



Western Australia

Fish Resources Management Act 1994

## **Fish Resources Management Amendment Regulations (No. 5) 2026**



## Fish Resources Management Amendment Regulations (No. 5) 2026

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## **Fish Resources Management Amendment Regulations (No. 5) 2026**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Fish Resources Management Amendment Regulations (No. 5) 2026*.

**2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published on the WA legislation website;
- (b) the rest of the regulations — on 1 November 2026.

**3. Regulations amended**

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

**4. Regulation 3 amended**

In regulation 3(1) insert in alphabetical order:

***charter fisher***, in relation to one day, means —

- (a) a person who participates in a fishing tour during the day; or
- (b) the master, or a member of the crew, of a charter boat on which a fishing tour is conducted during the day;

**5. Regulation 65B amended**

In regulation 65B(1) and (2) delete “Island” and insert:

Islands

Note: The heading to amended regulation 65B is to read:

**Bag limits for demersal finfish (West Coast Region other than  
Abrolhos Islands Fish Habitat Protection Area)**

**6. Regulation 65BA replaced**

Delete regulation 65BA and insert:

**65BA. Bag limits for demersal finfish taken by persons  
who are not charter fishers (Abrolhos Islands Fish  
Habitat Protection Area)**

- (1) For the purposes of section 50 of the Act, this regulation —
  - (a) applies in relation to a person who is not a charter fisher in the Abrolhos Islands Fish Habitat Protection Area on one day; and
  - (b) specifies the bag limits in respect of the species of fish specified in column 1 of Schedule 3 Division 1 Subdivision 3 for the person for that day in that area.
- (2) The bag limit for a species of fish is the quantity specified in column 2 of Schedule 3 Division 1 Subdivision 3 directly opposite the name of the species.
- (3) The bag limit in respect of all species of fish specified in Schedule 3 Division 1 Subdivision 3 is the quantity specified in column 3 of Schedule 3 Division 1 Subdivision 3.

**65BB. Bag limits for demersal finfish taken by charter fishers (Abrolhos Islands Fish Habitat Protection Area)**

- (1) For the purposes of section 50 of the Act, this regulation —
  - (a) applies in relation to a person who is a charter fisher in the Abrolhos Islands Fish Habitat Protection Area on one day; and
  - (b) specifies the bag limits in respect of the species of fish specified in column 1 of Schedule 3 Division 1 Subdivision 3 for the person for that day in that area.
- (2) The bag limits for one day apply to a charter fisher regardless of whether the charter fisher takes, or brings onto land, a fish on a fishing tour or otherwise during the day.
- (3) The bag limit for a species of fish is the quantity specified in column 4 of Schedule 3 Division 1 Subdivision 3 directly opposite the name of the species.
- (4) The bag limit in respect of all species of fish specified in Schedule 3 Division 1 Subdivision 3 is the quantity specified in column 5 of Schedule 3 Division 1 Subdivision 3.
- (5) It is a defence to an offence under section 50(3) of the Act for the person charged with taking, or bringing onto land, on any one day more fish than the applicable bag limit to prove that —
  - (a) the fish was of a species specified in column 1 of Schedule 3 Division 1 Subdivision 3 taken in the Abrolhos Islands Fish Habitat Protection Area; and

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- (b) the person was a charter fisher for the day on a charter boat; and
  - (c) the quantity of fish of the species on the boat, at the time the fish was taken, did not exceed the combined bag limit for the boat in relation to the species of fish calculated under subregulation (6).
- (6) For the purposes of subregulation (5), the combined bag limit for a boat in relation to 1 or more species of fish is calculated by multiplying the bag limit for the species of fish by the number of charter fishers on the boat.

**7. Regulation 128T replaced**

Delete regulation 128T and insert:

**128T. Master of charter boat in West Coast Region must not take demersal finfish**

- (1) In this regulation —
  - allowed 15 minutes***, in relation to a demersal finfish brought onto a charter boat, means the 15-minute period beginning when the fish is brought onto the boat;
  - quota tag*** has the meaning given in regulation 128U(1);
  - relevant demersal finfish*** means a fish of any of the following species —
    - (a) Cod, Breaksea;
    - (b) Dhufish, West Australian;
    - (c) Groper, Baldchin;
    - (d) Snapper (Pink Snapper);

**unused**, in relation to a quota tag, means the quota tag is not, and has not been, attached to a fish.

- (2) The master of a charter boat conducting a fishing tour in the West Coast Region must not take, or allow another person to take, a demersal finfish.  
Penalty for this subregulation: a fine of \$5 000.
- (3) The master of a charter boat is exempt from subregulation (2) if —
- (a) the master takes, or allows another person to take, a fish that is not a relevant demersal finfish; and
  - (b) at the time the fish was taken there were 1 or more unused current quota tags on the boat.
- (4) The master of a charter boat is exempt from subregulation (2) if —
- (a) the master takes, or allows another person to take, a relevant demersal finfish; and
  - (b) at the time the fish was taken there were 1 or more unused current quota tags on the boat; and
  - (c) the fish is brought onto the boat; and
  - (d) within the allowed 15 minutes —
    - (i) records under regulation 64 are created that specify that a current quota tag was used in relation to the fish; and
    - (ii) a current quota tag is attached to the fish by inserting the tag through the mouth and gill slit of the fish and engaging the locking mechanism of the tag;
- and

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- (e) at all times during the period beginning when the allowed 15 minutes ends and ending when the master of the boat returns to land, 1 of the following applies —
  - (i) the current quota tag remains attached to the fish in accordance with paragraph (d)(ii);
  - (ii) the fish is filleted and the current quota tag is stored with the fillets with the locking mechanism of the tag engaged;
  - (iii) the fish is prepared, or being prepared, for immediate consumption by persons on the boat;
  - (iv) the fish is consumed by persons on the boat.

