
FISHERIES

FI301*

Fish Resources Management Act 1994

**Fish Resources Management Amendment
Regulations (No. 16) 2003**

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Fish Resources Management Amendment Regulations (No. 16) 2003*.

2. The regulations amended

The amendments in these regulations are to the *Fish Resources Management Regulations 1995**.

[* Reprinted as at 17 May 2002.

For amendments to 5 November 2003 see Western Australian Legislation Information Tables for 2002, Table 4, p. 122-3, and Gazette 3, 27 and 30 June, 19 September and 1 October 2003.]

3. Regulation 3 amended

Regulation 3(1) is amended in the definition of “marron scope net” by deleting “scope” and inserting instead —

“ **scoop** ”.

4. Regulation 38D amended

- (1) Regulation 38D(1) is amended by deleting “clause” and inserting instead —

“ regulation and regulation 38E ”.

- (2) Regulation 38D(2) is amended by inserting at the foot of the subregulation —

“

Penalty: \$5 000 and the penalty provided in section 222 of the Act.

”.

5. Regulation 38E inserted

After regulation 38D the following regulation is inserted in Division 5B —

“

38E. Diving for abalone using breathing apparatus prohibited in Abalone Zone 1

A person must not fish for abalone in Abalone Zone 1 by diving while using compressed air breathing apparatus.

Penalty: \$5 000 and the penalty provided in section 222 of the Act.

”.

6. Regulation 156 amended

Regulation 156 is amended in the Table after “38C,” by inserting —

“ 38D(2), 38E, ”.

7. Schedule 2 amended

Schedule 2 Part 2 Division 2 is amended before the item relating to “Coral of the Order *Scleractinia*” by inserting the following item —

“

Abalone in the waters or land between 31° 59.48' south latitude (the main Cottesloe Groyne) and 32° 03.15' south latitude (Rous Head) and —

- (a) within 800 metres of, and on the seaward side of, the high water mark; or
- (b) within 200 metres of, and on the landward side of, the high water mark.

”.

8. Schedule 12 amended

Schedule 12 Part 2 item 4 is amended after “38C,” by inserting —

“ 38D(2), 38E, ”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.