

SUPPLEMENTARY GAZETTE



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ADELAIDE, FRIDAY, 12 AUGUST 2005

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Greg Noble and Why Not Fishing Charters, P.O. Box 394, Brighton S.A. 5048 (the 'principal exemption holder'), is exempt from section 34 of the Fisheries Act 1982 and Regulation 4 of the Fisheries (Scheme of Management—Charter Boat Fishery) Regulations 2005 insofar as he may undertake charter boat fishing for the purposes of trade or business without holding a licence issued by the Director of Fisheries.

Take notice that pursuant to section 59 of the Fisheries Act 1982, the principal exemption holder and the class of persons specified in Schedule 1 (the 'other exemption holders'), are exempt from clause 66 of Schedule 1 of the Fisheries (General) Regulations 2000, but only insofar as the exemption holders may exceed the prescribed boat limits during a chartered fishing trip on the *Why Not* in accordance with the allowable limits specified in Schedule 2 (the 'exempted activity'), subject to the conditions specified in Schedule 3 from 12 August 2005 until 19 August 2005, unless varied or revoked earlier.

SCHEDULE 1

Any person or persons who charter the boat *Why Not* from Greg Noble and Why Not Fishing Charters for the purpose of recreational fishing.

SCHEDULE 2

1. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking no more than one half of the daily bag limit (rounded up to the nearest whole number if necessary) for those species of Scalegfish (except King George whiting) subject to a limit as specified in the Fisheries (General) Regulations 2000, in any one day.

2. Where the number of 'other exemption holders' exceeds three, all of the 'other exemption holders' on board the boat are each restricted to taking no more than 10 King George whiting, in any one day.

3. Where the number of 'other exemption holders' exceeds six, each 'other exemption holder' may take no more than a combined total of 20 blue crabs and sand crabs each, in any one day.

4. Where the number of 'other exemption holders' exceeds eight, each 'other exemption holder' may take no more than one rock lobster (*Jasus edwardsii*), in any one day.

SCHEDULE 3

1. The principal exemption holder, its employees or agents must not take any fish during the chartered fishing trip.

2. The principal exemption holder must not use any boat other than the *Why Not* for the purpose of engaging in the exempted activity.

3. Neither the principal exemption holder nor the other exemption holders may sell any fish taken pursuant to this notice.

4. The principal exemption holder must not accept any fish taken by the other exemption holders as all or part of the consideration for the charter agreement.

5. The principal exemption holder must contact PIRSA Fishwatch on 1800 065 522 at least two hours prior to commencing the exempted activity and advise the time and date of departure of the *Why Not* and the estimated time of return to port.

6. While engaged in the exempted activity the principal exemption holder must have in their possession a copy of this notice. Such notice must be produced to a PIRSA Fisheries Officer if requested.

7. The exemption holders must 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.

Dated 12 August 2005.

J. PRESSER, Principal Fisheries Manager