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Living Marine Resources

LIVING MARINE RESOURCES MANAGEMENT ACT 1995

Fisheries (Change to Abalone Management Plan) Order 2012

I MAKE the following order under section 48A(1) of the *Living Marine Resources Management Act 1995*.

Dated: 31 January 2012

BRYAN GREEN,
Minister for Primary Industries and Water.

Short title

This order may be cited as the *Fisheries (Change to Abalone Management Plan) Order 2012*.

Commencement

This order takes effect on the day on which it is published in the *Gazette*.

Change to Abalone Management Plan

Rule 9 of the *Fisheries (Abalone) Rules 2009* (SR 2009, No.151) is changed as follows:

(a) by omitting from subrule (1) "public";

(b) by inserting, after the penalty at the foot of subrule (2), the following subrule:

(3) In this rule—

"by notice" means—

(a) for a determination under subrule (1) that affects only a limited class of persons where the Minister is satisfied that that every member of that class of persons is known to the Department—

(i) by individual notice to each member of that class of persons; and

(ii) by notice in the *Gazette*; or

(b) for a determination of any kind under subrule (1)—

(i) by notice in at least one newspaper circulating generally in the State; and

(ii) by notice in the *Gazette*.

(Explanatory note)

This order changes the management plan for the abalone fishery by providing that where a Ministerial determination concerning the dates of the closed or open seasons for the fishery relates to a class of known persons, notice of the determination may be given to those persons individually instead of by the more expensive means of a general newspaper notice; the requirement for the determination to also be gazetted remains.

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