

FI301*

Fish Resources Management Act 1994

Fish Resources Management Amendment Regulations (No. 6) 2011

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Fish Resources Management Amendment Regulations (No. 6) 2011*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Fish Resources Management Regulations 1995*.

4. Regulations 38F and 38GA inserted

At the end of Part 4 Division 5B insert:

38F. Use of abalone material as bait

A person must not fish for any fish using as bait any abalone material.

Penalty: a fine of \$10 000 and the penalty provided in section 222 of the Act.

38GA. Possession of abalone material

A person, other than the holder of a managed fishery licence that authorises abalone to be taken, must not —

- (a) on the seaward side of the high water mark; or
- (b) in the waters of any estuary, river or inlet, or in the entrance to any of those waters,

be in possession of any abalone material other than a whole abalone.

Penalty: a fine of \$10 000.

5. Regulation 41 amended

(1) Delete regulation 41(1) and insert:

- (1) Subject to subregulation (2), a person, other than the holder of a managed fishery licence that authorises abalone to be taken, must not —
 - (a) on the seaward side of the high water mark; or
 - (b) in the waters of any estuary, river or inlet, or in the entrance to any of those waters; or
 - (c) within 200 metres of, and on the landward side of, the high water mark,

remove the shell, or cause or permit the shell to be removed, from an abalone.

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

- (2A) A person, other than the holder of a managed fishery licence that authorises abalone to be taken, must not bring onto land, or attempt to bring onto land, an abalone from which the shell has been removed.

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

(2) In regulation 41(2) delete “(1)(a)” and insert:

(1)(c)

Note: The heading to amended regulation 41 is to read:

Shucking of abalone by person other than holder of managed fishery licence

6. Regulation 156 amended

In regulation 156 in the Table:

(a) after “38E” insert:

38F,

(b) delete “41,” and insert:

41(1), 41(2A),

By Command of the Governor,

N. HAGLEY, Clerk of the Executive Council.
