of a fishery consistent with the proposed Act and its objects.

A management plan will be required to be prepared for a share management fishery as soon as practicable after it becomes a limited access fishery. Public and industry consultation is required before a plan is made. Provision is made for the Commercial Fishing Advisory Council (“CFAC”) to form a Management Advisory Committee (“MAC”) for each fishery from shareholders.

A management plan will remain in force for at least 5 years unless otherwise provided in the management plan. The MAC for the fishery, and representatives of CFAC and RFAC as appropriate, will assist the Director in the conduct of any review.

A management plan will be made by regulation and, with certain exceptions, will prevail over other regulations and fishing closures. A plan may only be amended in circumstances set out in the management plan.

The Division enables a management plan to create offences for breaches of the plan. The plan may designate the offences that should make the person liable to forfeiture of shares.

Division 6—Fishing and other shareholding rights (clauses 66–75)

This Division sets out the fishing and other shareholding rights in a share management fishery after the final implementation of the fishery on the commencement of the management plan.

The Division limits the persons who may fish in the fishery to those shareholders (or their nominees) who have the required minimum shareholding fixed by the management plan. Different minimum shareholdings may be fixed for existing fishers and for new entrants.

The Division also provides the administrative mechanisms whereby endorsements can be placed on the fishing licences of shareholders (or their nominees) to allow them to fish in a share management fishery.

Provision is also made for the Minister to be able to issue special endorsements in a share managed fishery to enable fishing by others where a resource would otherwise be wasted (e.g. in a closed lake system where fish would otherwise die as a result of water shortage).

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Provision is made to enable shareholders to sell, mortgage or otherwise deal with their shares. Any such dealing is restricted during the period before the final stage of implementation of the fishery.

The maximum shareholding of any one person may be fixed in the management plan but, if none is fixed, then the maximum will be 15% of the shares. The maximum will not affect initial allocations of shares or their sale.

Shares are to be issued for 10 years from the date the management plan commences. Shares will be automatically renewed when a new plan is made.

The management plan may provide for shares to be forfeited for certain offences.

**Division 7—Management charges and community contributions
(clauses 76 and 77)**

This Division provides for management charges and community contributions to be set for share management fisheries.

The management charge is to meet the attributable cost of managing the fishery and a maximum can be set by the management plan. Charges will be payable annually and could be paid in instalments. Charges will be linked to the number of shares held in the fishery.

A community contribution charge is required to be paid once the management plan is published and is to be credited to the Consolidated Fund. The charge will be based on the number of shares held. The plan may provide exemptions from the charge where an entitlement to fish is not fully exercised. The Treasurer's agreement is required for any proposed community contribution charge.

**Division 8—Allocation of total allowable commercial catch among shareholders
(clauses 78–81)**

This Division provides for a TACC determined by the TAC Committee for a share management fishery to be divided among shareholders in a fishery in proportion to their shareholding.

Once an allocation has been made a shareholder may transfer the allocation to other shareholders in accordance with the management plan. The management plan may provide for the carry over of allocations and for borrowing from future allocations.

Provision is made for shareholders who take more fish than their allocation to pay into the Consolidated Fund the value of the fish, less an amount to cover the cost of capture if it was unintentional.

Division 9—Share Management Fisheries Appeal Panel (clauses 82–88)

This Division establishes a Share Management Fisheries Appeal Panel and sets out the procedures to be followed if fishers wish to appeal against their exclusion from a share management fishery or the number of provisional shares allocated to them.

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The Share Management Fisheries Appeal Panel is to consist of 3 members: an independent chairperson, the Director of NSW Fisheries (or a nominee) and a person appointed by the Minister on the nomination of CFAC (being a person with extensive practical experience in the fishing industry but with no financial interest in any commercial fishery the subject of an appeal).

The Division makes provision for the procedure on appeals. In particular, the Panel is not bound by strict rules of evidence or other formal court procedures.

Division 10—Share Management Fisheries Register (clauses 89–101)

This Division provides for a register of all shares to be established, sets out the procedures for maintaining the register and the procedure for dealing with shares by shareholders.

The Share Register must be made available for public inspection during office hours.

**PART 4—LICENSING AND OTHER COMMERCIAL FISHERIES
MANAGEMENT (clauses 102–127)**

This Part provides for the licensing of commercial fishers, fishing boats and crew; for restricted fisheries to be declared for experimental, developmental and other purposes; for the registration of fish receivers; for the keeping of fish records; and for appeals to the District Court.

