

Fisheries (Shellfish) Rules 2007

I make the following rules under the Living Marine Resources Management Act 1995.

15 March 2007

D. E. LLEWELLYN

Minister for Primary Industries and Water

PART 1 - Preliminary

1. Short title

These rules may be cited as the Fisheries (Shellfish) Rules 2007.

2. Commencement

These rules take effect on 22 March 2007.

3. Interpretation

In these rules, unless the contrary intention appears –

"**abalone**" means fish of the genus *Haliotis*;

"**Act**" means the Living Marine Resources Management Act 1995;

"**Ansons Bay**" means the State waters enclosed west of an imaginary straight line extending from the southern tip of Abottsbery Point to Police Point in the north-east of the State;

"**Ansons Bay Cockle Zone**" means that part of Ansons Bay enclosed within the boundary formed by drawing four straight imaginary lines to connect the following points in the following order:

(a) intersection of line of latitude 41°03.3322' South with line of longitude 148°16.5213' East;

(b) intersection of line of latitude 41°02.7612' South with line of longitude 148°17.0236 East;

(c) intersection of line of latitude 41°03.5185' South with line of longitude 148°17.4792' East;

(d) intersection of line of latitude 41°03.7879' South with line of longitude 148°17.2873' East;

(e) intersection of line of latitude 41°03.3322' South with line of longitude 148°16.5213' East;

"**assistant**" means a person who assists the holder of a fishing licence in fishing under the licence;

"**clam**" means –

(a) venerupis clam and other molluscan bivalve of the family *Veneridae* (except those of the genus *Katelysia*); and

(b) molluscan bivalve of the family *Pinnidae* (commonly known as razor clam);

"**cockle**" means –

(a) *katelaysia* cockle; and

(b) molluscan bivalve of the family *Glycymeridae* (commonly known as dog cockle); and

(c) molluscan bivalve of the family *Cardiidae*;

"fish cauf" means fishing apparatus used for holding fish in State waters;

"fishing licence (class shellfish)" means a fishing licence of a kind referred to in rule 6(a);

"fishing licence (commercial dive)" has the same meaning as in the *Fisheries (Commercial Dive) Rules 2005*;

"Georges Bay" means the State waters enclosed west of an imaginary straight line extending from the tip of Grants Point to the tip of St Helens Point in the north-east of the State;

"Georges Bay North Clam Zone" means that part of Georges Bay north of line of latitude 41°18.4797' South;

"Georges Bay South Clam Zone" means that part of Georges Bay south of line of latitude 41°18.4797' South;

"Grade 1 penalty" means the penalty specified in regulation 5 of the *Fisheries Penalties Regulations 2001*;

"Grade 2 penalty" means the penalty specified in regulation 6 of the *Fisheries Penalties Regulations 2001*;

"Grade 3 penalty" means the penalty specified in regulation 7 of the *Fisheries Penalties Regulations 2001*;

"holder of a licence" includes, except in rule 17, a person who has approval to use the licence under section 87 of the Act;

"katelaysia cockle" means molluscan bivalve of the genus *Katelaysia*;

"land" means to bring shellfish ashore or in contact with a pier, jetty or other artificial extension of land;

"landing area" means the area on the landward side of the high-water mark within a 50-metre radius of the point of landing;

"licensing year" means the period beginning on 1 September each year and ending at midnight on 31 August the following year;

"mussel" means molluscan bivalve of the family *Mytilidae*;

"native oyster" means molluscan bivalve of the species *Ostrea angasi*;

"Pacific oyster" means molluscan bivalve of the species *Crassostrea gigas*;

"periwinkle" means molluscan gastropod of the genus *Turbo*;

"pipi" means molluscan bivalve of the family *Donacidae*;

"quota period" – see rule 7;

"shellfish" means clams, cockles, pipis, mussels, oysters and other fish of the class *Bivalva* and *Gastropoda* other than –

(a) abalone; and

(b) scallops; and

(c) fish referred to in regulation 14 of the *Fisheries (General and Fees) Regulations 2006*; and

(d) fish that are marine farmed;

"shellfish disposal receipt" means a receipt, in an approved form, that –

(a) relates to the sale or transfer of shellfish; and

(b) is part of the records required to be kept under the Act;

"shellfish docket" means a docket, in an approved form, that –

(a) relates to the taking of shellfish; and

(b) is part of the records required to be kept under the Act;

"shellfish docket number" means the serial number printed on a shellfish docket;

"shellfish fishery" means the taking or possession of shellfish in State waters by any person;

"venerupis clam" means molluscan bivalve of the genus *Venerupis*;

"wedge shell" means molluscan bivalve of the family *Mesodesmatidae*;

"whelk" means molluscan gastropod of the family *Buccinidae* or *Fasciolaridae*;

"whole weight" means the weight of a fish, including the shell, before it is dismembered, dried or otherwise processed.

