

**EXTRAORDINARY GAZETTE**



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GOVERNMENT GAZETTE**

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**ADELAIDE, THURSDAY, 10 FEBRUARY 2005**

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IN *Government Gazette* No. 12 of Thursday, 10 February 2005, on pages 426-429, Regulation No. 8 of 2005 is incorrect and should be replaced by Regulation No. 8 of 2005, as below.

South Australia

## **Fisheries (Scheme of Management—Abalone Fisheries) Variation Regulations 2005**

under the *Fisheries Act 1982*

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### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Fisheries (Scheme of Management—Abalone Fisheries) Variation Regulations 2005*.

#### **2—Commencement**

These regulations come into operation on the day on which they are made.

#### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

## **Part 2—Variation of *Fisheries (Scheme of Management—Abalone Fisheries) Regulations 1991***

### **4—Variation of regulation 13—Individual catch quota system—Western Zone**

(1) Regulation 13(2)—after paragraph (g) insert:

- (ga) if the total catch of abalone of a particular class taken pursuant to a licence in region A during a particular prescribed period was less than the abalone quota of the licence in respect of that region, class of abalone and prescribed period, the Director may vary the conditions of the licence so as—
  - (i) to increase the quota in respect of that region and class of abalone by 1 kilogram of abalone meat for each kilogram by which the catch fell short of the quota (but in any case by not more than 20 kilograms); and
  - (ii) to prohibit the transfer of the additional quota to another licence;
- (gb) if the total catch of abalone taken pursuant to a licence in region B during a particular prescribed period was less than the abalone quota of the licence in respect of that region and prescribed period, the Director may vary the conditions of the licence so as—
  - (i) to increase the quota in respect of that region by 1 kilogram of abalone meat for each kilogram by which the catch fell short of the quota (but in any case by not more than 20 kilograms); and
  - (ii) to prohibit the transfer of the additional quota to another licence;

(2) Regulation 13(2)(i)(ii)—after "(g)" insert:

, (ga), (gb)

(3) Regulation 13—after subregulation (2) insert:

- (2a) For the purposes of subregulation (2)(ga) or (gb), in determining whether the total catch of abalone during a particular prescribed period was less than the abalone quota of the licence in respect of that period, any increase in the abalone quota of the licence applying during that period as a result of a variation made under that subregulation will be taken not to form part of the abalone quota of the licence.

**5—Variation of regulation 13A—Individual catch quota system—Central Zone**

- (1) Regulation 13A(2)—after paragraph (d) insert:
  - (da) if the total catch of abalone of a particular class taken pursuant to a licence in respect of the fishery during a particular prescribed period was less than the abalone quota of the licence in respect of that class of abalone and prescribed period, the Director may vary the conditions of the licence so as—
    - (i) to increase the quota in respect of that class of abalone by 1 kilogram of abalone meat for each kilogram by which the catch fell short of the quota (but in any case by not more than 20 kilograms); and
    - (ii) to prohibit the transfer of the additional quota to another licence;
- (2) Regulation 13A(2)(f)(ii)—after "paragraph (d)" insert:
  - (da)
- (3) Regulation 13A—after subregulation (2) insert:
  - (2a) For the purposes of subregulation (2)(da), in determining whether the total catch of abalone during a particular prescribed period was less than the abalone quota of the licence in respect of that period, any increase in the abalone quota of the licence applying during that period as a result of a variation made under that subregulation will be taken not to form part of the abalone quota of the licence.

**6—Variation of regulation 13B—Individual catch quota system—Southern Zone**

- (1) Regulation 13B(2)—after paragraph (e) insert:
  - (ea) if the total catch of abalone of a particular class taken pursuant to a licence in a fishing zone during a particular prescribed period was less than the abalone quota of the licence in respect of that class of abalone, fishing zone and prescribed period, the Director may vary the conditions of the licence so as—
    - (i) to increase the quota in respect of that class of abalone and fishing zone by 1 kilogram of abalone meat for each kilogram by which the catch fell short of the quota (but in any case by not more than 20 kilograms); and
    - (ii) to prohibit the transfer of the additional quota to another licence;
- (2) Regulation 13B(2)(g)(ii)—after "paragraph (e)" insert:
  - (ea)
- (3) Regulation 13B—after subregulation (2) insert:
  - (2a) For the purposes of subregulation (2)(ea), in determining whether the total catch of abalone during a particular prescribed period was less than the abalone quota of the licence in respect of that period, any increase in the abalone quota of the licence applying during that period as a result of a variation made under that subregulation will be taken not to form part of the abalone quota of the licence.

**7—Variation of regulation 13C—Catch and disposal records**

- (1) Regulation 13C(2)(a)—delete "triplicate" and substitute:  
duplicate
- (2) Regulation 13(2)(c)—delete paragraph (c).

**Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor's Deputy**

with the advice and consent of the Executive Council  
on 10 February 2005

No 8 of 2005

MAFF04/0033CS

## WATER RESOURCES ACT 1997

*Variation to the Notice of Restriction on the Taking of Water from the River Murray Prescribed Watercourse*

PURSUANT to section 16 (9) of the Water Resources Act 1997 ('the Act') and pursuant to the delegation to me (under section 9 (1) of the Administrative Arrangements Act 1994 and by the notice published in the *Government Gazette* on 11 November 2004 at page 4246) of the functions and powers under section 16 of the Act by John Hill, Minister for Environment and Conservation, to whom the administration of the Water Resources Act 1997, is committed, I, Karlene Maywald, Minister for the River Murray, hereby:

- revoke the notice dated 7 October 2004 pursuant to section 16 (1) of the Act published in the *Government Gazette* on 14 October 2004 at page 3870; and
- vary the notice dated 8 June 2004 published pursuant to 16 (1) of the Act in the *Government Gazette* on 10 June 2004 at page 1803 ('the Notice') in accordance with Schedule 1.

## SCHEDULE 1

1. Paragraphs (a), (b), (c) and (d) of clause 3 of Schedule 2 of the Notice are varied as follows:

- The quantity of water that a person granted an authorisation under paragraph (a) of clause 3 of Schedule 2 of the notice is entitled to take the equivalent of 95% of the water (taking) allocation endorsed on the water licence, excluding water allocations for the purposes specified in clause 7 of the Notice and subject to the provision of clause 4 of the Notice;
- The quantity of water that a person granted an authorisation under paragraph (b) of clause 3 of Schedule 2 of the Notice is entitled to take 90 gegalitres;
- The quantity of water that a person granted an authorisation under paragraph (c) of clause 3 of Schedule 2 of the Notice is entitled to take 47.5 gegalitres;
- The quantity of water that a person granted an authorisation to take water under paragraph (d) of clause 3 of Schedule 2 of the Notice is entitled to take the equivalent of 95% of the water (taking) allocation endorsed on the water licence after conversion, excluding water allocations for the purposes specified in clause 7 of the Notice and subject to the provision of clause 4 of the Notice.

2. The period during which the Notice will remain in effect is extended to 30 June 2005 unless earlier varied or revoked.

Dated 1 February 2005.

K. MAYWALD, Minister for the River Murray

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