The provisions are being carried forward from the existing Act with appropriate revision (including additional provisions for the purpose of monitoring the activities of commercial fishers and fish receivers).

Division 1—Commercial fishing licences (clauses 102–106)

This Division requires persons who take fish for sale to hold a commercial fishing licence.

Provision is made for the qualifications required to hold a licence. The regulations may make provision with respect to licences and for different classes of licences (e.g. master and trainee fishing licences).

Division 2—Commercial fishing boats (clauses 107–110)

This Division requires boats to be licensed if they are used to take fish for sale from NSW waters, or to land fish for sale in NSW that are caught in other waters. Crew of fishing boats are also required to be registered.

**Division 3—Exploratory, developmental and other restricted fisheries
(clauses 111–116)**

This Division enables the regulations to declare a restricted fishery for exploratory, developmental or other fishing. This would enable the numbers of operators in a fishery to be limited to provide for its orderly development. Minor fisheries such as aquarium fish collection could also be covered under such an arrangement

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Division 4—Fish receivers (clauses 117–120)

This Division requires all fish receivers to be registered unless they hold an authority under current fish marketing arrangements or only receive small quantities of fish in a year.

Fish receivers will be required to provide documents relating to fish received when requested by a fisheries officer.

Division 5—Fish records (clauses 121–124)

This Division continues existing arrangements for commercial fishers to keep records of all fish taken. The form of the records and the times for their completion will be set by regulation.

Division 6—Appeals to District Court (clauses 125–127)

This Division provides for appeals to be made to the District Court against a refusal to issue a fishing authority, against any conditions placed on a fishing authority, and against any suspension or cancellation of a fishing authority.

PART 5—CO-OPERATION WITH COMMONWEALTH AND OTHER STATES IN FISHERIES MANAGEMENT (clauses 128–141)

Part 5 provides for Joint Authorities for fisheries management with the Commonwealth, and for arrangements to be made with respect to certain fisheries. The provisions are brought forward from the existing Act and are consistent with the Commonwealth Act and other State Acts.

PART 6—AQUACULTURE MANAGEMENT (clauses 142–191)

Division 1—Preliminary (clauses 142 and 143)

This Division defines aquaculture to include the cultivation of fish or marine vegetation for sale or other commercial purposes. The definition also includes “fish-outs”, but not the display of fish in an aquarium—either for sale (for example in a pet shop) or for exhibition (for example a commercial aquarium).

The Division allows the Minister to develop Aquaculture Industry Development Plans (“ADP”). An ADP may outline the Minister’s plan for the future development of the aquaculture industry in a particular area (for example in an estuary or in ocean waters) or it may have State-wide application and relate to a particular species (for example silver perch or abalone). An ADP could, for example, identify areas suitable for a particular species or form of aquaculture or identify aquaculture techniques that are suitable for a particular area. The Minister must consult industry and the community before an ADP is gazetted.

Division 2—Aquaculture permits (clauses 144–162)

This Division provides that a person must not undertake aquaculture without a permit issued by the Minister (whether on an area leased by the Minister or on a privately-owned area). This extends the current permit system for fish to the oyster

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farming industry. The Division will allow operational conditions currently placed on oyster lease documents to be placed on the permit. Accordingly, there will be fewer grounds for cancellation of leases.

The Division also deals with the permit application process and the grounds on which the Minister may refuse a permit.

The Division specifies that conditions can be attached to an aquaculture permit and may be varied from time to time.

At present, a fish farm permit remains in force for 12 months. An aquaculture permit, however, may be issued for up to 15 years.

Applicants for permits will in future be required to submit a farm development plan describing their proposed aquaculture operations (e.g. describing any leases concerned, how each is to be used, cultivation techniques and proposed production levels).

Provision is included for permit holders to make payments towards the cost of administering or managing the aquaculture industry, and the costs of research. At present, oyster farm lessees pay a contribution to the Fisheries Research and Development Corporation as their contribution to Commonwealth funded research.

The Division allows the Minister to require a bond or some form of security to be lodged by a permit holder. This will provide security against non-compliance with the conditions on the permit such as not complying with noxious fish provisions or the requirement to keep the lease tidy.

Division 3—Leases of public water land for aquaculture (clauses 163–180)

Aquaculture leases may be granted over Crown Land, land vested in public authorities or land vested in the Minister. Leases may be granted on application or by public auction, tender or ballot.

The Minister may set a lease rental, and in specified circumstances may cancel a lease or exempt areas from leasing.

