

This compilation was prepared taking into account amendments up to and including the *Shark Bay Scallop Fishery Management Plan Amendment 2011* published in Government Gazette No. 149 on 9 August 2011.

**FISHERIES ACT 1905**  
**SHARK BAY SCALLOP LIMITED ENTRY FISHERY NOTICE 1994**  
**Arrangement**

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**FISHERIES ACT 1905**  
**SHARK BAY SCALLOP LIMITED ENTRY FISHERY NOTICE 1994**

Notice No. 655

FD 376/83

MADE by the Minister under section 32.

**Citation**

1. This notice may be cited as the *Shark Bay Scallop Limited Entry Fishery Notice 1994*.

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### Commencement

2. This notice shall come into operation on 3 May 1994.

### Interpretation

3. (1) In this notice unless the contrary intention appears —
- "**ALC**" means an Automatic Location Communicator as defined in regulation 55A of the regulations;
- "**approved directions for use**" means the directions for use of an ALC given by the CEO in a notice in writing to the master of an authorized boat or a licence holder;
- "**authorised boat**" means a class A boat or a class B boat;
- "**calendar year**" means a year commencing on 1 January
- "**class A boat**" means a licensed fishing boat the name of which is endorsed on a licence which authorises the holder to fish for scallops as a class A licence holder only;
- "**class B boat**" means a licensed fishing boat the name of which is endorsed on a licence which authorises the holder to fish for scallops as a class B licence holder only;
- "**commencement date**" means the date that this Notice commences operation;
- "**eight fathom net**" means an otter trawl net with a headrope length exceeding 5 metres but not exceeding 14.83 metres and —
- (a) shall have attached to each end of the headrope a single otter board the measurements of which does not exceed 2.44 metres in length and 0.91 metres in breadth and have shoes which do not exceed 150 millimetres in width and 25 millimetres in depth;
  - (b) shall have attached to it one ground chain the links of which do not exceed 10 millimetres in diameter; and
  - (c) shall not contain meshes greater than 60 millimetres;
- "**Fishery**" means the Shark Bay Scallop Limited Entry Fishery declared under clause 4;
- "**headrope length**" means the distance measured along the headrope from where the net attaches to one end of the headrope to where it attaches to the other end of the headrope;
- "**Joint Trawl Management Advisory Committee**" means the advisory committee established by the Minister under section 41 of the *Fish Resources Management Act 1994* on 8 January 2003;
- "**licence**" means a managed fishery licence which authorises a person to fish for scallops in the Fishery;
- "**net entitlement**" means, in relation to a class B boat, the total number of nets that the boat is authorised to use, as endorsed on the licence (having deducted any nets which may have been transferred pursuant to clause 17);
- "**nursery**" means an area of the Fishery as described in schedule 3;
- "**otter board**" means one of the boards used on an otter trawl net to keep the mouth of the net open while under tow;
- "**otter trawl net**" means a fishing net designed or intended to be towed having its mouth or opening controlled by otter boards;
- "**Port Area**" means the area within 3 nautical miles of the locations specified in Schedule 5;
- "**prawn**" means the fish of that common name described by the scientific classification opposite that name in Column 2 of Schedule 7 of the regulations;
- "**regulations**" means the *Fish Resources Management Regulations 1995*;
- "**scallop**" means any species of fish in the superfamily Pectinacea of the phylum Mollusca;

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**"seven fathom net"** means an otter trawl net with a headrope length not exceeding 12.8 metres and —

- (a) shall not contain meshes not less than 100 millimetres;
- (b) shall have chafers or liners covering not more than the bottom half of the full length of the cod end;
- (c) shall have not more than two otter boards, each measuring not more than 2.29 metres in length and 0.91 metres in breadth attached to each end of the headrope and have shoes which do not exceed 150 millimetres in width and 25 millimetres in depth; and
- (d) shall have attached to it one ground chain the links of which do not exceed 10 millimetres in diameter;

**"six fathom net"** means an otter trawl net with a headrope length exceeding 5 metres but not exceeding 10.97 metres and —