4. Application of rules

(1) These rules apply to the shellfish fishery.

(2) However, these rules do not apply to the taking of whelks or periwinkles for commercial purposes.

5. Duration of rules

These rules continue in force for 10 years.

6. Classes of fishing licence

For the purpose of these rules, a fishing licence is one of the following classes:

(a) class shellfish –

(i) fishing licence (clam – Georges Bay North); or

(ii) fishing licence (clam – Georges Bay South); or

(iii) fishing licence (cockle – Ansons Bay); or

(iv) fishing licence (native oyster – Georges Bay); or

(v) fishing licence (Pacific oyster);

(b) class vessel, fishing licence (vessel).

PART 2 - General Management of Fishery

7. Total allowable catch

(1) The quota period for the shellfish fishery is –

(a) for the initial quota period, the period beginning on 1 April 2007 and ending at midnight on 31 August 2007; and

(b) for subsequent quota periods, the period beginning on 1 September each year and ending at midnight on 31 August the following year.

(2) The Minister is to determine the total allowable catch for the shellfish fishery, or part of the shellfish fishery, by reference to whole weight or number of shellfish.

(3) The total allowable catch for a quota period is to be allocated equally amongst the licences issued for the quota period for the shellfish fishery, or that part of the shellfish fishery to which the determination relates.

(4) The Secretary is to endorse each licence in respect of which an allocation has been made under subrule (3) with the quantity of shellfish (in whole weight or number of shellfish, as applicable) allocated to that licence.

8. Shellfish quota balance not to be exceeded

(1) The holder of a fishing licence (class shellfish) must not, for commercial purposes, take, or in State waters be in possession of, a quantity of shellfish that exceeds the shellfish quota balance for the licence.

Penalty:

Grade 3 penalty.

(2) In this rule–

"shellfish quota balance" means the quantity of shellfish allocated to a licence for a quota period, less the quantity of shellfish taken and retained under that licence in that quota period.

9. Closed and open seasons for shellfish fishery

(1) The Minister, by public notice, may determine –

(a) the dates of the closed season for all or part of the shellfish fishery; and

(b) the dates of the open season for all or part of the shellfish fishery.

(2) A person must not take shellfish from State waters that are closed to the shellfish fishery for that kind of shellfish.

Penalty:

Grade 3 penalty.

(3) A person must not be in possession of shellfish in State waters that are closed to the shellfish fishery for that kind of shellfish.

Penalty:

Grade 3 penalty.

10. Minimum size limits for katelaysia cockles and venerupis clams

(1) The holder of a fishing licence that authorises the taking of katelaysia cockles must not be in possession of more than 100 undersize katelaysia cockles.

Penalty:

Grade 3 penalty.

(2) The holder of a fishing licence that authorises the taking of venerupis clams must not be in possession of more than 100 undersize venerupis clams.

Penalty:

Grade 3 penalty.

(3) In this rule –

"undersize katelaysia cockle" means a katelaysia cockle measuring, at its widest part, less than –

(a) 32 millimetres; or

(b) if the Minister by public notice determines that a measurement other than 32 millimetres applies for the purpose of this rule, that other measurement;

"undersize venerupis clam" means a venerupis clam measuring, at its widest part, less than –

(a) 40 millimetres; or

(b) if the Minister by public notice determines that a measurement other than 40 millimetres applies for the purpose of this rule, that other measurement.

11. Size limits for other shellfish

(1) This rule applies to shellfish other than katelaysia cockles and venerupis clams.

(2) The Minister, by public notice, may determine for a kind of shellfish –

(a) a minimum size limit and the number of shellfish smaller than that minimum size limit (in this rule referred to as "undersize shellfish") allowed to be taken or possessed; or

(b) a maximum size limit and the number of shellfish greater than that maximum size limit (in this rule referred to as "oversize shellfish") allowed to be taken or possessed.

(3) If a determination is in place under subrule (2)(a) for a kind of shellfish, a person must not take or be in possession of more undersize shellfish than the determination allows.