An aquaculture lease will authorise particular aquaculture activity. The lessee will be the only person who can carry out that activity (for example oyster farming) on the leased area. The proposed Act continues the existing provisions that leases under the fisheries legislation do not give exclusive possession of the leased area for all purposes.

A lease may be granted for a term of up to 15 years, as at present. However, the lessee will be able to renew the lease on an ongoing basis provided that the lessee has complied with the conditions of the lease and permit, and the Minister considers the area should continue to be available for leasing.

The proposed Act continues the existing provision that allows the Minister to withdraw parts of a lease to provide for a way of access for adjacent residents, or for public purposes, but requires compensation to be paid to the lessee.

Division 4—Diseased fish and marine vegetation (clauses 181–187)

This Division enables the regulations (or in the case of an emergency the Minister) to declare a disease in fish or marine vegetation to be subject to the prohibitions and quarantine provisions of this Division.

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After a disease has been declared the Minister may, by notice in the Gazette, declare that any waters are a quarantine area because of the presence of such a disease. The order may specify the nature of the quarantine, prohibit the taking of fish or marine vegetation from the quarantine area, or provide for their treatment if diseased.

If the quarantine area includes an aquaculture farm then the permit holder may be required to take the quarantine measures.

The sale of diseased fish, or deposit of diseased fish into any waters, is made an offence.

Division 5—Miscellaneous provisions (clauses 188–191)

This Division contains miscellaneous provisions relating to aquaculture, including the closing of areas to aquaculture operations because of the state of the area and the prohibition on taking oysters from public land except for personal consumption.

PART 7—PROTECTION OF AQUATIC HABITATS (clauses 192–220)

This Part contains provisions aimed at protecting and enhancing the habitat of fish.

Division 1—Habitat protection plans (clauses 192 and 193)

This Division allows the Minister to prepare plans for the protection of any critical habitat of fish. The Minister is to have regard to any such plan in the exercise of the Minister's functions under this Part. Where relevant, public authorities are also required to have regard to the plans.

Division 2—Aquatic reserves (clauses 194–197)

This Division enables the Minister to declare a specified area to be an aquatic reserve for the purpose of enhancing the protection of fish and fish habitat in the area concerned. Consent of the owner of the land concerned or any appropriate authority is required before such a declaration can be made. Either House of Parliament may disallow any proposed revocation or amendment of an aquatic reserve. Regulations may be made which prohibit the taking of fish from an aquatic reserve or which provide for the management, protection, development or use of an aquatic reserve.

Division 3—Dredging and reclamation (clauses 198–203)

This Division continues existing provisions relating to dredging or reclamation works. In particular, it specifies the circumstances in which a permit from the Minister is required before dredging or reclamation work is carried out in any waters. In the case of public authorities, the existing requirement to notify the Minister has been extended so as to require consultation with the Minister.

Division 4—Protection of mangroves and certain other marine vegetation (clauses 204 and 205)

A person is required to obtain a permit before cutting, removing, damaging or destroying mangroves or any other prescribed marine vegetation which is on public water land, an aquaculture lease or the foreshore of such land or lease.

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**Division 5—Protection of spawning of salmon, trout and certain other fish
(clauses 206–208)**

This Division makes it an offence to interfere with the spawning of certain fish or certain fish spawning areas.

Division 6—Noxious fish (clauses 209–214)

Specified fish may be declared to be noxious fish by regulation or, in an urgent case, by order of the Minister. This Division makes it an offence to be in possession of, or sell, live noxious fish, without the authority of a permit. This Division also contains provisions relating to the seizure and destruction of noxious fish by fisheries officers.

Division 7—Release or importation of fish (clauses 215–217)

This Division makes it an offence to release live fish into certain waters, or to import, sell, buy or be in possession of live fish of a species not taken from New South Wales waters, except under the authority of a permit.

Division 8—Miscellaneous provisions (clauses 218–220)

This Division continues existing provisions aimed at ensuring the free passage of fish. It also provides for the issue of permits under this Part.

PART 8—ADMINISTRATION (clauses 221–239)

Division 1—The Minister and Director (clauses 221–228)

This Division declares that the Minister and the Director are to give effect to the objectives of the proposed Act.

It also establishes a Ministerial Corporation under which the Minister can acquire land, carry out research and accept gifts. The Division contains provisions dealing with those matters.

The Division also enables the Minister and the Director to delegate their functions under the proposed Act.

