



Great Barrier Reef Marine Park Amendment (Bait Netting) Regulation 2014

Select Legislative Instrument No. 153, 2014

I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd),
Governor-General of the Commonwealth of Australia, acting with the
advice of the Federal Executive Council, make the following regulation.

Dated 30 October 2014

Peter Cosgrove
Governor-General

By His Excellency's Command

Greg Hunt
Minister for the Environment

OPC60236 - B

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1 Name

This is the *Great Barrier Reef Marine Park Amendment (Bait Netting) Regulation 2014*.

2 Commencement

This instrument commences on the day after it is registered.

3 Authority

This instrument is made under the *Great Barrier Reef Marine Park Act 1975*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

No. 153, 2014

*Great Barrier Reef Marine Park Amendment (Bait Netting)
Regulation 2014*

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Schedule 1—Amendments

Great Barrier Reef Marine Park Regulations 1983

1 Regulation 13

Repeal the regulation, substitute:

13 Bait netting

- (1) This regulation declares the nets and specifies the limitations on netting for the definition of *bait netting* in the Zoning Plan.
- (2) The following nets are declared:
 - (a) for a recreational fisher—a cast, scoop or seine net that complies with the size, measurement and other physical requirements in the following provisions of the Fisheries Regulation:
 - (i) for a cast net—section 187A;
 - (ii) for a scoop net—section 187B;
 - (iii) for a seine net—section 187C;
 - (b) for a commercial fisher—a seine, cast or mesh net that complies with the size, measurement and other physical requirements in the following provisions of the Fisheries Regulation:
 - (i) for a seine net—subsection 475(1);
 - (ii) for a cast net—section 532;
 - (iii) for a mesh net—section 533.
- (3) The following limitations are specified:
 - (a) for a recreational fisher—netting must be in accordance with section 179 of the Fisheries Regulation;
 - (b) for a commercial fisher:
 - (i) using a seine net—netting must be in accordance with sections 179 and 181 and subsections 472(6), 472(7) and 475(2) of the Fisheries Regulation; and
 - (ii) using a cast net for taking ‘N11’ fish—the fisher must comply with the licence condition in subsection 247(5) of the Fisheries Regulation; and

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- (iii) using a mesh net—netting must be in accordance with sections 179, 181, 530, 533 and 533B of the Fisheries Regulation and, if used for taking ‘N11’ fish, the fisher must comply with the licence condition in subsection 247(5) of the Fisheries Regulation;
 - (c) a commercial fisher must not:
 - (i) take a non-bait fish in the Conservation Park Zone using a net mentioned in subregulation (2); or
 - (ii) possess (whether or not in the Conservation Park Zone) a non-bait fish that was taken in the Conservation Park Zone using a net mentioned in subregulation (2).
 - (4) However, a commercial fisher does not take or possess a non-bait fish if:
 - (a) the fish is taken unintentionally; and
 - (b) the fisher does not allow the net containing the fish to be out of the water other than to immediately remove the fish from the net; and
 - (c) the fisher immediately releases the fish into water deep enough to allow the fish to escape.
 - (5) In this regulation:

commercial fisher has the same meaning as in the Fisheries Regulation.

‘N11’ fish has the same meaning as in the Fisheries Regulation.

non-bait fish means a fish of any of the following species:

- (a) bream of the genus *Acanthopagrus* or *Rhabdosargus*;
- (b) flathead of the genus *Platycephalus*;
- (c) whiting of the genus *Sillago*.

possess a non-bait fish means:

- (a) to have custody or control of the fish; or
- (b) to have an ability or right to obtain custody or control of the fish.

recreational fisher has the same meaning as in the Fisheries Regulation.