

## SUPPLEMENTARY GAZETTE



THE SOUTH AUSTRALIAN  
GOVERNMENT GAZETTE

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PUBLISHED BY AUTHORITY

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ALL PUBLIC ACTS appearing in this GAZETTE are to be considered official, and obeyed as such

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ADELAIDE, FRIDAY, 3 MAY 2002

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FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Rodney Fox and Andrew Fox, 14 Augusta Street, Glenelg, S.A. 5045, (hereinafter referred to jointly and severally as the 'exemption holders') are exempt from regulation 24 (1) of the Fisheries (General) Regulations 2000, in that the permit holders shall not be guilty of an offence only insofar as being permitted to use blood, bone, meat offal or skin of an animal as berley within the waters specified in Schedule 1 to attract white sharks (*Carcharodon carcharias*) for the purpose of cage viewing only (hereinafter referred to as the 'permitted activity'), subject to the conditions specified in Schedule 2, for the dates specified in Schedule 3, until this exemption is varied or revoked.

SCHEDULE 1

Coastal waters contained within the Neptune Islands Conservation Park, and the following portions of the Sir Joseph Banks Islands Conservation Park:

- Sibsey Island.
- English Island.

Note: Berleying is not currently permitted at Dangerous Reef.

SCHEDULE 2

1. One or both of the exemption holders must be on board the boat when conducting the permitted activity.

2. All berley used while conducting the permitted activity must consist of fish based products only. All berley (other than fish oil) must be stored below a maximum temperature of 4°C.

3. The permit holders must notify the public by a Notice to Mariners through the Australian Maritime Safety Authority, by public notice in the *Adelaide Advertiser* at least 24 hours in advance of berleying operations, and inform the local coastguard and the Fisheries Compliance Unit on 1800 065 522 at least two hours prior to conducting the permitted activities.

4. The permit holders must allow an officer of the Department for Environment and Heritage (DEH) or Fisheries Officer or nominee to be present on board the boat during the permitted activity if requested, subject to negotiation and availability of space.

5. The permit holders must comply with all instructions (including ceasing to berley if so instructed) given by an officer from DEH or Fisheries Officer.

6. Whilst engaged in the permitted activity, a pennant (approved by DEH) must be flown from the boat so as to be clearly visible.

7. Whilst engaged in the permitted activity one of the permit holders must have in his possession a copy of this notice and produce a copy of the notice if required by a Fisheries Officer.

8. The permit holders shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under that Act, except where specifically exempted by this notice.

9. The permit holders must maintain a log whilst engaged in the permitted activity which includes the date and location, number of passengers, number of hours berleying, number of sharks observed and any other relevant observations or comments. Records must be kept in a form determined by the operators association in conjunction with the CSIRO Marine Research Unit and endorsed by the Minister for Environment and Conservation. A copy of the log must be provided to the relevant DEH office within 14 days of the end of each calendar month.

10. The permit holders must conform to a code of conduct developed by the operators association and endorsed by the Minister for Environment and Conservation.

11. The permit holders will operate in cooperation with and in agreement of any other approved operator at the same location.

12. The permit holders must have public liability insurance to an amount determined by the Minister for Environment and Conservation and ensure vessels are surveyed and staffed as per Department of Transport regulations.

## SCHEDULE 3

Dates permitted to berley:

11 to 15 April 2002  
8 to 14 May 2002  
23 May to 2 June 2002  
14 to 24 June 2002  
4 to 14 July 2002  
26 July to 5 August 2002  
12 to 18 September 2002

Dated 16 April 2002.

D. HOPTON, Principal Fisheries Manager

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## FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, the class of persons set out in Schedule 1 below are exempt from the provisions of regulation 17 of the Fisheries (Fish Processor) Regulations 1991, only insofar as being permitted to deliver or cause to be delivered the completed PFCDR to the Director of Fisheries within 7 days of taking delivery of pilchards from a fisher who holds a pilchard quota, instead of 24 hours, from the date of this notice to 30 June 2003, unless varied or revoked earlier.

## SCHEDULE 1

Registered fish processors who process pilchards.

Dated 16 April 2002.

D. HOPTON, Principal Fisheries Manager

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