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OF

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[1970

### FISHERIES ACT, 1905-1969.

Department of Fisheries and Fauna,  
Perth, 19th February, 1970.

F.D. 140/60.

PURSUANT to the powers vested in me by virtue of section 17 of the Fisheries Act, 1905-1969, I hereby direct all licensing officers to impose the following conditions in respect of fishing boat licenses:—

1. No fishing boat licensed on or after the 1st March, 1963, shall be used and no person shall permit or suffer such boat to be used for the purpose of taking rock lobster in any portion of the waters of the Indian Ocean lying between the 24th and 34th parallels of south latitude unless such boat was engaged in the taking of rock lobster immediately prior to that date or is an authorised replacement for a boat which was so engaged.
2. Fishing boats engaged in the taking of rock lobster between the 30th and 33rd parallels of south latitude shall not during the same calendar year be so engaged anywhere between the 28th and 30th parallels.
3. Fishing boats engaged in the taking of rock lobster between the 28th and 30th parallels of south latitude shall not during the same calendar year be so engaged anywhere between the 30th and 33rd parallels.
4. Fishing boats engaged in the taking of rock lobster between either the 28th and 30th parallels or the 30th and 33rd parallels may engage in the taking of rock lobster in the waters of the Indian Ocean lying north of the 28th parallel and south of the 33rd parallel.
5. No fishing boat on or after the 1st day of January, 1966, shall engage in the taking of rock lobster in the Abrolhos Islands area as defined herein, if such boat was not so engaged in that area at any time during the three years immediately preceding that date. The Abrolhos Islands

area comprises the whole of the Western Australian waters bounded by lines starting from the intersection of 27 degrees 30 minutes south latitude and 113 degrees 37 minutes east longitude and extending southeasterly to the intersection of 29 degrees 30 minutes south latitude and 114 degrees 30 minutes east longitude; thence west to 113 degrees east longitude; thence north to 27 degrees 30 minutes south latitude aforesaid and then east to the starting point.

6. No fishing boat engaged in the taking of rock lobster in the Abrolhos Islands area as defined in clause (5) above, shall engage in the taking of rock lobster in any waters outside such area during the period from 15th March to 14th August in each year.

7. No freezer boat, licensed as a processing establishment in pursuance of the provisions of section 35C of the Fisheries Act, 1905-1969, shall process, store, cut up, handle or treat rock lobster or portions of rock lobster in the Abrolhos Islands area as defined in clause (5) above, or shall have on board such boat any gear, appliances, wrapping, packing box or other equipment whatever that is used or might be used in the processing of rock lobster.

8. No freezer boat, licensed as a processing establishment in pursuance of the provisions of section 35C of the Fisheries Act, 1905-1969, shall process rock lobster caught by any other boat or person.

9. Rock lobster shall not be processed on a freezer boat before all rock lobster on that boat of a length of less than the legal length prescribed are returned to the ocean.

10. Rock lobster of a length less than the legal length prescribed, taken by a freezer boat, shall be returned to the ocean prior to the boat arriving at anchorage.

11. No freezer boat, on or after the first day of January, 1970, shall engage in the taking of rock lobster in any portion of the Western Australian

waters of the Indian Ocean lying between 27 degrees 30 minutes and 28 degrees 47 minutes 30 seconds south latitude during the period from 1st January to 14th August in each year.

12. No freezer boat, on or after the 1st day of January, 1970, shall engage in the taking of rock lobster in the waters of the Indian Ocean lying between the coastline of Western Australia and a line commencing at a point three miles due west of Robert Point at Mandurah and extending northwards to a point three miles due west from Moore Point at Geraldton, as shown in the plan attached to *Government Gazette* No. 109 published on the 6th November, 1969, during the period from 1st January to 14th August in each year.

13. No licensed fishing boat engaged in the taking of rock lobster shall carry or use at any one time, and no person shall permit or suffer such boat to carry or use at any one time, more than three rock lobster pots for each foot of the registered surveyed length of such boat, provided that no boat which exceeds 66 feet in length when so engaged shall carry or use at any one time more than 200 such pots. Provided, however, no such boat shall carry or use more rock lobster pots than the number of rock lobster pots authorised under the Rock Lobster Pot License issued in respect of that boat.

14. A licensed fishing boat of a length less than 25 feet, may, with the approval of the Director, be replaced with a boat of up to but not exceeding the surveyed length of 25 feet and be granted an additional  $1\frac{1}{2}$  rock lobster pots in respect of each foot of boat length increase.

15. A licensed fishing boat of a length of 25 feet or greater and built, i.e., completed and commissioned, more than eight years before the date of application for replacement may, with the approval of the Director, be replaced with a boat of surveyed length not greater than the length of the boat being replaced.

16. A licensed fishing boat of a length of 25 feet or greater, if lost or destroyed or because of unseaworthiness is not licensed by the Department of Harbour and Light, may, with the approval of the Director, be replaced with a boat of surveyed length not greater than the length of the boat being replaced.

17. No licensed fishing boat unless so authorised in writing by the Director of Fisheries, shall be used and no person shall permit or suffer it to be used, for the purpose of taking prawns by means of trawling in any of the waters of the Indian Ocean and Shark Bay lying between the parallels of 24 degrees 30 minutes and 27 degrees 0 minutes

of south latitude and east of 112 degrees 50 minutes, of east longitude.

18. No licensed fishing boat, unless so authorised in writing by the Director of Fisheries, shall be used and no person shall permit or suffer it to be used, for the purpose of taking prawns by means of trawling in any of the waters of the Indian Ocean situate south of the line starting at Point Murat and extending northeasterly to the southern extremity of South Muiron Island; thence generally northeasterly along the southeastern shore of that island to its easternmost extremity; thence northeasterly to the southern extremity of North Muiron Island; thence generally northeasterly and northerly along the southeastern and eastern shores of that island to its northern extremity; thence easterly to the northern extremity of Long Island; thence generally southerly along the western shores of that island to its southern extremity; thence southeasterly to the southern extremity of Locker Island and thence south to the mainland; and including the whole of the waters comprising Exmouth Gulf.

19. A licensed professional fisherman shall not after the 1st day of January, 1967, engage in the taking of salmon in any of the Western Australian waters of the Southern Ocean lying between the bar at the mouth of the Gairdner River, Gorden Inlet in Doubtful Island Bay and the western extremity of Foul Bay on the south coast if he was not engaged in fishing in the said waters at any time during the period of three years immediately preceding that date.

20. A fishing boat shall be relicensed each year under the same name given it the previous year irrespective of whether there has been a change of ownership or of registration number. No boat shall be licensed if it has been given the same name as a previously licensed fishing boat: Provided that this shall not apply if the name of each such licensed vessel is given a distinguishing serial number or an additional distinguishing name.

In these directions—

“freezer boat” means any boat licensed as a processing establishment pursuant to Part IIIB of the Fisheries Act, 1905-1969.

The notices appearing in the *Government Gazettes*, No. 45 of 8th June, 1962; No. 55 of 26th July, 1963; No. 67 of 7th August, 1964; No. 28 of 19th March, 1965; No. 98 of 22nd October, 1965; No. 107 of 16th December, 1966; No. 110 of 3rd December, 1968; and No. 109 of 6th November, 1969, are hereby cancelled.

G. C. MacKINNON,  
Minister for Fisheries and Fauna.