- (a) shall have attached to each end of the headrope a single otter board the measurements of which do not exceed 2.44 metres in length and 0.91 metres in breadth and have shoes which do not exceed 150 millimetres in width and 25 millimetres in depth;
- (b) shall have attached to it one ground chain the links of which do not exceed 10 millimetres in diameter; and
- (c) shall not contain meshes greater than 60 millimetres;

**"streamed"** means towing a trawl net on the surface of the water with the cod end open;

**"total fee"** means the fee as specified in —

- (a) in item 17(a) of Part 3 of Schedule 1 of the Regulations for a managed fishery licence issued in respect of a class A boat; and
- (b) in item 17(b) of Part 3 of Schedule 1 of the Regulations for a managed fishery licence issued in respect of a class B boat;

**"try net"** means an otter trawl net with a headrope length not exceeding 5 metres; and

**"underway"** means that a boat is not at anchor, or made fast to the shore or aground.

(2) For the purposes of clauses 11 and 18 —

**"Code"** means the Uniform Shipping Laws Code adopted by the Marine and Ports Council of Australia and published in the *Commonwealth of Australia Gazette* on 11 May 1981;

**"B"** means "breadth" as defined in the Code;

**"boat units"** has the same meaning as defined in the Code;

**"D"** means "depth" as defined in the Code;

**"IEP"** is installed engine power in kilowatts of the boat's engine as certified by the supplier;

**"ML"** means "measured length" as defined in the Code measured in accordance with Appendix A to section 1 of the Code.

#### **Declaration of limited entry fishery**

4. It is hereby declared that scallops shall constitute a limited entry fishery in the waters described in Schedule 1 to be called the Shark Bay Scallop Limited Entry Fishery.

#### **Prohibitions on fishing for scallops**

5. (1) A person must not fish for scallops in the Fishery other than —
- (a) in accordance with this plan; and
  - (b) under the authority of a licence.
- (2) A person fishing in the Fishery from a class A boat must not fish in the waters described in Schedule 2.

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- (3) A person must not fish at any time in the waters described in Schedule 3.
- (4) Subclause (1) does not apply in respect of a person fishing for scallops in accordance with the Act, for a non-commercial purpose, in the waters described in Schedule 1.

#### **Criteria for a person to operate in the Fishery**

- 6. A person shall not operate in the Fishery unless —
  - (a) the person holds a professional fisherman's licence issued pursuant to regulations made under the Act; and
  - (b) the person is operating from an authorised boat.

#### **Criteria to operate a boat in the Fishery**

- 7. (1) The criterion that shall be applied to determine the boats which may be granted a class A licence to operate in the Fishery is that immediately before the commencement date, the boat was authorised to take scallops pursuant to the *Shark Bay Scallop Limited Entry Fishery Notice 1990\**.
- (2) The criterion that shall be applied to determine the boats which may be granted a class B licence to operate in the Fishery is that immediately before the commencement date, the boat was authorised to operate in the Shark Bay Prawn Limited Entry Fishery\*\*.
- (3) The boat replaces a boat to which subclause (1) or subclause (2) applies.
- (4) A class B boat shall not operate in the Fishery unless the boat has a net entitlement of at least two eight fathom nets.

#### **Prohibition on selling and dealing**

- 8. A person shall not for gain or reward, sell or otherwise dispose of, scallops taken contrary to this notice.

#### **Closure of areas within the Fishery**

- 9. (1) The CEO may, where it is considered to be -
  - (a) in the better interests of the Fishery; or
  - (b) necessary for the purpose of managing the share of scallops taken by the use of class A and class B boats respectively,
 by written determination prohibit fishing -
  - (c) in a specified area or areas of the Fishery; or
  - (d) by persons fishing with boats of a particular class; or
  - (e) in circumstances to which subparagraphs (c) and (d) are both applicable.
- (2) (a) A determination made under subclause (1) -
  - (i) may apply at all times or at specified times; and
  - (ii) must state the dates, times, and areas in which the prohibition is to apply; and
  - (iii) must be given to each holder of a licence authorising the holder to fish in the Fishery; and
  - (iv) takes effect on the day a notice made in accordance with subclause (3) is published in the Gazette, or at such later date as specified in that notice; and
- (b) A determination made for the purposes of subclause (1)(a) may only be made after consultation with the licence holders.
- (3) A notice advising that the CEO has made a determination under subclause (1) must -
  - (a) be published in the Gazette;
  - (b) state that a determination has been made, amended, or revoked, as the case may be; and
  - (c) state where a copy of the determination may be obtained or inspected.

