

This compilation was prepared taking into account amendments up to and including the *Prohibition on Fishing (Coral, 'Live Rock' and Algae) Amendment Order 2014* published in Government Gazette No. 44 on 21 March 2014.

FISH RESOURCES MANAGEMENT ACT 1994

PROHIBITION ON FISHING (CORAL, 'LIVE ROCK' AND ALGAE) ORDER 2007

Order No. 11 of 2007

FD 1620/98 [816]

Made by the Minister under section 43.

1. Citation

This order is the *Prohibition on Fishing (Coral, 'Live Rock' and Algae) Order 2007*.

2. Interpretation

In this order –

“algae” means all fish of that common name described by the scientific classifications Phylum Rhodophyta, Phylum Chlorophyta and Phylum Phaeophyta but excluding Family Corallinaceae;

“coral” means all live fish of that common name described by the scientific classifications Class Anthozoa and Class Hydrozoa and including any rock, substrate or other substance on or in which the fish are attached or inhabit;

“ ‘live rock’ ” means –

- (a) all fish of that common name described by the scientific classifications Family Corallinaceae, Class Polychaeta, Class Crinoidea, Class Ascidiacea, Class Ophiuroidea, Phylum Bryozoa and Phylum Porifera; and
- (b) all dead fish of the scientific classifications Class Anthozoa and Class Hydrozoa,

and including any rock, substrate or other substance on or in which the fish are attached or inhabit.

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3. Prohibition on fishing for coral, 'live rock' and algae

A person must not fish for any coral, 'live rock' or algae.

4. Exceptions to clause 3

- (1) Clause 3 does not apply in respect of the natural persons specified in column 1 of Schedule 1 taking, together and in total in any one calendar year, not more than the quantity of coral or 'live rock' specified directly opposite those persons in column 2 of that Schedule subject to –
- (a) the specified quantity of coral being the weight before it is dried in any way (including by being left out of water);
 - (b) not more than 100 kg of coral being taken in any one day;
 - (c) no coral of the species provided for in column 1 of Schedule 2 being taken from the waters specified directly opposite those species in column 2 of that Schedule;
 - (d) deleted GG182 09/10/2009;
 - (e) no 'live rock' being taken unless the whole of any rock, substrate or other substance on or in which the 'live rock' is attached or inhabits is taken with the 'live rock';
 - (f) coral being taken only by hand or with the use of manually operated and powered fishing gear or tools;
 - (g) any nominated diver of a relevant Marine Aquarium Fishery Managed Fishery Licence acting only in the presence of and in accordance with the directions of the nominated operator of the licence;
 - (h) the persons fishing only during a voyage that commences from the shore of the mainland or an island and at the times and places in respect of which the persons have given notice by means of a telephone call to 1800 080 288 no more than 6 hours before commencing the voyage;
 - (i) no more than the quantity of the species of coral provided for in column 1 of Schedule 3 being taken from the waters specified directly opposite those species in column 2 of that Schedule;

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- (j) any container being used to hold 'live rock'—
- (i) must be clearly and legibly marked or labelled with the accurate maximum internal volume of the container in litres; and
 - (ii) must be covered with a lid that is level with the top of the container or capable of being covered by a lid that is level with the top of the container; and
- (k) the specified quantity of 'live rock' being the weight determined by multiplying the accurate maximum internal volume of the container as labelled in accordance with subclause (j)(i) by 400 gm, regardless of whether the container is full or not.
- (2) Clause 3 does not apply to the taking of algae by a person for a recreational purpose.

5. Orders revoked

- (1) The *Prohibition on Taking Fish (Coral and Related Fish) Order 2001* is revoked.
- (2) The *Prohibition on Commercial Fishing for Coral and Related Fish (Cleaverville Beach) Order 2003* is revoked.

