

FISHERIES MANAGEMENT AMENDMENT (ENFORCEMENT POWERS) BILL 2022

Schedule of amendments referred to in the Legislative Council's message of 17 November 2022 AM.

No. 1 **GRNS No. 3 [c2022-189G]**

Page 3, Schedule 1[2], proposed section 255A. Insert after line 37—

- (7) A fisheries officer must not exercise a function under this section in relation to a suspected fisheries offence committed by an Aboriginal person unless the fisheries officer has taken reasonable steps to determine—
 - (a) whether the fishing concerned was the carrying out of Aboriginal cultural fishing, and
Note—*Aboriginal cultural fishing* is defined in section 4(1).
 - (b) whether the fishing concerned was the exercise of native title rights and interests within the meaning of the *Native Title Act 1993* of the Commonwealth.