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FISH RESOURCES MANAGEMENT ACT 1994

WEST COAST ROCK LOBSTER MANAGEMENT PLAN AMENDMENT (NO. 3) 2009

FD 1064/01 [898, 900]

Made by the Minister under section 54.

1. Citation

This instrument is the *West Coast Rock Lobster Management Plan Amendment (No. 3) 2009*.

2. Management plan amended

The amendments in this instrument are to the *West Coast Rock Lobster Management Plan 1993*.

3. Clause 9 amended

Clause 9 is amended—

(a) by deleting subclause (2) and inserting instead—

“(2) Subclause (1)(a) does not apply to—

- (a) soaking a pot in a designated rock lobster pot soaking area in the Abrolhos Islands area during the period commencing on 25 February and ending on 14 March in any season; or
- (b) pulling a soaked pot in a designated rock lobster pot soaking area in the Abrolhos Islands area from 0430 hours to 1930 hours on 13 March or 14 March of any season; or
- (c) baiting a pot on 13 March or 14 March of any season; or
- (d) setting a pot from 0600 hours to 1930 hours on 14 March of any season.”; and

(b) by inserting after subclause (2) the following subclauses—

“(3) In subclause (2), “designated rock lobster pot soaking area” means an area of waters within the Abrolhos Islands area that is approved under subclause (4).

(4) The CEO may by notice published in the *Gazette* approve an area as a designated rock lobster pot soaking area for the purposes of this clause.

(5) The CEO may by notice published in the *Gazette* amend or revoke a notice under subclause (4).”.

4. Clause 9A replaced

Clause 9A is deleted and the following clause is inserted instead—

“Restrictions on fishing

9A.(1)(a) A person must not set or pull a pot in the waters of Zone A of the Fishery on any Sunday during the period commencing on 1 April and ending on 30 June in any year.

(b) A person must not set or pull a pot in the waters of Zone B or Zone C of the Fishery on any Sunday during the relevant season.

(c) A person must not set or pull a pot in the waters of the Fishery on any Saturday or Monday prior to 30 June 2009.

(d) A person must not set or pull a pot in the waters of Zone A of the Fishery on any Sunday in March 2009.

(2) Subclause (1) does not apply to—

(a) leaving a pot or allowing a pot to remain in the waters of the Fishery on any Saturday, Sunday or Monday to which subclause (1) applies where that pot was already set prior to the commencement of that day; or

(b) baiting a pot or setting a baited pot in the waters of the Fishery after 0600 hours on any Monday to which subclause (1)(c) applies; or

(c) pulling a soaked pot in a designated rock lobster pot soaking area under clause 9 on 16 March 2009.

(3) A person must not operate in the waters of Zone B of the Fishery at any time during the period commencing on 15 January and ending on 9 February in any year.