Penalty:

Grade 3 penalty.

(4) If a determination is in place under subrule (2)(b) for a kind of shellfish, a person must not take or be in possession of more oversize shellfish than the determination allows.

Penalty:

Grade 3 penalty.

12. Permitted method for taking shellfish

(1) The holder of a fishing licence (class shellfish) must not use an apparatus of any kind to take shellfish unless the licence is endorsed for the use of that apparatus.

Penalty:

Grade 2 penalty.

(2) However, a person authorised to take Pacific oysters may do so using a hand tool.

13. Taking shellfish for recreational fishing

(1) Unless otherwise authorised, a person must not, in any one day, take from State waters more than –

(a) 200 wedge shells; or

(b) 100 mussels; or

(c) 100 periwinkles; or

(d) 50 native oysters; or

(e) 20 shellfish comprised of any other species of shellfish; or

(f) a combination of 100 clams, cockles, pipis and other molluscan bivalves of the order *Veneroida* excluding wedge shells.

Penalty:

Grade 2 penalty.

(2) Subrule (1)(e) does not authorise the taking of a fish referred to in regulation 14 of the Fisheries (General and Fees) Regulations 2006.

(3) Subrule (1)(a) and (e) do not apply to an Aborigine who is engaged in an Aboriginal cultural activity.

(4) There is no limit on the number of Pacific oysters that may be taken by a person engaged in recreational fishing.

PART 3 - Licences

14. Authority of licences

(1) A fishing licence (clam – Georges Bay North) only authorises the holder to take and possess venerupis clams for commercial purposes from the Georges Bay North Clam Zone.

(2) A fishing licence (clam – Georges Bay South) only authorises the holder to take and possess venerupis clams for commercial purposes from the Georges Bay South Clam Zone.

(3) A fishing licence (cockle – Ansons Bay) only authorises the holder to take and possess katelysia cockles for commercial purposes from the Ansons Bay Cockle Zone.

(4) A fishing licence (native oyster – Georges Bay) only authorises the holder to take and possess native oysters for commercial purposes from Georges Bay.

(5) A fishing licence (Pacific oyster) only authorises the holder to take and possess Pacific oysters for commercial purposes from the State waters specified by an endorsement on that licence.

15. Limit on number of fishing licences (class shellfish)

(1) The Minister is to ensure that no more than –

(a) two fishing licences (clam – Georges Bay North); and

(b) one fishing licence (clam – Georges Bay South); and

(c) three fishing licences (cockle – Ansons Bay); and

(d) two fishing licences (native oyster – Georges Bay) –

are in force at any one time.

(2) There is no restriction on the number of fishing licences (Pacific oyster) that may be issued.

16. Restriction on number of assistants

(1) The holder of a fishing licence (class shellfish) must not, at any time, allow more than two assistants to participate in fishing under that licence.

Penalty:

Grade 3 penalty.

(2) However, there is no restriction on the number of assistants that may participate in fishing under a fishing licence (Pacific oyster).

(3) The holder of a fishing licence (class shellfish) must not allow an assistant to participate in fishing under the licence unless the holder of the licence is supervising the assistant.

Penalty:

Grade 3 penalty.

17. Restriction on use of licences by other persons

(1) The holder of a fishing licence (class shellfish) may only apply for approval under section 87 of the Act if the application is to allow no more than one other person to use the licence.

(2) If the holder of a fishing licence (class shellfish) obtains approval under section 87 of the Act for another person to use the licence for any period, the holder of the licence must not use the licence at any time during that period.

Penalty:

Grade 3 penalty.

18. Restriction on granting subsequent licences

(1) This rule applies if a person holding a fishing licence (class shellfish) –

(a) allows the licence to expire; and

(b) does not, within 12 months after the date of the expiry, apply under section 77 of the Act for the grant of a further licence of the same kind.

(2) The person is not eligible to be granted a further fishing licence (class shellfish) of the same kind as the expired licence.

19. Condition of licence to conduct research if required

It is a condition of a fishing licence (class shellfish) that the holder of the licence must, in each licensing year, if the Secretary by notice in writing so requires, conduct research in accordance with the terms of the notice, for up to two days in a licensing year.

20. Fishing licence (Pacific oyster) not transferable

A fishing licence (Pacific oyster) is not transferable.

