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**FISHERIES**

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**FISH RESOURCES MANAGEMENT ACT 1994****FISH RESOURCES MANAGEMENT AMENDMENT REGULATIONS  
(No. 3) 1997**

Made by the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Fish Resources Management Amendment Regulations (No. 3) 1997*.

**Principal regulations**

2. In these regulations the *Fish Resources Management Regulations 1995*\* are referred to as the principal regulations.

[\* *Published in Gazette 29 September 1995, pp. 4503-635.*  
*For amendments to 28 August 1997 see 1996 Index to Legislation of Western Australia, Table 4, p. 88, and Gazette 27 March and 4 July 1997.*]

**Regulation 14 amended**

3. Regulation 14 of the principal regulations is amended —
- (a) after paragraph (a) by deleting “and”; and
  - (b) by deleting paragraph (b) and substituting the following paragraphs —
    - “
    - (b) Division 3A of this Part — Bag limits in Dampier Archipelago (Rock Lobster); and
    - (c) Division 4 of this Part — Bag limits in West Coast Purse Seine Managed Fishery.
    - ”

**Regulation 18 amended**

4. Regulation 18 (3) (a) of the principal regulations is amended by deleting “taken under” and substituting the following —
- “ taken in accordance with ”.

**Regulation 26 amended**

5. Regulation 26 (1) (b) of the principal regulations is amended by deleting “taken under” and substituting the following —
- “ taken in accordance with ”.

**Part 4, Division 3A inserted**

6. After Division 3 of Part 4 of the principal regulations the following Division is inserted —

“

***Division 3A — Bag limits in Dampier Archipelago (Rock Lobster)*****Interpretation**

29A. In this Division —

“**Dampier Archipelago land area**” means the land adjacent to the Dampier Archipelago waters;

“**Dampier Archipelago waters**” means the waters of the Indian Ocean bounded by a line commencing at the high water mark at the northernmost point of Cape Preston, from there north to the intersection of the 200 metre isobath, from there generally north-easterly along the 200 metre isobath to the intersection of 117° 10' east longitude, from there south to the intersection of the high water mark on the mainland (Cape Lambert), and from there in a generally south-westerly direction along the high water mark on the mainland back to the commencement point;

“**rock lobster**” means whole rock lobster or part of a rock lobster.

**Bag limits for rock lobsters within Dampier Archipelago**

29B. For the purposes of section 50 of the Act, the bag limit in respect of rock lobsters taken from Dampier Archipelago waters or brought onto land in the Dampier Archipelago land area is 4 rock lobsters.

**Boats used for fishing for rock lobsters within Dampier Archipelago waters**

29C. (1) Despite the bag limit prescribed under regulation 29B, a boat used within the Dampier Archipelago waters to fish for rock lobsters must not be used to hold or transport more than 8 rock lobsters in any one day unless —

- (a) the boat is a licensed fishing boat; and
- (b) the rock lobsters are taken in accordance with an authorization granted under section 66 of the Act or a rock lobster pot licence.

(2) The master of a boat that is used contrary to subregulation (1) commits an offence.

Penalty: \$5 000.

”

**Regulation 140 amended**

7. Regulation 140 (1) of the principal regulations is amended by deleting “(2)”.

**Schedule 1 amended**

8. Part 1 of Schedule 1 to the principal regulations is amended in item 4 by deleting “(2)”.

**Schedule 2 amended**

9. (1) Part 1 of Schedule 2 to the principal regulations is amended by inserting after the item that begins "Billfish," the following item —

" Great White Shark. "

(2) Part 2 of Schedule 2 to the principal regulations is amended in the part of Division 3 headed "Class of fish If of a length greater than the length specified in respect of each class of fish" by deleting the item that begins "Snapper, Pink" and substituting the following item —

"

Snapper, Pink, —

(a) when —

(i) taken from; or

(ii) brought ashore from a boat other than a licensed fishing boat from,

the waters of the Shark Bay eastern gulf (as defined in regulation 30D) ..... 700

(b) when —

(i) taken from; or

(ii) brought ashore from a boat from,

the waters of the Shark Bay western gulf (as defined in regulation 30D), by a person authorised to fish for pink snapper in the waters of the Shark Bay Beach Seine and Mesh Net Managed Fishery

700

",

(3) Part 2 of Schedule 2 to the principal regulations is amended in Division 5, in the 2 items that begin "Rock Lobster, Western, female —", by deleting "48'".

**Schedule 7 amended**

10. Schedule 7 to the principal regulations is amended in the part headed "MARINE OR FLUVIO-MARINE FISH" by inserting after the item that begins "Sharks" the following item —

" Shark, Great White ..... *Carcharodon carcharias* "

By Command of the Governor,

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