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FISH RESOURCES MANAGEMENT ACT 1994

ESPERANCE ROCK LOBSTER FISHERY
MANAGEMENT PLAN AMENDMENT 2000

FD 1747/00 [357]

Made by the Minister under section 54(2).

Citation

1. This amendment may be cited as the *Esperance Rock Lobster Fishery Management Plan Amendment 2000*.

Principal Plan

2. In this amendment the *Esperance Rock Lobster Management Plan 1987** is referred to as the principal Plan.

Commencement

3. This amendment shall commence operation on 28 September 2000.

Clause 3 amended

4. Clause 3 of the principal Plan is amended—

- (a) by deleting the items commencing “licence” and “pot entitlement”; and
- (b) by deleting the item commencing “rock lobster” and substituting the following items—

“regulations” means the *Fish Resources Management Regulations 1995*;

“rock lobster” means fish of the common name southern rock lobster described by the scientific classification opposite that common name in Column 2 of Schedule 7 of the regulations; and”.

Clause 7 deleted

5. The principal Plan is amended by deleting clause 7.

Clause 8 amended

6. Clause 8 of the principal Plan is amended by deleting paragraphs (f), (g) and (h) and substituting the following—

“(f) the entitlement conferred by the licence; and

(g) any conditions imposed on the licence by the Executive Director.”.

Clause 9 deleted and substituted

7. The principal Plan is amended by deleting clause 9 and substituting the following—

“Times when fishing is prohibited

9. (1) A person must not fish in the Fishery under the authority of a licence at a time when fishing in the Fishery is prohibited under this clause.

(2) If the Executive Director has made a notice under subclause (4) in respect of a financial year after 30 June 2001, then fishing is prohibited during the period specified in the notice.

(3) If the Executive Director has not made a notice under subclause (4) in respect of a financial year after 30 June 2001, then fishing is prohibited except during the period 15 November to 30 June in that financial year.

(4) For the purposes of subclause (2) the Executive Director may, by notice published in the *Gazette* during the period 1 June and 14 June of any year, prohibit fishing during a period of not less than 136 days within the financial year immediately following the month in which the notice is published in the *Gazette*.