PART 4 - Controls and Offences

21. Taking or possessing shellfish for commercial purposes

A person must not, for commercial purposes, take or have possession of shellfish unless –

(a) the person is the holder of a fishing licence (class shellfish); or

(b) the shellfish are taken or possessed in accordance with a marine farming licence; or

(c) the taking or possession is otherwise authorised under the Act.

Penalty:

Grade 3 penalty.

22. Taking clams for commercial purposes from Georges Bay North Clam Zone

A person must not take clams for commercial purposes from the Georges Bay North Clam Zone unless the person is –

- (a) the holder of a fishing licence (clam – Georges Bay North); or
- (b) an assistant of the holder of such a licence.

Penalty:

Grade 3 penalty.

23. Taking clams for commercial purposes from Georges Bay South Clam Zone

A person must not take clams for commercial purposes from the Georges Bay South Clam Zone unless the person is –

- (a) the holder of a fishing licence (clam – Georges Bay South); or
- (b) an assistant of the holder of such a licence.

Penalty:

Grade 3 penalty.

24. Taking cockles for commercial purposes from Ansons Bay

A person must not take cockles for commercial purposes from the Ansons Bay Cockle Zone unless the person is –

- (a) the holder of a fishing licence (cockle – Ansons Bay); or
- (b) an assistant of the holder of such a licence.

Penalty:

Grade 3 penalty.

25. Taking native oysters for commercial purposes from Georges Bay

A person must not take native oysters for commercial purposes from Georges Bay unless the person is –

- (a) the holder of a fishing licence (native oyster – Georges Bay); or
- (b) an assistant of the holder of such a licence.

Penalty:

Grade 3 penalty.

26. Taking Pacific oysters for commercial purposes

A person must not take Pacific oysters for commercial purposes unless the person is –

- (a) the holder of a fishing licence (Pacific oyster); or
- (b) an assistant of the holder of such a licence.

Penalty:

Grade 3 penalty.

27. Taking shellfish by diving for commercial purposes

A person must not take shellfish for commercial purposes by diving or swimming beneath the surface of State waters unless the person is the holder of a fishing licence (commercial dive).

Penalty:

Grade 3 penalty.

28. Certain vessels not to be used for taking shellfish

(1) The holder of a fishing licence (class shellfish) must not take shellfish using a vessel that is not specified in a fishing licence (vessel).

Penalty:

Grade 3 penalty.

(2) However, the holder of a fishing licence (class shellfish) may use a punt to carry shellfish taken while fishing under that licence if –

- (a) the licence is so endorsed; and
- (b) there are no compressors, scuba tanks or other kinds of compressed air diving equipment on board the punt.

Penalty:

Grade 3 penalty.

(3) In this rule –

"punt" means a non-mechanically powered vessel that is less than 2.5 metres long.

29. Offence to engage in recreational fishing while fishing under commercial licence

A person must not, while fishing under the authority of a fishing licence (class shellfish), engage in any kind of recreational fishing.

Penalty:

Grade 2 penalty.

30. All shellfish to be landed

(1) The holder of a fishing licence (class shellfish) must land all shellfish taken under the licence.

Penalty:

Grade 2 penalty.

(2) For the purpose of subrule (1), shellfish are deemed not to be taken if they are immediately returned to the water and released after being caught.

PART 5 - Dockets and Returns

31. Shellfish docket

(1) The holder of a fishing licence (class shellfish) other than a fishing licence (Pacific oyster) must complete the information relating to the taking of shellfish in a shellfish docket –

(a) before the end of the day on which the shellfish are landed; and

(b) before any of the shellfish leave the landing area; and

(c) before any of the shellfish are moved inside a tent or other temporary structure, or inside a building or vehicle.

Penalty:

Grade 3 penalty.

(2) The holder of a fishing licence (Pacific oyster) must complete the information relating to the taking of shellfish in a shellfish docket before the end of the day on which the shellfish are landed.

Penalty:

Grade 3 penalty.

32. Completed shellfish docket – obligation of licensee

The holder of a fishing licence (class shellfish) must –

(a) ensure that the original of a completed shellfish docket is received by the Secretary within 48 hours after the shellfish to which the docket relates are landed; and

(b) keep a copy of a completed shellfish docket in good condition for at least 5 years.

Penalty:

Grade 2 penalty.

33. Shellfish disposal receipt

(1) The holder of a fishing licence (class shellfish) who sells or transfers shellfish must –

(a) complete a shellfish disposal receipt, in the approved manner, for each kind of shellfish sold or transferred; and

(b) ensure that the purchaser or transferee, on taking possession of those shellfish, immediately signs the completed shellfish disposal receipt.