Schedule 1 – Persons to whom the exception in clause 4 applies

Column 1

Column 2

Item (1). All the persons who, in the relevant calendar year, are a nominated operator or nominated diver under the Marine Aquarium Managed Fishery Licence number 2567.

- (a) **4,000 kg of coral;**
 (b) **5,000 kg of 'live rock'.**

Item (2). All the persons who, in the relevant calendar year, are a nominated operator or nominated diver under the Marine Aquarium Managed Fishery Licence number 2573.

- (a) **2,000 kg of coral;**
 (b) **5,000 kg of 'live rock'.**

Item (3). All the persons who, in the relevant calendar year, are a nominated operator or nominated diver under the Marine Aquarium Managed Fishery Licence number 2572.

5,000 kg of 'live rock'.

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- Item (4). All the persons who, in the relevant calendar year, are a nominated operator or nominated diver under the Marine Aquarium Managed Fishery Licence number 2571.
- (a) **250 kg of coral;**
(b) **5,000 kg of 'live rock'.**
- Item (5). All the persons who, in the relevant calendar year, are a nominated operator or nominated diver under the Marine Aquarium Managed Fishery Licence number 2566.
- a) **500 kg of coral;**
b) **5,000 kg of 'live rock'.**
- Item (6). All the persons who, in the relevant calendar year, are a nominated operator or nominated diver under the Marine Aquarium Managed Fishery Licence number 2568.
- a) **500 kg of coral;**
b) **5,000 kg of 'live rock'.**
- Item (7). All the persons who, in the relevant calendar year, are a nominated operator or nominated diver under the Marine Aquarium Managed Fishery Licence number 2576.
- a) **250 kg of coral;**
b) **5,000 kg of 'live rock'.**
- Item (8). All the persons who, in the relevant calendar year, are a nominated operator or nominated diver under the Marine Aquarium Managed Fishery Licence number 2565.
- 5,000 kg of 'live rock'.**
- Item (9). All the persons who, in the relevant calendar year, are a nominated operator or nominated diver under the Marine Aquarium Managed Fishery Licence number 2587.
- 5,000 kg of 'live rock'.**
- Item (10). All the persons who, in the relevant calendar year, are a nominated operator or nominated diver under the Marine Aquarium Managed Fishery Licence number 2588.
- 5,000 kg of 'live rock'.**
- Item (11). All the persons who, in the relevant calendar year, are a nominated operator or nominated diver under the Marine Aquarium Managed Fishery Licence number 2564.
- 5,000 kg of 'live rock'.**
- Item (12). All the persons who, in the relevant calendar year, are a nominated operator or nominated diver under the Marine Aquarium Managed Fishery Licence number 2570.
- 5,000 kg of 'live rock'.**

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Schedule 2 – Species and areas where the exception in clause 4 does not apply

Column 1	Column 2
Coral and 'live rock'	Cleaverville Beach – the waters of the Indian Ocean bounded by a line commencing at the intersection of the high water mark and 116° 58.607' east longitude; thence north along the meridian to the intersection of 20° 38.984' south latitude and 116° 58.607' east longitude; thence east north east along the geodesic to the intersection of 20° 37.796' south latitude and 117° 02.230' east longitude; thence south along the meridian to the intersection of the high water mark; thence generally in a westerly and south westerly direction along the water mark to the commencement point.

Schedule 3 – Species and area where the exception in clause 4(1)(i) is limited

Column 1	Column 2
5 kg of <i>Catalaphyllia jardinei</i> in any one day	Dampier Archipelago region - The north west of the State, or any waters off the north west coast of the State, east of 115° east longitude and west of 118° east longitude.

Dated this 18th day of September 2007.

JON FORD
Minister for Fisheries.

Note:

This consolidated order includes the original order published in Government Gazette No 202 on 28/09/2007 and the following subsequent amendments:- GG No 182 on 09/10/2009, page 4001-3; GG No. 52 on 03/04/2012, pages 1570-1571; GG No. 44 on 21/03/2014, pages 744-745.

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