



# Government Gazette

OF THE STATE OF  
NEW SOUTH WALES

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## SPECIAL SUPPLEMENT



New South Wales

## Proclamation

under the

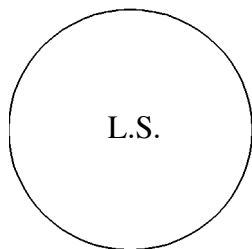
Threatened Species Legislation Amendment Act 2004 No 88

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Threatened Species Legislation Amendment Act 2004*, do, by this my Proclamation, appoint 31 October 2005 as the day on which Schedule 2 [1], [27], [39], [40] and [43] to that Act commence.

Signed and sealed at Sydney, this 26th day of October 2005.

By Her Excellency's Command,



IAN MACDONALD, M.L.C.,  
Minister for Primary Industries

GOD SAVE THE QUEEN!

### Explanatory note

The object of this Proclamation is to commence certain amendments to the *Fisheries Management Act 1994* relating to threatened species conservation that are contained in the *Threatened Species Legislation Amendment Act 2004*.



New South Wales

## Proclamation

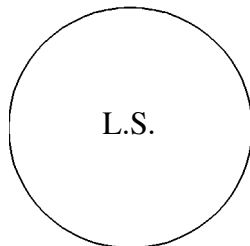
under the

Threatened Species Conservation Amendment Act 2002 No 78

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Threatened Species Conservation Amendment Act 2002*, do, by this my Proclamation, appoint 31 October 2005 as the day on which Schedule 2.2 [5] and [6] to that Act commence. Signed and sealed at Sydney, this 26th day of October 2005.

By Her Excellency's Command,



IAN MACDONALD, M.L.C.,  
Minister for Primary Industries

GOD SAVE THE QUEEN!

### Explanatory note

The object of this Proclamation is to commence the amendments to the *Fisheries Management Act 1994* contained in the *Threatened Species Conservation Amendment Act 2002*.



New South Wales

# Fisheries Management (General) Amendment (Transitional) Regulation 2005

under the

Fisheries Management Act 1994

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Fisheries Management Act 1994*.

IAN MACDONALD, M.L.C.,  
Minister for Primary Industries

## Explanatory note

Under Division 6 of Part 7A of the *Fisheries Management Act 1994* (*the Act*), a licence may authorise a person to take action that is likely to result in harm to a threatened species, population or ecological community, or damage to their habitat or to critical habitat. If the licence application is not accompanied by a species impact statement and the proposed action is not on land that is a critical habitat, the Director-General of the Department of Primary Industries must determine whether the action is likely to significantly affect threatened species, populations or ecological communities, or their habitats. An 8-part test under section 220ZZ of the Act must currently be taken into account in making that determination.

The object of this Regulation is to enable an application for a licence that was made before, but not determined by, the date on which the amendment to section 220ZZ of the Act made by the *Threatened Species Conservation Amendment Act 2002* commences will be determined as if that amendment had not been made.

This Regulation is made under the *Fisheries Management Act 1994*, including clause 2 (1) of Schedule 7 (savings and transitional regulations).

Clause 1 Fisheries Management (General) Amendment (Transitional) Regulation  
2005

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## **Fisheries Management (General) Amendment (Transitional) Regulation 2005**

under the

Fisheries Management Act 1994

### **1 Name of Regulation**

This Regulation is the *Fisheries Management (General) Amendment (Transitional) Regulation 2005*.

### **2 Commencement**

This Regulation commences on 31 October 2005.

### **3 Amendment of Fisheries Management (General) Regulation 2002**

The *Fisheries Management (General) Regulation 2002* is amended as set out in Schedule 1.

Fisheries Management (General) Amendment (Transitional) Regulation  
2005

Amendment

Schedule 1

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## Schedule 1      Amendment

(Clause 3)

### Clause 428

Insert after clause 427:

**428      Transitional provision—pending licence applications under  
Division 6 of Part 7A of the Act**

If an application for a licence under Division 6 of Part 7A of the Act was made before, but not determined by, 31 October 2005 (the date of commencement of the amendment to section 220ZZ of the Act by the *Threatened Species Conservation Amendment Act 2002*), the application is to be determined as if that amendment had not been made.

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