

FISH RESOURCES MANAGEMENT ACT 1994

**PROHIBITION ON COMMERCIAL FISHING (SOUTH-WEST COAST BEACH NET)
ORDER 2010**

Order No. 3 of 2010

FD 1620/98 [914]

Made by the Minister under section 43.

1. Citation

This order is the *Prohibition on Commercial Fishing (South-West Coast Beach Net) Order 2010*.

2. Interpretation

In this order –

“**authorised boat**” means a fishing boat in respect of which a fishing boat licence specified in column 2 of Schedule 3 is in force;

“**net**” means any fishing net that is hauled from the shore;

“**beach seine net**” means a net that –

- (a) is hauled from the shore; and
- (b) does not exceed 250 metres in length; and
- (c) has a mesh size of not less than 7 millimetres;

“**fishing unit**” means all the fishing boat licences specified in column 2 of Schedule 3 directly opposite a fishing unit specified in column 1.

3. Prohibition on commercial fishing by means of nets

A person must not engage in commercial fishing by means of a net in the waters specified in Schedule 1.

4. Exceptions to clause 3

- (1) Clause 3 does not apply to a person fishing in the waters specified in Schedule 2 with the use of –
 - (a) an authorised boat; and
 - (b) one beach seine net.

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- (2) Subclause (1) does not apply to a person where –
- (a) more than one authorised boat in respect of the same fishing unit is being used to fish in the waters of Schedule 2 at any one time; or
 - (b) more than one beach seine net is being used to fish from an authorised boat at any one time.
- (3) Clause 3 does not apply to a person fishing in accordance with the *South-West Coast Salmon Fishery Management Plan 1982*.

5. Revocation

The *South West Beach Seine Fishery Notice 1990* (Notice No. 416) is revoked.

Schedule 1

All those waters of the Indian Ocean off the west and south coast of Western Australia bounded by a line commencing at the intersection of the high water mark on the mainland at 32° 39.08' south latitude and thence westerly along the geodesic to the 200 nautical mile boundary of the Australian fishing zone and thence southerly and easterly along the boundary of the Australian fishing zone to its intersection with 115° 30' east longitude and thence northerly along the meridian to the high water mark of the mainland and thence generally westerly and northerly along the high water mark to the commencement point.

Schedule 2

All those waters of the Indian Ocean within 800m of the high water mark between 32° 39.08' south latitude (Tim's Thicket Point) and 33° 37.71' south latitude and 115° 23.625' east longitude excluding the area on the western side of the groyne that is closest to the intersection of Layman Road and Spinnaker Boulevard.

Schedule 3

Column 1 – Fishing units	Column 2 – Fishing boat licences
Fishing unit 1	Fishing boat licence No. 2268; Fishing boat licence No. 3323; Fishing boat licence No. 3324.
Fishing unit 2	Fishing boat licence No. 2284; Fishing boat licence No. 2650; Fishing boat licence No. 2651.

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