

Original Gazetted 15/08/2006.

This compilation was prepared taking into account amendments up to and including the *Prohibition on Fishing by Line Fishing from Boats (Pilbara Waters) Amendment Order (No.2) 2012*, published in Government Gazette No 219 on 30/11/2012.

FISH RESOURCES MANAGEMENT ACT 1994

**PROHIBITION ON FISHING BY LINE FROM FISHING BOATS
(PILBARA WATERS) ORDER 2006**

Order No.1 of 2006

FD 1620/98 [735]

Made by the Minister under section 43.

1. Citation

This order may be cited as the *Prohibition on Fishing by Line from Fishing Boats (Pilbara Waters) Order 2006*.

2. Commencement

This order commences operation on 15 August 2006.

3. Interpretation

In this order –

“licensed fishing boat” has the same meaning as in the *Fish Resources Management Regulations 1995*;

“Pilbara waters” means all waters bounded by a line commencing at the intersection of 21° 56.000’ south latitude and the high water mark on the western side of North West Cape on the mainland of Western Australia; thence west along the parallel to the intersection of 21° 56.000’ south latitude and the boundary of the Australian Fishing Zone; thence generally north easterly along the boundary of the Australian Fishing Zone to the intersection of 120° 00.079’ east longitude; then south along the meridian to the intersection of the high water mark on the north west coast of the mainland of Western Australia; thence general south westerly along the high water mark on the mainland of Western Australia to the commencement point;

“trap or trawl managed fishery authorisation” means a managed fishery licence or an interim managed fishery permit issued under the –

- (a) *Exmouth Gulf Prawn Management Plan 1989*;
- (b) *Nickol Bay Prawn Management Plan 1991*;
- (c) *Onslow Prawn Management Plan 1991*;
- (d) *Pilbara Trap Management Plan 1992*;
- (e) *Pilbara Fish Trawl Interim Managed Fishery Management Plan 1997*.

4. Prohibition on fishing

A person must not fish by line from a fishing boat in the Pilbara waters.

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5. Exceptions to clause 4

Clause 4 does not apply to a person fishing –

- (a) under the authority of a commercial fishing licence from a licensed fishing boat at a time when that boat is being used –
 - (i) during a voyage to sea that is primarily for the purpose of fishing under the authority of a trap or trawl managed fishery authorisation; and
 - (ii) in accordance with the management plan that relates to the authorisation referred to in subparagraph (i);
- (b) in accordance with, and under the authority of, a licence issued under the *Mackerel Managed Fishery Management Plan 2011*;
- (c) recreationally during a fishing tour from a licensed fishing boat that is being used in accordance with a fishing tour operator's licence or a restricted fishing tour operator's licence; or
- (d) under the authority of a commercial fishing licence from a fishing boat described in the Schedule subject to the boat being used for fishing by line in the Pilbara waters in accordance with any relevant condition specified on the fishing boat licence issued in respect of that boat.

Schedule

The fishing boats to which clause 5(d) applies are the boats in respect of which the following fishing boat licences are in force under regulation 118 of the *Fish Resources Management Regulations 1995*:

Fishing boat licence No. 1127
Fishing boat licence No. 1262
Fishing boat licence No. 1300
Fishing boat licence No. 1413
Fishing boat licence No. 1547
Fishing boat licence No. 2028
Fishing boat licence No. 2416
Fishing boat licence No. 2599
Fishing boat licence No. 3158.

Dated this 10th day of August 2006.

Jon Ford, Minister for Fisheries.

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