



FISHERIES DEVELOPMENT AMENDMENT ACT 1984

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No. 88 of 1984
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TABLE OF PROVISIONS

1. Short title.
2. Commencement.
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AN ACT to amend the Fisheries Development Act 1977.

[Royal Assent 30 November 1984]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—This Act may be cited as the *Fisheries Development Amendment Act 1984*. Short title.

2—This Act shall commence on the day on which it receives the royal assent. Commencement.

Principal Act. **3**—In this Act, the *Fisheries Development Act 1977** is referred to as the Principal Act.

Amendment of section 17 of Principal Act (Regulations).

4—(1) Section 17 (1) of the Principal Act is amended as follows:—

(a) by omitting from paragraph (c) “ products; and ” and substituting “ products;”;

(b) by inserting the following paragraph after paragraph (c):—

(ca) requiring that—

(i) persons who hold marine farm licences under Division 3 of Part II of the *Fisheries Act 1959* shall ensure that any packages containing oysters or mussels that are taken pursuant to those licences, being packages consigned by those persons from the marine farms operated pursuant to those licences; and

(ii) persons who carry on the processing of oysters or mussels in premises registered under section 613 of the *Local Government Act 1962* shall ensure that any packages containing oysters or mussels that are processed in those premises, being packages consigned by those persons from those premises,

shall each bear a label approved by the Authority and containing such particulars as are prescribed by the regulations;

(cb) requiring the keeping by persons referred to in paragraph (ca) of such records as are prescribed by the regulations; and

* No. 61 of 1977. For this Act, as amended to 1st July 1980, see the continuing Reprint of Statutes. Subsequently amended by No. 85 of 1980, No. 88 of 1983, and No. 29 of 1984.

(2) Section 17 of the Principal Act is further amended by inserting the following subsections after subsection (2):—

(2A) Regulations under this section with respect to the labels on packages containing oysters or mussels referred to in subsection (1) (*ca*) may make provision for or with respect to the size of those labels, the method of affixing those labels, the size, style, and colour of the particulars required to be contained on those labels, and the nature or colour of the background on which those particulars appear.

(2B) Regulations under this section with respect to the keeping of records by persons referred to in subsection (1) (*ca*) may require those records to be kept by those persons for such period as is prescribed by the regulations and to be made available for inspection by officers of the Authority.

(3) Section 17 (3) of the Principal Act is amended as follows:—

(a) by omitting from paragraph (*a*) “ industry; and ” and substituting “ industry;”;

(b) by inserting the following paragraph after paragraph (*a*):—

(*ab*) the entry of marine farms and other premises referred to in subsection (1) (*ca*) for the purpose of the inspection of the records referred to in subsection (1) (*cb*); and

(4) Section 17 of the Principal Act is further amended by omitting subsection (5) and substituting the following subsections:—

(5) Regulations under this section may provide that it is an offence, punishable on summary conviction, for a person to contravene or fail to comply with any of the regulations and may provide in respect of any such offence for the imposition of a penalty not exceeding \$1 000.

(6) In this section, “ packages ”, in relation to oysters or mussels, includes anything in which the oysters or mussels are cased, covered, enclosed, contained, or packed.

