

Fish Resources Management Act 1994

Fish Resources Management Amendment Regulations (No. 14) 2003

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Fish Resources Management Amendment Regulations (No. 14) 2003*.

2. The regulations amended

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

[* Reprinted as at 17 May 2002.

For amendments to 14 November 2003 see Western Australian Legislation Information Tables for 2002, Table 4, p. 122-3, and Gazette 3, 27 and 30 June, 19 August, 19 September, 1 and 31 October 2003.]

3. Regulation 3 amended

Regulation 3(1) is amended by inserting the following definitions in the appropriate alphabetical positions —

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“**Cottesloe Reef waters**” means the waters of the Cottesloe Reef as defined in the *Cottesloe Reef Fish Habitat Protection Area Order 2001*;

“**jet ski**” means a jet ski or any other any vessel designed for the transport of one, 2 or 3 persons that —

- (a) is propelled by means of an inboard motor powering a water jet pump; and
- (b) is designed to be steered by means of handlebars by a person sitting, standing or kneeling on the vessel and not within it;

“**Lancelin Island Lagoon**” means the waters of the Lancelin Island Lagoon as defined by the *Lancelin Island Lagoon Fish Habitat Protection Area Order 2001*.

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4. Part 9A inserted

After Part 9 the following Part is inserted —

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Part 9A — Fish Habitat Protection Areas

**Division 1 — Cottesloe Reef Fish Habitat
Protection Area**

113A. Prohibited behaviour

- (1) A person must not fish for a commercial purpose in the Cottesloe Reef waters.
Penalty: \$2 000 and the penalty provided in section 222 of the Act.
- (2) A person must not engage in recreational fishing in the Cottesloe Reef waters.
Penalty: \$2 000 and the penalty provided in section 222 of the Act.
- (3) Subregulation (2) does not apply to —
 - (a) a person who fishes for an abalone;
 - (b) a person who fishes for a rock lobster; or
 - (c) a person who fishes for an osteichthye using a single rod and line.
- (4) A person must not deposit, or cause or permit to be deposited, blood or offal in the Cottesloe Reef waters.
Penalty: \$2 000.
- (5) A person must not use a jet ski in the Cottesloe Reef waters.
Penalty: \$1 000.
- (6) A person must not anchor a boat in the Cottesloe Reef waters.
Penalty: \$1 000.

**Division 2 — Lancelin Island Lagoon Fish Habitat
Protection Area**

113B. Prohibited behaviour

- (1) A person must not fish in the Lancelin Island Lagoon.
Penalty: \$2 000 and the penalty provided in section 222 of the Act.
- (2) A person must not use a jet ski in the Lancelin Island Lagoon.
Penalty: \$1 000.

- (3) A person must not anchor a boat in the Lancelin Island Lagoon.

Penalty: \$1 000.

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5. Regulation 156 amended

Regulation 156 is amended by inserting after “64(7)” —

“ , 113A(1), 113A(2), 113B(1) ”.

6. Schedule 12 amended

- (1) Schedule 12 Part 2 Item 3 is amended by inserting after “113” —

“ , 113A(5), 113A(6), 113B(2), 113B(3) ”.

- (2) Schedule 12 Part 2 Item 4 is amended by inserting after “71” —

“ , 113A(1), 113A(2), 113A(4), 113B(1) ”.

By Command of the Governor,

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