



Queensland

*Fisheries Act 1994*

# **Fisheries (Gladstone Harbour and Surrounding Waters) Emergency Disease and Quarantine Declaration 2011**

Reprinted as in force on 16 September 2011

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**Reprint No. 0A**

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# Information about this reprint

This declaration is reprinted as at 16 September 2011.

This page is specific to this reprint. A table of reprints is included in the endnotes.

**Also see endnotes for information about when provisions commenced.**

## Spelling

The spelling of certain words or phrases may be inconsistent in this reprint or with other reprints because of changes made in various editions of the Macquarie Dictionary (for example, in the dictionary, 'lodgement' has replaced 'lodgment'). Variations of spelling will be updated in the next authorised reprint.

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Queensland

# Fisheries (Gladstone Harbour and Surrounding Waters) Emergency Disease and Quarantine Declaration 2011

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# Fisheries (Gladstone Harbour and Surrounding Waters) Emergency Disease and Quarantine Declaration 2011

[reprinted as in force on 16 September 2011]

## 1 Short title

This declaration may be cited as the *Fisheries (Gladstone Harbour and Surrounding Waters) Emergency Disease and Quarantine Declaration 2011*.

*Note—*

Under section 96(5) of the Act, the declaration expires 3 months after it is gazetted, unless it is sooner repealed.

## 2 Definitions

In this declaration—

***approved person*** means a person approved by the chief executive.

***declared quarantine area*** see section 5.

***land***, a fish, includes—

- (a) land the fish from a boat or in another way; and
- (b) bring the fish ashore; and
- (c) tranship the fish.

***potentially affected fish*** means fish that are, or may be or become, affected by the relevant declared disease.

***relevant declared disease*** means a disease in fish evidenced by relevant symptoms that have been noticed in particular fish in the declared quarantine area.

***relevant symptoms*** includes blindness, blisters, bulging, cloudy or red eyes, rashes and open lesions.

### **3 Emergency disease and quarantine declaration and nature of emergency**

- (1) This declaration is an emergency disease and quarantine declaration under section 96(1) of the Act.
- (2) The nature of the emergency is that urgent action is needed to meet—
  - (a) a significant threat to fisheries resources because of the presence or suspected presence of the relevant declared disease; and
  - (b) a significant threat of illness to—
    - (i) persons taking potentially affected fish; and  
*Example—*  
a person sustaining an abrasion from contact with potentially affected fish and the abrasion becoming infected
    - (ii) persons eating potentially affected fish.

### **4 Disease declaration**

For section 96(1) of the Act, the relevant declared disease is declared as a disease.

### **5 Declared quarantine area**

For section 96(1) of the Act, the following area (the *declared quarantine area*) is declared as a quarantine area—

- (a) the area bounded by a line—
  - from Division Point on Curtis Island to the northernmost point on the southern bank of Deception Creek at the northern end of The Narrows
  - then south along the shore to Richards Point on Rodds Peninsula
  - then directly to North Point Facing Island

- then directly to the northern end of South End jetty on Curtis Island
  - then along the southern and western foreshores of Curtis Island to Division Point;
- (b) all waterways subject to tidal influence flowing into the area mentioned in paragraph (a).

## **6 Nature of quarantine**

The quarantine is to manage and control the relevant declared disease by restricting—

- (a) the taking of fish in the declared quarantine area; and
- (b) the possession of fish taken in the declared quarantine area; and
- (c) the landing of live fish in the declared quarantine area; and
- (d) the use of fishing apparatus in the declared quarantine area.

## **7 Restriction on taking or possessing fish**

- (1) A person, other than an approved person, must not—
- (a) take fish in the declared quarantine area; or
  - (b) possess fish taken in the declared quarantine area; or
  - (c) land live fish, wherever taken, in the declared quarantine area.
- (2) However, subsection (1) does not apply to a person—
- (a) taking a shark under a shark control program in the declared quarantine area; or
  - (b) possessing a shark that has been taken under a shark control program in the declared quarantine area; or
  - (c) landing a live crab in the declared quarantine area, if the crab has been taken outside the area.

## **8 Restriction on using fishing apparatus**

- (1) A person, other than an approved person, must not use fishing apparatus in the declared quarantine area.
- (2) However, subsection (1) does not apply to a person using fishing apparatus to take a shark under a shark control program in the declared quarantine area.

## Endnotes

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### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). However, no amendments have commenced operation on or before that day. Future amendments of the Fisheries (Gladstone Harbour and Surrounding Waters) Emergency Disease and Quarantine Declaration 2011 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

### 3 Key

#### Key to abbreviations in list of legislation and annotations

| Key    | Explanation                    | Key     | Explanation                             |
|--------|--------------------------------|---------|---|
| AIA    | = Acts Interpretation Act 1954 | (prev)  | = previously                            |
| amd    | = amended                      | proc    | = proclamation                          |
| amdt   | = amendment                    | prov    | = provision                             |
| ch     | = chapter                      | pt      | = part                                  |
| def    | = definition                   | pubd    | = published                             |
| div    | = division                     | R[X]    | = Reprint No. [X]                       |
| exp    | = expires/expired              | RA      | = Reprints Act 1992                     |
| gaz    | = gazette                      | reloc   | = relocated                             |
| hdg    | = heading                      | renum   | = renumbered                            |
| ins    | = inserted                     | rep     | = repealed                              |
| lap    | = lapsed                       | (retro) | = retrospectively                       |
| notfd  | = notified                     | rv      | = revised edition                       |
| num    | = numbered                     | s       | = section                               |
| o in c | = order in council             | sch     | = schedule                              |
| om     | = omitted                      | sdiv    | = subdivision                           |
| orig   | = original                     | SIA     | = Statutory Instruments Act 1992        |
| p      | = page                         | SIR     | = Statutory Instruments Regulation 2002 |
| para   | = paragraph                    | SL      | = subordinate legislation               |
| prec   | = preceding                    | sub     | = substituted                           |
| pres   | = present                      | unnum   | = unnumbered                            |
| prev   | = previous                     |         |   |

## 4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

| Reprint No. | Amendments included | Effective         | Notes |
|-------------|---------------------|-------------------|-------|
| 0A          | none                | 16 September 2011 |       |

## 5 List of legislation

### **Fisheries (Gladstone Harbour and Surrounding Waters) Emergency Disease and Quarantine Declaration 2011 SL No. 184**

made by the chief executive 16 September 2011

notfd gaz 16 September 2011 pp 143–4

commenced on date of notification

exp 16 December 2011 (see 1994 No. 37 s 96(5))

Notes—(1) The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

(2) An explanatory note was prepared.