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FISH RESOURCES MANAGEMENT ACT 1994
WEST COAST ROCK LOBSTER MANAGEMENT PLAN
AMENDMENT (NO. 5) 2009

FD 1064/01 [929]

Made by the Minister under section 54.

1. Citation

This instrument is the *West Coast Rock Lobster Management Plan Amendment (No. 5) 2009*.

2. Management plan amended

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

3. Clause 2 amended

Clause 2 is amended by—

- (a) inserting in the appropriate alphabetical position the following definition—
“**designated rock lobster pot soaking area**” means an area of water that is approved under clause 8A;”;
- (b) deleting the definition of “operate” and inserting instead—
“**operate**” means operate in connection with the taking of rock lobster and includes—
 - (a) carrying, soaking, baiting, setting or pulling a pot; and
 - (b) leaving or allowing a pot to remain in the waters of the Fishery,
but does not include carrying not more than two unbaited and unrigged pots;”;
- (c) deleting the definition of “pot” and inserting instead—
“**pot**” means a rock lobster pot as defined in the regulations;”;
- (d) deleting the definition of “set” and inserting instead—
“**set**” means, in relation to a pot, to set, position or release a pot in the waters of the Fishery, with or without bait;”.

4. Clause 2A deleted

Clause 2A is deleted.

5. Clause 4A inserted

After clause 4 the following clause is inserted—

“Use of boats

4A. Subject to clause 16, a person must not use a boat in the Fishery unless the person is the holder of a licence, or a person acting for or on behalf of the holder of the licence, and the boat is the authorised boat under the licence.”.

6. Clause 5 amended

Clause 5 is amended by deleting “pots.” and inserting instead—

“pots which conform to the specifications set out in Part 2 of Schedule 13 to the regulations.”.

7. Clause 5A amended

Clause 5A is amended in subclause (1)(b) by deleting the reference to “rock lobster” in each place where it appears.

8. Clause 6 amended

Clause 6 is amended by deleting subclause (1b) and inserting instead—

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

- (a) carrying, baiting or setting a pot; or
- (b) leaving or allowing a pot to remain in the waters of the Fishery,

in accordance with clause 8.”.