

1991—No. 612

FISHERIES AND OYSTER FARMS ACT 1935—REGULATION

(Relating to icing or refrigeration of fish)

NEW SOUTH WALES



[Published in Gazette No. 167 of 29 November 1991]

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Fisheries and Oyster Farms Act 1935, has been pleased to make the Regulation set forth hereunder.

I. R. CAUSLEY
Minister for Natural Resources.

The Fisheries and Oyster Farms (General) Regulation 1989 is amended by inserting after clause 38 the following clause:

Icing or refrigeration of fish not taken or landed on to licensed fishing boat

38A. (1) This clause applies to fish taken or landed for sale, other than fish taken or landed for sale by a person while on board a boat licensed under section 23 or 24 of the Act.

(2) The holder of a fisherman's licence must not sell fish to which this clause applies unless the fisherman, as soon as practicable after taking or landing the fish:

- (a) placed the fish in a clean container; and
- (b) refrigerated the fish, or placed ice over the fish, so that the fish in the container were kept at a temperature of not more than 5 degrees Celsius until sold.

Maximum penalty: 50 penalty units.

EXPLANATORY NOTE

The object of this Regulation is to prohibit licensed fishermen from selling fish (being fish that are taken or landed for sale otherwise than by being taken or landed on to a licensed fishing boat) unless the fish were kept iced or refrigerated before being sold. At present, fish taken or landed on to a licensed fishing boat must be iced or refrigerated while they remain on the boat but there is no requirement for beach or estuary haul licensed fishermen, for example, to ice or refrigerate fish taken or landed for sale.
