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**LIVING MARINE RESOURCES MANAGEMENT  
AMENDMENT BILL 2017**

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**LIVING MARINE RESOURCES MANAGEMENT  
AMENDMENT BILL 2017**

*(Brought in by the Minister for Primary Industries and Water,  
the Honourable Jeremy Page Rockliff)*

**A BILL FOR**

**An Act to amend the *Living Marine Resources Management Act 1995***

Be it enacted by Her 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. Short title**

This Act may be cited as the *Living Marine Resources Management Amendment Act 2017*.

**2. Commencement**

This Act commences on the day on which this Act receives the Royal Assent.

**3. Principal Act**

In this Act, the *Living Marine Resources Management Act 1995*\* is referred to as the Principal Act.

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\*No. 25 of 1995

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**4. Section 40 amended (Miscellaneous matters)**

Section 40 of the Principal Act is amended as follows:

- (a) by omitting from subsection (2) “Minister, by public notice,” and substituting “Minister”;
- (b) by inserting the following subsection after subsection (2):
  - (3) If the rules provide for the Minister to make a determination, the rules must specify how that determination is to be notified.

**5. Section 255A inserted**

After section 255 of the Principal Act, the following section is inserted in Division 8:

**255A. Possession and use of trawl nets**

- (1) In this section –

*board trawl net* means a funnel-shaped, or cone-shaped, net that –

- (a) uses trawl doors or otter boards to assist in holding the net mouth open when towed through the water; and
- (b) ends with a bag or cod end; and

- (c) when in use, is towed by a fishing vessel;

***pair trawl net*** means a funnel-shaped, or cone-shaped, net that –

- (a) has a mouth that, when towed through the water, is held open by warps or lines that are connected to 2 fishing vessels; and
- (b) ends with a bag or cod end; and
- (c) when in use, is towed by 2 fishing vessels;

***trawl net*** means the following nets:

- (a) board trawl net;
- (b) pair trawl net.

- (2) A person must not be in possession of a trawl net on a fishing vessel in State waters, unless the possession of the trawl net on that fishing vessel is authorised under the law of another jurisdiction.

Penalty: Fine not exceeding 5 000 penalty units or imprisonment for a term not exceeding 2 years, or both.

- (3) A person must not use a trawl net in State waters.

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Penalty: Fine not exceeding 5 000 penalty units or imprisonment for a term not exceeding 2 years, or both.

**6. Section 279 amended (Industry levy)**

Section 279 of the Principal Act is amended by inserting after subsection (2) the following subsection:

(2A) The amount of levy determined to be payable under subsection (2) may be expressed in fee units as if it were a fee within the meaning of the *Fee Units Act 1997*.

**7. Repeal of Act**

This Act is repealed on the three hundred and sixty fifth day from the day on which it commences.