



# **Fisheries Management (Heard Island and McDonald Islands Fishery) Regulations 2002**

**Statutory Rules 2002 No. 115<sup>1</sup>**

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I, PETER JOHN HOLLINGWORTH, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Fisheries Management Act 1991*.

Dated 6 June 2002

PETER HOLLINGWORTH  
Governor-General

By His Excellency's Command

IAN MACDONALD  
Minister for Forestry and Conservation

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### 1 Name of Regulations

These Regulations are the *Fisheries Management (Heard Island and McDonald Islands Fishery) Regulations 2002*.

### 2 Commencement

These Regulations commence on gazettal.

### 3 Interpretation

(1) In these Regulations:

*Act* means the *Fisheries Management Act 1991*.

*Management Plan* means the *Heard Island and McDonald Islands Fishery Management Plan 2002*.

(2) An expression used in these Regulations and in the Management Plan has the same meaning in these Regulations as it has in the Management Plan.

*Note* The following terms are defined in section 3 of the Management Plan:

- fishery
- holder
- nominated boat
- owner
- statutory fishing right.

**4 Details to be included in Register**

- (1) AFMA must enter in the Register the following details for each statutory fishing right granted for the fishery:
  - (a) the name of the owner of the right;
  - (b) the owner's ABN;
  - (c) the number of statutory fishing rights the owner owns;
  - (d) the total weight, in kilograms, of fish that may be taken under those statutory fishing rights;
  - (e) the owner's postal address, e-mail address, and telephone and fax numbers;
  - (f) if the holder of the statutory fishing right is not the owner of the right:
    - (i) the name of the holder; and
    - (ii) if the holder of the statutory fishing right is a company — the holder's Australian Company Number; and
    - (iii) the number of statutory fishing rights the holder holds; and
    - (iv) the total weight, in kilograms, of fish that may be taken under those statutory fishing rights; and
    - (v) the holder's postal address, e-mail address, and telephone and fax numbers.

*Note* Sections 45 and 46 of the Act set out other information that AFMA must include in the Register in relation to a statutory fishing right.

- (2) AFMA may alter the Register to take into account a change in a detail mentioned in subregulation (1).
- (3) For paragraph (1) (e) and subparagraph (1) (f) (v), an owner or holder's postal address, e-mail address, and telephone and fax numbers are taken to be the addresses and numbers most recently notified to AFMA by the owner or holder.

**5 Nomination of a boat**

For section 24 of the Management Plan, the details that AFMA must include in the entry in the Register for a nominated boat are:

- (a) the name of the boat; and
- (b) if the boat is registered under a law of the Commonwealth or a State or Territory — the identification code.

**6 Cancellation of nomination of a boat**

- (1) The holder of a statutory fishing right for the fishery may apply in the approved form to AFMA to cancel an entry in the Register of a nominated boat in respect of the fishing right.
- (2) On receiving an application, AFMA must cancel the entry.

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**Note**

- 1. Notified in the *Commonwealth of Australia Gazette* on 14 June 2002.