Penalty:

Grade 3 penalty.

(2) The holder of a fishing licence (class shellfish) who sells or transfers shellfish must –

(a) ensure that the original of the completed shellfish disposal receipt is received by the Secretary within 48 hours of selling or transferring the shellfish; and

(b) keep a copy of the completed shellfish disposal receipt in good condition for at least 5 years.

Penalty:

Grade 2 penalty.

34. Completed shellfish disposal receipt – obligation of fish processor

(1) The holder of a fish processing licence must not take possession of shellfish from the holder of a fishing licence (class shellfish) unless the holder of the fish processing licence has been given a copy of the completed shellfish disposal receipt relating to the shellfish.

Penalty:

Grade 2 penalty.

(2) The holder of a fish processing licence who takes possession of shellfish from the holder of a fishing licence (class shellfish) must –

(a) keep the copy of the completed shellfish disposal receipt relating to the shellfish with the shellfish while they are being processed; and

(b) retain that copy in good condition, for at least 5 years.

Penalty:

Grade 2 penalty.

PART 6 - Reporting

35. Reporting service

(1) A reporting service may be approved to receive reports under these rules.

(2) As soon as practicable after receiving a report under these rules, the reporting service is to issue the maker of the report with a report receipt number.

(3) A person who is issued with a report receipt number must provide that number to a fisheries officer when required to do so.

Penalty:

Grade 2 penalty.

36. Report requirements

The Secretary may require a report made under this Part –

- (a) to be made in a specific way; and
- (b) to contain specific details and information.

37. Pre-fishing reports

(1) The holder of a fishing licence (class shellfish) must make a report to the reporting service before –

- (a) entering the area of State waters authorised by that licence for the taking or possession of shellfish; and
- (b) taking any shellfish under that licence.

Penalty:

Grade 2 penalty.

(2) However, the holder of a fishing licence (Pacific oyster) is not required to make a report before taking only Pacific oyster, unless directed to do so by the Secretary.

38. Making reports

Except with the written approval of the Secretary, a person must not make a report to the reporting service more than 24 hours before the activity to which the report relates is carried out.

Penalty:

Grade 2 penalty.

39. Cancellation reports

If a person who makes a report to the reporting service does not carry out the activity to which the report relates, that person must make a further report to the reporting service within 2 hours after the activity was supposed to have been carried out.

Penalty:

Grade 2 penalty.

40. Alternative reporting arrangements

This Part does not apply if –

- (a) the relevant licence is endorsed for alternative arrangements relating to reporting requirements; and
- (b) the holder of the licence complies with the terms of the endorsement.

41. False, misleading or incomplete information

A person must not –

- (a) omit any relevant information from a report required under this Part; or
- (b) give any false or misleading information in a report required under this Part.

Penalty:

Grade 3 penalty.

PART 7 - Miscellaneous

42. Weighing and recording quantity of shellfish

(1) This rule applies to –

- (a) the holder of a fishing licence (class shellfish); and
- (b) the holder of a fish processing licence.

(2) A person to whom this rule applies must, in completing a docket or keeping a record under these rules, record the quantity of shellfish by reference to –

- (a) if the shellfish allocation for the licence is expressed as whole weight, the whole weight of the shellfish in kilograms; or
- (b) if the shellfish allocation for the licence is expressed as a number, the number of shellfish.

Penalty:

Grade 3 penalty.

(3) A person to whom this rule applies must maintain and use accurate weighing instruments to determine the weight information written on any dockets completed under these rules.

Penalty:

Grade 3 penalty.

43. Restriction on use of fish caufs

(1) The holder of a fishing licence (class shellfish) must not be in possession of a fish cauf, or place shellfish in a fish cauf, unless the licence is endorsed for the use of a fish cauf.

Penalty:

Grade 3 penalty.

(2) The holder of a fishing licence (class shellfish) that is endorsed for the use of a fish cauf must not –

- (a)** use a fish cauf anywhere other than a place specified in that licence for that use; or
- (b)** place shellfish into a fish cauf on any day unless the shellfish docket for those shellfish has been completed for that day; or
- (c)** place in a fish cauf shellfish that have been taken recreationally or under the authority of another licence.

Penalty:

Grade 3 penalty.