**Division 2—NSW Commercial Fishing Advisory Council and CFAC Regional
Advisory Committees (clauses 229–237)**

This Division continues (with some modification) the provisions of the existing Act relating to the constitution of the Council, its membership, and its functions and powers, including its power to collect funds (from licensed commercial fishers, shareholders in share management fisheries and registered crew) and disburse them. It also sets out the membership and functions of the Regional Advisory Committees.

**Division 3—NSW Recreational Fishing Advisory Council
(clauses 238 and 239)**

This Division continues the provisions of the existing Act for the establishment, membership and functions of the Council.

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PART 9—ENFORCEMENT (clauses 240–281)

Part 9 provides for the appointment of fisheries officers, their powers and other matters relating to enforcement of the proposed Act and the regulations. Many of the provisions are carried forward from the existing Act.

Division 1—Preliminary (clauses 240–242)

This Division contains definitions and interpretation provisions.

Division 2—Appointment of fisheries officers (clauses 243–247)

Fisheries officers are to be appointed by the Minister. Police officers are taken to be fisheries officers.

Division 3—Powers of entry, search etc. of fisheries officers (clauses 248–263)

The powers of a fisheries officer include power to board and search boats for fish, fishing gear or fishing records and the power to enter and search vehicles or premises for anything the officer has reason to believe is connected with a fisheries offence (an offence under the proposed Act or regulations). However, a fisheries officer is not entitled to enter residential premises for such purposes except with the consent of the occupier or under the authority of a search warrant.

Other powers of fisheries officers include the power to arrest, the power to require a person to produce fishing records or a fishing licence or permit, and the power to pursue a boat beyond coastal waters.

Division 4—Seizure (clauses 264–275)

A fisheries officer may seize anything the officer finds in a search which the officer has reason to believe is connected with a fisheries offence. A boat may only be seized if the officer has reason to believe it has been used by a person engaged in commercial fishing activities for the purpose of committing an offence which, under the regulations, is an offence which makes the boat liable to forfeiture. Fishing gear or any other thing may be seized if it is used by or in possession of a person, or in or near any waters, contrary to the proposed Act or the regulations. Fish may be seized if the officer has reason to believe the fish have been taken, sold or are in the possession of a person contrary to the proposed Act or the regulations.

If a person is convicted of the offence in respect of which an item was seized, the item is automatically forfeited to the State. The item can also be forfeited in certain other circumstances (e.g. if the person elects not to have the matter dealt with by a court by paying the amount required under a penalty notice). However, a court may order that the seized item be returned to the owner. A seized boat can only be forfeited by order of a court.

Seized items which are perishable may be sold and the proceeds of sale held pending the outcome of any proceedings for the forfeiture of the items.

The Minister may return a seized item to a person who disputes its seizure. In addition, if no proceedings are taken in respect of the offence in connection with which the item was seized and the owner disputes the seizure, a fisheries officer must bring

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proceedings before a Local Court to determine whether or not the item should be forfeited. However, in the case of a seized boat, the boat must be returned to the owner if no proceedings are taken within 28 days after its seizure.

Division 5—Criminal proceedings (clauses 276–281)

This Division allows prescribed offences to be dealt with by the issue of a penalty notice (rather than by having the matter dealt with by a court). Court proceedings for an offence are to be dealt with summarily. The limitation period for proceedings for offences is 2 years after the date alleged to be the date on which the offence was committed.

A director of a corporation or person concerned in the management of the corporation is taken to be liable for a contravention of the proposed Act or regulations by the corporation if the person authorised or permitted the contravention concerned. This does not affect the liability of the corporation for the contravention.

The Division also allows certificate evidence of certain matters to be given in proceedings for an offence and requires the accused person to prove any lawful or reasonable excuse for any such offence.

PART 10—MISCELLANEOUS (clauses 282–288)

This Part contains a number of miscellaneous provisions, including provisions that declare that the proposed Act binds the Crown and that the proposed Act must be reviewed after 5 years.

SCHEDULES

The Schedules to the proposed Act deal with the following matters:

- 1—Share Management Fisheries
- 2—TAC Committee
- 3—Share Management Fisheries Appeal Panel
- 4—CFAC
- 5—CFAC Regional Advisory Committees
- 6—Recreational Fishing Advisory Council
- 7—Savings, Transitional and other Provisions
- 8—Amendment of other Acts.

Schedule 1 does not yet contain the description of any fishery since they will be added in accordance with the procedure set out in Part 3.

Schedule 8 contains amendments to the existing Act, the Fisheries and Oyster Farms Act 1935. The amendments omit the provisions of that Act other than those provisions that relate to fish marketing and acclimatisation societies.
