

93. Conditions and restrictions

- (1) A scientific purposes licence may be granted subject to such conditions and restrictions as the Executive Director thinks fit, including conditions and restrictions as to —
 - (a) the marine nature reserves, marine parks and marine management areas in which the holder of the licence may take flora and fauna for scientific purposes;
 - (b) the scientific purposes for which the flora and fauna may be used;
 - (c) the species, and the greatest number of each or any species, that may be taken, held or disposed of; and
 - (d) the part or parts of the State in which the flora or fauna may be taken, held or released.
- (2) The Executive Director is not to impose any restrictions on the taking, in a marine park or marine management area —
 - (a) of fish within the meaning of the *Fish Resources Management Act 1994*, in accordance with the provisions of that Act relating to aquaculture or commercial or recreational fishing; or
 - (b) of pearl oyster, within the meaning of the *Pearling Act 1990*, in accordance with that Act.
- (3) The prohibition in subregulation (2)(a) does not include a restriction that relates to conduct or activity other than the taking of fish but that incidentally affects the taking of fish.
- (4) Where a scientific purposes licence is granted subject to conditions or restrictions, those conditions or restrictions —
 - (a) are to be endorsed upon or attached to the licence when granted; and
 - (b) may be added to, cancelled, suspended and otherwise varied by the Executive Director from time to time during the operation of the licence.
- (5) The holder of a scientific purposes licence must not contravene a condition or restriction endorsed upon or attached to the licence.

Penalty: \$500.

[Regulation 93 amended in Gazette 4 Oct 2002 p. 5065.]