
FISHERIES

FI301*

Fish Resources Management Act 1994

**Fish Resources Management Amendment
Regulations (No. 2) 2005**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Fish Resources Management Amendment Regulations (No. 2) 2005*.

2. The regulations amended

The amendments in these regulations are to the *Fish Resources Management Regulations 1995**

[* *Reprint 4 as at 14 November 2003.*

For amendments to 11 April 2005 see Western Australian Legislation Information Tables for 2004, Table 4, p. 131, and Gazette 1 March 2005.

3. Regulation 3 amended

Regulation 3(1) is amended in the definition of “gear identification number”, in paragraph (a), by deleting “allocated under regulation 124(2)(b) in respect of a recreational fishing licence held by the person; or” and inserting instead —

“

specified in accordance with —

- (i) regulation 124(2)(b) on a recreational fishing licence held by the person; or
- (ii) regulation 124A(4) on a receipt, within the meaning of that regulation, for an application for a recreational fishing licence issued to the person;

or

”.

4. Regulation 124A inserted

After regulation 124 the following regulation is inserted in Division 2 —

“

124A. Recreational fishing licence receipt may have effect as if it was a recreational fishing licence

(1) In this regulation —

“**recreational fishing licence receipt**” means a receipt issued by the Executive Director to a person who has applied for the grant, or renewal, of a recreational fishing licence.

(2) A recreational fishing licence receipt issued to an applicant has effect as if it was a recreational fishing licence granted under regulation 124 to the person until —

- (a) the Executive Director gives notice to the applicant of the outcome of the application; or
- (b) the expiration of one month after the date on which the receipt was issued,

whichever occurs first.

(3) Despite subregulation (2), a recreational fishing licence receipt does not have effect as if it was a recreational fishing licence if the applicant to whom it was issued —

- (a) was the holder of a recreational fishing licence which was cancelled, or not renewed by the Executive Director;
- (b) has been convicted of an offence against the Act;
- (c) is not in possession of the receipt when engaging in an activity specified in the receipt; or
- (d) is the holder of a commercial fishing licence and the recreational fishing licence receipt specifies that the applicant may engage in any activities other than those set out in items 2 and 4 of the Table to regulation 124.

(4) A recreational fishing licence receipt is to be in a form approved by the Executive Director and is to specify —

- (a) the same matters that are to be specified in respect of a recreational fishing licence under regulation 124(2)(a) and (b); and
- (b) the date on which the receipt was issued.

”

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.