
FISHERIES

FI301*

Fish Resources Management Act 1994

**Fish Resources Management Amendment
Regulations (No. 7) 2011**

Made by the Lieutenant-Governor and Administrator in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Fish Resources Management Amendment Regulations (No. 7) 2011*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2011.

Part 2 — *Fish Resources Management Regulations 1995* amended

3. Regulations amended

This Part amends the *Fish Resources Management Regulations 1995*.

4. Part 11 Division 6A inserted

After Part 11 Division 5 insert:

Division 6A — Replacement of cancelled authorisations

129A. Terms used

In this Division —

authorisation means a managed fishery licence granted in respect of the West Coast Rock Lobster Managed Fishery;

cancelled authorisation means authorisation No. 1450 or No. 1493;

former authorisation holder means the person who held authorisation No. 1450 or No. 1493 immediately before it was cancelled under section 224;

section 224 has the meaning given in section 78A(1) of the Act.

129B. CEO may grant replacement authorisations

(1) If —

- (a) a former authorisation holder applies on or before 15 August 2011 to the CEO for the grant of an authorisation; and
- (b) the application is accompanied by —
 - (i) an application fee of \$329.00; and
 - (ii) the relevant replacement authorisation fee set out in subregulation (3),

the CEO may grant to the former authorisation holder an authorisation to replace the former authorisation holder's cancelled authorisation.

- (2) When an authorisation is granted to replace a cancelled authorisation, the replacement authorisation —
 - (a) confers the same authority and entitlement that were conferred by the cancelled authorisation immediately before it was cancelled; and
 - (b) is subject to the same conditions to which the cancelled authorisation was subject immediately before it was cancelled.
- (3) The replacement authorisation fee —
 - (a) for the grant of an authorisation to replace authorisation No. 1450 — is \$82 180;
 - (b) for the grant of an authorisation to replace authorisation No. 1493 — is \$100 878.

Part 3 — *West Coast Rock Lobster Management Plan 1993* amended

5. Management plan amended

This Part amends the *West Coast Rock Lobster Management Plan 1993*.

6. Clause 7 amended

Delete clause 7(2) and insert:

- (2) For the purposes of subclause (1) and subject to clause 7A, the zone endorsed on the licence is —
 - (a) the zone endorsed on the licence as at 30 June 2011; or
 - (b) if the licence is a replacement authorisation granted under regulation 129B of the regulations, the zone endorsed on that authorisation when it was granted.

7. Clause 14A amended

After clause 14A(3) insert:

- (4) Each capacity applying to a zone of the Fishery in which a replacement authorisation granted under regulation 129B of the regulations may be operated is increased on the granting of the authorisation by the number equal to one half of the number of units of entitlement conferred by the authorisation.

By Command of the Lieutenant-Governor and Administrator,

PETER CONRAN, Clerk of the Executive Council.