

Fisheries Management (Continuation of Activities in Lowland Darling River Catchment) Interim Order 2005 Number 1 (2005 SI 3)

[2005-3]



New South Wales

Status Information

Currency of version

Repealed version for 7 January 2005 to 30 June 2008 (accessed 16 August 2024 at 22:15)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Note**
The Order has ceased to have effect — see clause 2 (b).
- **Note**
The Order was repealed by Sch 4 to the *Statute Law (Miscellaneous Provisions) Act 2008 No 62* with effect from 1.7.2008.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 1 July 2008

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New South Wales

I, Ian Macdonald, Minister for Primary Industries, in pursuance of section 221IG of the *Fisheries Management Act 1994*, make the following interim Order.

Dated, this 4th day of January 2005.

IAN MACDONALD, M.L.C., Minister for Primary Industries

1 Name of interim Order

This interim Order is the *Fisheries Management (Continuation of Activities in Lowland Darling River Catchment) Interim Order 2005 Number 1*.

2 Commencement and duration

This interim Order:

- (a) takes effect on 4 January 2005 and
- (b) ceases to have effect 6 months after that day.

Editorial note—

The Order appointed 4.1.2005 as the date of its commencement. However, section 221IG of the *Fisheries Management Act 1994* provides that such an order is made by publication in the Gazette. Accordingly, as the Order cannot have effect before its publication in the Gazette, the Order commenced on 7.1.2005 (the day on which it was so published) instead of from the earlier day.

3 Continuation of existing activities

- (1) The activities referred to in subclauses (2) and (3) may continue in the Lowland Darling River Catchment subject to compliance with any applicable fishing regulatory controls.
- (2) A recreational fisher may take from the Lowland Darling River Catchment any of the following species of fish, may possess any such species of fish taken from the Lowland

Darling River Catchment, or may carry out any routine activity in connection with any such taking or possession:

- (a) *Paratya australiensis* (freshwater shrimp),
- (b) *Macrobrachium australiense* (freshwater prawn),
- (c) *Caridina mccullochi* (freshwater shrimp),
- (d) *Cherax destructor* (yabby),
- (e) *Tandanus tandanus* (freshwater catfish),
- (f) *Gadopsis marmoratus* (river blackfish),
- (g) *Maccullochella peelii peelii* (Murray cod),
- (h) *Macquaria ambigua* (golden perch),
- (i) *Bidyanus bidyanus* (silver perch),
- (j) *Nematalosa erebi* (bony bream),
- (k) *Lelopotherapon unicolor* (spangled perch).

(3) A person holding a commercial fishing licence that has a Class A: Yabby and carp endorsement (transferable) in the inland restricted fishery may:

- (a) take *Cherax destructor* (yabby) from the Lowland Darling River Catchment, or
- (b) possess or sell yabby taken from the Lowland Darling River Catchment, or
- (c) carry out any routine activities in connection with any such taking, possession or sale.

(4) In this clause:

applicable fishing regulatory controls means requirements imposed by or under the [Fisheries Management Act 1994](#) that apply to or in respect of the activities concerned.

inland restricted fishery has the same meaning as in the [Fisheries Management \(General\) Regulation 2002](#).

Lowland Darling River Catchment means the aquatic ecological community in the natural drainage system of the lowland catchment of the Darling River (described in the recommendation of the Fisheries Scientific Committee to list that aquatic ecological community, as the area covered by that recommendation).