

— PART 1 —

FISHERIES

FI301*

Fish Resources Management Act 1994

Fish Resources Management Amendment Regulations (No. 3) 2000

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Fish Resources Management Amendment Regulations (No. 3) 2000*.

2. The regulations amended

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

[* Reprinted as at 2 June 2000.]

3. Regulation 14 amended

Regulation 14 is amended as follows:

- (a) after paragraph (f), by deleting “and”;
- (b) after paragraph (g), by deleting the full stop and inserting instead —
“ ; and ”;
- (c) at the end of the regulation, by inserting the following paragraph —
“
(h) Division 4E — Bag limit for trout in, and other restrictions on fishing at, Lake Navarino (Waroona Dam).
”.

4. Part 4 Division 4E inserted

After regulation 30I the following Division is inserted —

“

**Division 4E — Bag limit for trout in, and other
restrictions on fishing at, Lake Navarino (Waroona
Dam)**

30J. Bag limit for trout in Lake Navarino (Waroona Dam)

For the purposes of section 50 of the Act, the bag limit in respect of —

- (a) brown trout;

- (b) rainbow trout; or
- (c) a combination of brown trout and rainbow trout,

taken from the waters of Lake Navarino (Waroona Dam) and its tributaries is 2 trout.

30K. Restrictions on fishing at Lake Navarino (Waroona Dam)

- (1) A person must not fish in the waters of Lake Navarino (Waroona Dam) or its tributaries using as a bait or lure anything other than an artificial lure.

Penalty: \$2 000.

- (2) In subregulation (1) —
“artificial lure” includes —

- (a) a lure that is made of feather, fur, wool or any other material and that is known as an artificial fly; and
- (b) a lure that incorporates a spinning device or another device that causes the lure to move.

- (3) A person must not fish in the waters of Lake Navarino (Waroona Dam) or its tributaries during the period beginning on 1 May in any year and ending on 31 August in that year.

Penalty: \$2 000.

”.

5. Regulation 61 amended

- (1) Regulation 61(3) is amended as follows:

- (a) in paragraph (a), by deleting “waterproof cardboard,”;
- (b) in paragraph (c), by deleting “100 millimetres in length and not less than 60 millimetres” and inserting instead —

“

75 millimetres in length and not less than
55 millimetres

”.

- (2) After regulation 61(3) the following subregulation is inserted —

“

- (3a) In relation to rock lobster, the reference in subregulation (3)(b) to the exterior of any package, container or receptacle (**“the package”**) is a reference to an exterior side surface of the package and does not include a reference to the exterior upper or lower surface of the package.

”.

- (3) Regulation 61(5) is amended as follows:
- (a) by deleting “specify — ” and inserting instead —
“ clearly identify — ”;
 - (b) after paragraph (a), by deleting “and”;
 - (c) in paragraph (b), by deleting “fish and the initial letter of the port from which the boat operates.” and inserting instead —
“ fish; and ”;
 - (d) at the end of the subregulation, by inserting the following paragraph —
“
(c) the fishery, and if applicable the area or zone of the fishery, from which the fish were taken.
”.

6. Regulation 118A inserted

After regulation 118 the following regulation is inserted —

“

118A. Authority conferred by fishing boat licence of no effect if managed fishery licence authorises use of same boat

At any time when a managed fishery licence —

- (a) has been granted in respect of the West Coast Rock Lobster Managed Fishery declared under the *West Coast Rock Lobster Management Plan 1993*;
- (b) authorises the use in that fishery of the same boat in respect of which a fishing boat licence is in force; and
- (c) confers a total pot entitlement of less than 63 units,

the authority conferred by the fishing boat licence referred to in paragraph (b) is of no effect.

”.

7. Schedule 2 amended

Schedule 2 Part 2 Division 1 is amended by deleting the definition of “setose” and inserting the following definition instead —

“

“**setose**” means a female rock lobster that has fine hair-like filaments (*ovigerous setae*) —

- (a) for the attachment of eggs on the branched structures (*biramous endopodites*) forming part of the swimmerets (*pleopods*) underneath its tail; or

- (b) that, although not capable of the attachment of eggs as described in paragraph (a), are in the process of lengthening as part of the development of the rock lobster to sexual maturity;

”.

8. Schedule 12 amended

Schedule 12 Part 2 is amended as follows:

- (a) in item 3 after “27(6),” by inserting —
“ 30K(1), 30K(3), ”;
- (b) in item 4 after “38,” by inserting —
“ 38B, 38C, ”.

By Command of the Governor,

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