(3) The holder of a fishing licence (class shellfish), in using a fish cauf, must ensure that –

- (a)** shellfish taken on any one day are kept in a separate container in the fish cauf from shellfish taken on any other day; and
- (b)** if more than one kind of shellfish is taken on any one day, each kind of shellfish taken on that day is kept in a separate container in the fish cauf; and
- (c)** each container in the fish cauf is clearly marked with the following:
 - (i)** the date on which the shellfish were placed in the fish cauf;
 - (ii)** the shellfish docket number of the shellfish docket completed for the shellfish.

Penalty:

Grade 1 penalty.

(4) The holder of a fishing licence (class shellfish) that is endorsed for the use of a fish cauf must not, at any time after 30 days from the commencement of a new licensing year, possess in a fish cauf shellfish taken in the previous licensing year.

Penalty:

Grade 1 penalty.

(5) The holder of a fishing licence (class shellfish) that is endorsed for the use of a fish cauf must keep a record of the following:

- (a)** the time and date when shellfish are placed in each fish cauf;
- (b)** the kind and quantity of shellfish so placed;
- (c)** the time and date when shellfish are removed from each fish cauf;

- (d) the kind and quantity of shellfish so removed;
- (e) the quantity of daily stock, for each kind of shellfish, in each fish cauf.

Penalty:

Grade 3 penalty.

(6) A record under subrule (5) is to be made –

- (a) before the end of the day on which the shellfish are placed in the fish cauf; and
- (b) before the shellfish leave the landing area to which the shellfish are first taken after their removal from the fish cauf.

(7) The holder of a fishing licence (class shellfish) must keep a record under subrule (5) in good condition, for at least 5 years.

Penalty:

Grade 2 penalty.

44. Transfer of shellfish to a marine farm

The holder of a fishing licence (class shellfish) must not sell or transfer a kind of shellfish to the holder of a marine farming licence whose licence is not endorsed for that kind of shellfish.

Penalty:

Grade 2 penalty.

PART 8 - Granting of shellfish licences

45. Grant of fishing licence (Pacific oyster)

The Minister may grant a fishing licence (Pacific oyster) to each person who –

- (a) applies in accordance with section 77 of the Act; and
- (b) pays the prescribed fee or, if no fee is prescribed, the fee determined by the Minister.

46. Grant of other kinds of licences

(1) This rule applies to a fishing licence (class shellfish) other than a fishing licence (Pacific oyster).

(2) An application for an initial grant of a licence to which this rule applies is to be –

- (a) in writing; and
- (b) lodged with the Secretary on or before 31 March 2007; and

(c) accompanied by the fee determined by the Minister.

(3) The Minister is not to make an initial grant of a licence to which this rule applies unless the applicant meets the eligibility criterion for that licence set out in Schedule 1.

(4) However, if a person who otherwise meets the eligibility criterion for the initial grant of a licence dies before applying for that licence, the Minister may grant the licence to the estate of the deceased person on application by the estate in accordance with subrule (2).

SCHEDULE 1 - Eligibility criteria

Rule 46

1. Fishing licence (clam – Georges Bay North)

A person is eligible to be granted a fishing licence (clam – Georges Bay North) if the person held a permit authorising, at any time in 2005, the taking and possession of venerupis clams from the Georges Bay North Clam Zone.

2. Fishing licence (clam – Georges Bay South)

A person is eligible to be granted a fishing licence (clam – Georges Bay South) if the person held a permit authorising, at any time in 2005, the taking and possession of venerupis clams from the Georges Bay South Clam Zone.

3. Fishing licence (cockle – Ansons Bay)

A person is eligible to be granted a fishing licence (cockle – Ansons Bay) if the person held a permit authorising, at any time in 2005, the taking and possession of katelaysia cockles from the Ansons Bay Cockle Zone.

4. Fishing licence (native oyster – Georges Bay)

A person is eligible to be granted a fishing licence (native oyster – Georges Bay) if the person held a permit authorising, at any time in 2005, the taking and possession of native oysters from Georges Bay.

5. Meaning of permit

In this Schedule –

"**permit**" means a permit, for the development of fisheries, referred to in section 12(1)(c) of the Act.

Displayed and numbered in accordance with the [Rules Publication Act 1953](#).

Notified in the *Gazette* on 21 March 2007.

These rules are administered in the Department of Primary Industries and Water.

Table Of Amendments

| Citation | Serial Number | Date of commencement |
|----------------------------------|-------------------|----------------------|
| Fisheries (Shellfish) Rules 2007 | S.R. 2007, No. 13 | 22.3.2007 |

