

Fisheries Management Amendment (Scientific Research) Regulations 2021

I, General the Honourable David Hurley AC DSC (Retd), Governor‑General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 11 November 2021

David Hurley

Governor‑General

By His Excellency’s Command

Jonathon Duniam

Assistant Minister for Forestry and Fisheries
Parliamentary Secretary to the Minister for Agriculture, Drought and Emergency Management

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1 Name

 This instrument is the *Fisheries Management Amendment (Scientific Research) Regulations 2021*.

2 Commencement

 (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information |
| --- |
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. The whole of this instrument | The day after this instrument is registered. | 17 November 2021 |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

 (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

 This instrument is made under the *Fisheries Management Act 1991*.

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 Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Fisheries Management Regulations 2019

1 At the end of section 20

Add:

 (3) Subsection (2) does not apply if:

 (a) the boat is owned and operated by or on behalf of the Commonwealth, or a State or Territory; and

 (b) a scientific permit is in force authorising the use of the boat by a person; and

 (c) the person engages in fishing in the AFZ for scientific research purposes in accordance with the conditions of the permit.

Note: A defendant bears an evidential burden in relation to the matter in this subsection (see subsection 13.3(3) of the *Criminal Code*).