**8. Schedule 3 Division 1 amended**

- (1) In Schedule 3 Division 1 Subdivision 1 in the item relating to “Dory, John and Mirror” delete “3” and insert:

(2) Delete Schedule 3 Division 1 Subdivision 3 and insert:

**Subdivision 3 — Abrolhos Islands Fish Habitat Protection Area**

[r. 65BA and 65BB]

| <b>Fish</b>                          | <b>Species bag limit for one day (persons who are not charter fishers)</b> | <b>Grouped bag limit of all species of demersal finfish for one day (persons who are not charter fishers)</b> | <b>Species bag limit for one day (charter fishers)</b> | <b>Grouped bag limit of all species of demersal finfish for one day (charter fishers)</b> |
|--------------------------------------|----------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|-------------------------------------------------------------------------------------------|
| Boarfish.....                        | 1                                                                          | 1                                                                                                             | 2                                                      | 2                                                                                         |
| Coral Trout and Coronation Trout ... | 1                                                                          |                                                                                                               | 1                                                      |                                                                                           |
| Dhufish, West Australian.....        | 1                                                                          |                                                                                                               | 2                                                      |                                                                                           |
| Dory, John and Mirror.....           | 1                                                                          |                                                                                                               | 2                                                      |                                                                                           |
| Emperor and Seabream.....            | 1                                                                          |                                                                                                               | 2                                                      |                                                                                           |
| Foxfish .....                        | 1                                                                          |                                                                                                               | 2                                                      |                                                                                           |
| Groper, Baldchin and Tuskfish.....   | 1                                                                          |                                                                                                               | 2                                                      |                                                                                           |
| Groper, Western Blue.....            | 1                                                                          |                                                                                                               | 1                                                      |                                                                                           |

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| <b>Fish</b>                                                                        | <b>Species bag limit for one day (persons who are not charter fishers)</b> | <b>Grouped bag limit of all species of demersal finfish for one day (persons who are not charter fishers)</b> | <b>Species bag limit for one day (charter fishers)</b> | <b>Grouped bag limit of all species of demersal finfish for one day (charter fishers)</b> |
|------------------------------------------------------------------------------------|----------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|-------------------------------------------------------------------------------------------|
| Hapuku, Bass Groper and Trevalla(s), Blue-Eye .....                                | 1                                                                          |                                                                                                               | 2                                                      |                                                                                           |
| Redfish, Bight (Red Snapper, Nannygai), Redfish, Yelloweye and Swallowtail .....   | 1                                                                          |                                                                                                               | 2                                                      |                                                                                           |
| Rockcod, all species except Chinaman Rockcod, Coral Trout and Coronation Trout ... | 1                                                                          |                                                                                                               | 2                                                      |                                                                                           |
| Snapper (Pink Snapper).....                                                        | 1                                                                          |                                                                                                               | 2                                                      |                                                                                           |
| Snapper, Queen.....                                                                | 1                                                                          |                                                                                                               | 2                                                      |                                                                                           |

| <b>Fish</b>                                                                                              | <b>Species bag limit for one day (persons who are not charter fishers)</b> | <b>Grouped bag limit of all species of demersal finfish for one day (persons who are not charter fishers)</b> | <b>Species bag limit for one day (charter fishers)</b> | <b>Grouped bag limit of all species of demersal finfish for one day (charter fishers)</b> |
|----------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|-------------------------------------------------------------------------------------------|
| Tropical Snapper, all species except Golden Snapper (Fingermark), Mangrove Jack and Stripey Snapper..... | 1                                                                          |                                                                                                               | 2                                                      |                                                                                           |

## 9. Schedule 3 Division 2 amended

In the headings to Schedule 3 Division 2 Subdivisions 1 and 2 delete “**Island**” and insert:

### **Islands**

Note: The headings to the regulations listed in the Table are to read as set out in the Table.

**Table**

| <b>Regulation</b> | <b>Regulation heading</b>                                                                                      |
|-------------------|----------------------------------------------------------------------------------------------------------------|
| r. 65C            | <b>Bag limits for large pelagic finfish (regions other than Abrolhos Islands Fish Habitat Protection Area)</b> |

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| <b>Regulation</b> | <b>Regulation heading</b>                                                                   |
|-------------------|---------------------------------------------------------------------------------------------|
| r. 65CA           | <b>Bag limits for large pelagic finfish (Abrolhos Islands Fish Habitat Protection Area)</b> |

BRENDAN D'SA, Clerk of the Executive Council