

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

AMENDMENTS AND SCHEDULES

Supplementary Notice Paper No. 52
Issue No. 1

WEDNESDAY, 5 OCTOBER 2016

AQUATIC RESOURCES MANAGEMENT BILL 2015 [52-2]

When in committee on the *Aquatic Resources Management Bill 2015*:

New Part 19 Division 1A

Attorney General representing the Minister for Fisheries: To move –

Page 213, after line 22 — To insert —

1/NP19D1A

Division 1A — *Biodiversity Conservation Act 2016* amended

288A Act amended

This Division amends the *Biodiversity Conservation Act 2016*.

288B Section 5 amended

- (1) In section 5(1) delete the definitions of:

fish

pearl oyster

- (2) In section 5(1) insert in alphabetical order:

aquatic organism has the meaning given in the Aquatic
Resources Management Act 2016 section 3(1);

- (3) In section 5(1) in the definition of *biodiversity conservation measures* delete
paragraph (g)(v) and insert:

- (v) aquatic resource use plans and management plans under the *Aquatic Resources Management Act 2016* and measures under Part 6 of that Act relating to the control of declared organisms or biological threats;

- (4) In section 5(1) in the definition of *fauna processing establishment* delete “fish or pearl oyster,” and insert:

aquatic organisms,

288C Section 7 amended

In section 7(1) in the definition of *relevant authorisation* delete paragraphs (d) and (e) and insert:

- (d) the *Aquatic Resources Management Act 2016*; or

288D Section 12 amended

Delete section 12(1) and insert:

- (1) This Act, other than Part 9, does not apply to or in relation to any aquatic organism that is the subject of —
 - (a) aquaculture, as defined in the *Aquatic Resources Management Act 2016* section 3(1); or
 - (b) commercial fishing, as defined in the *Aquatic Resources Management Act 2016* section 3(1); or
 - (c) recreational fishing, as defined in the *Aquatic Resources Management Act 2016* section 3(1).

288E Section 54 amended

In section 54(2)(b) delete “*Fish Resources Management Act 1994*.” and insert:

Aquatic Resources Management Act 2016.

288F Section 132 amended

Delete section 132(3)(a)(ii) and (iii) and insert:

- (ii) if the species to which the order relates is a species of aquatic organism — the Minister responsible for the administration of the *Aquatic Resources Management Act 2016*;

288G Section 145 amended

In section 145 in the definition of *fauna* delete “fish or pearl oyster.” and insert:

aquatic organisms.

288H Section 151 amended

- (1) In section 151(1)(a) delete “fish or pearl oyster); and” and insert:

aquatic organisms); and

- (2) In section 151(2)(a)(i) delete “fish or pearl oyster); and” and insert:

aquatic organisms); and

288I Section 153 amended

- (1) In section 153(3)(a) delete “fish or pearl oyster); and” and insert:

aquatic organisms); and

- (2) In section 153(4)(a)(i) delete “fish or pearl oyster); and” and insert:

aquatic organisms); and

288J Section 158 amended

In section 158(1) in the definition of *fauna* delete “fish or pearl oyster.” and insert:

aquatic organisms.

288K Section 166 amended

In section 166 in the definition of *flora* delete “fish.” and insert:

aquatic organisms.

288L Section 190 amended

In section 190 in the definition of *aquatic eco tourism delete* “Fish Resources Management Act 1994 section 4(1);” and insert:

Aquatic Resources Management Act 2016 section 3(1);

288M Section 194 amended

In section 194(3) delete “*Fish Resources Management Act 1994*” and insert:

Aquatic Resources Management Act 2016

288N Section 274 amended

In section 274(1) in the definition of *information sharing agency* —

(a) after paragraph (a) insert:

(aa) the department of the Public Service principally assisting in the administration of the *Aquatic Resources Management Act 2016*;

(b) delete paragraphs (e) and (h).

288O Schedule 1 amended

In Schedule 1 item 2 delete “fish or pearl oyster),” and insert:

aquatic organisms),

Clause 312

Attorney General representing the Minister for Fisheries: To move —

2/312 Page 220, line 22 to page 221, line 8 — To delete the lines and insert:

(2) Delete section 101B(3)(a) and (b) and insert:

(a) the *Aquatic Resources Management Act 2016*,

