

**4. Possession limit**

- (1) The possession limit in this Order applies to any person, other than a commercial fisher, on a boat in any waters.
- (2) Pursuant to section 17C of the Act, in the circumstance where a person is on a boat with other persons, the maximum number of Gemfish the person may have in their possession will be the number in Column 2 of the Table and will be determined by the number of Gemfish in possession of the other persons set out in Column 1 of the Table:

Column 1	Column 2
<b>Total number of Gemfish in the possession of other persons on the boat</b>	<b>Possession limit</b>
10 or more	0
9	1
8	2
7	2
6	2
5	2
4	2
3	2
2	2
1	2
0	2

**Note 1:** This Order is made in conjunction with the *Fisheries Management (Gemfish Fishing Closure) Notification 2019*.

**Note 2:** Clause 13 of the *Fisheries Management (General) Regulation 2010* imposes daily bag limits and possession limits for Gemfish.

(n2019-992)

**FISHERIES MANAGEMENT ACT 1994****Fisheries Management (Gemfish Fishing Closure) Notification 2019**

I, DAVID McPHERSON, Acting Deputy Director General Fisheries, with the delegated authority of the Minister and the Secretary in pursuance of sections 227 and 228 of the *Fisheries Management Act 1994* ("the Act"), and in pursuance of section 8 and section 11 of the Act, revoke the existing Gemfish fishing closure and give notice of the following fishing closure for Gemfish.

Dated this 16th day of April 2019

DAVID McPHERSON  
Acting Deputy Director General Fisheries  
Department of Primary Industries  
(an office within the Department of Industry)

**Explanatory note:**

The purpose of this notification is to revoke the existing Gemfish fishing closure and to make a new Gemfish fishing closure as a consequence of new management arrangements applying to the taking of Gemfish by commercial fishers following the NSW Commercial Fisheries Business Adjustment Program.

**1. Name of Notification**

This notification is the *Fisheries Management (Gemfish Fishing Closure) Notification 2019*.

**2. Commencement and duration**

This notification commences on 1 May 2019 and will remain in force for five 5 years.

### 3. Revocation

Pursuant to section 11 of the Act, the *Section 8 Notification – Fishing Closure Gemfish (Rexea solandri)* notification published in NSW Government Gazette No. 59 of 17 July 2015 at page 2193 is revoked, as is any notification revived as a result of this revocation.

### 4. Definitions

In this notification:

*natural coast line* has the same meaning as in Schedule 1 to the Act.

*ocean waters* has the same meaning as in Schedule 1 to the Act.

*southern fish trawl endorsement* has the same meaning as in clause 169 of the *Fisheries Management (General) Regulation 2010*.

*the Act* means the *Fisheries Management Act 1994*.

**Note:** Pursuant to section 11 of the *Interpretation Act 1987*, *commercial fisher*, *fish*, *recreational fisher* and *take* have the same meaning as in the Act.

### 5. Fishing closure

Pursuant to section 8 of the Act, a person of the following class is prohibited from taking Gemfish (*Rexea solandri*) from ocean waters less than 3 nautical miles from the natural coast line and south of a line drawn due east from Barrenjoey Head:

- (a) a recreational fisher;
- (b) a commercial fisher taking fish under the authority of a southern fish trawl endorsement.

**Note:** This notification is made in conjunction with the *Fisheries Management (Recreational Fishing Gemfish Possession) Order 2019*.

(n2019-993)