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- (4) A person may, on request to the CEO, obtain a copy of the determination from the place, and during the hours, specified in the notice made in accordance with subclause (3).
- (5) A person must not fish in any part of the Fishery at any time when fishing in that part of the Fishery has been prohibited by a determination made in accordance with this clause.

### Licences

10. (1) The licensee of a boat as described in Clause 7 may apply to the Director for a licence to operate the boat in the Fishery.
- (2) A licence expires on 1 March of the year following the year in which it was last renewed.
- (3) A person may apply to the Director for the renewal of a licence at any time within 30 days before the licence expires.
- (4) If the Director considers that it is appropriate to do so, the Director may in the case of an application under —
  - (a) subclause (1) - approve the issue of a licence; or
  - (b) subclause (3) - approve the renewal of a licence.
- (5) A licence may be issued or renewed subject to conditions that shall be endorsed on it.
- (6) When a licence is issued or renewed, the licence shall be endorsed to show —
  - (a) the name and licensed fishing boat number and class of the boat in respect of which it is issued;
  - (b) the name and address of the licensee of that boat;
  - (c) the licence number;
  - (a) the date of issue or renewal;
  - (b) the period for which the licence is valid;
  - (f) the number and types of nets which the boat is authorised to use; and
  - (g) any conditions imposed on the licence.

### Permitted means of taking scallops

11. (1) Unless otherwise approved in writing by the Minister a person shall not take, or attempt to take, scallops by any means from —
  - (a) a class A boat other than by a maximum of two seven fathom nets and one try net; and
  - (b) a class B boat other than by a maximum of either two or three or four eight fathom nets as endorsed on the licence and one try net;
- (2) Unless otherwise authorised in writing by the Minister a class B boat with a net entitlement of two eight fathom nets shall not be greater than 375 boat units.
- (3) A class B boat authorised to be operated with three eight fathom nets or four eight fathom nets shall not be greater than 650 boat units.
- (4) Notwithstanding the provisions of paragraph (1) (b) a person operating a class B boat may use four six fathom nets, where the net entitlement of the boat is three eight fathom nets.
- (5) The licensee or the person in charge of a class B boat authorised to be operated in the Fishery shall not permit that boat to be operated with —
  - (a) more nets than the net entitlement for that boat if the boat is using eight fathom nets; or
  - (b) subject to subclause (4), more than four six fathom nets.
- (6) Scallops shall not be transferred to any boat other than to an authorised boat.
- (7) A class A boat shall not use nets other than nets that have —
  - (a) the ground rope equal to or longer than the head rope;
  - (b) the head rope sweeps less than or equal to the ground rope sweeps;

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- (c) the head rope and ground rope sweeps equal to or longer than two metres; and
- (d) drop chains that are equal to or further apart than one metre.

#### **Prohibition on holding prawns**

12. A person shall not —
- (a) hold or leave prawns; or
  - (b) permit or allow prawns to remain,
- on a class A boat at any time.

#### **Minimum net entitlement**

13. All class B boats —
- (a) shall have a minimum net entitlement of one eight fathom net;
  - (b) authorised to operate in the Fishery at the commencement date shall have a net entitlement of two eight fathom nets and the licence shall be endorsed accordingly.

#### **Crew limits**

- 14 (1) Unless otherwise authorised in writing by the Minister —
- (a) a class A boat shall not have more than 13 persons on board at any one time; and
  - (b) a class B boat which is authorised to use —
    - (i) two eight fathom nets shall not have more than six persons on the boat;
    - (ii) three eight fathom nets or four six fathom nets shall not have more than nine persons on board the boat; or
    - (iii) four eight fathom nets shall not have more than twelve persons on the boat;
 at any one time.
- (2) Notwithstanding the provisions of subclause (1) the Minister may, vary in writing the number of persons permitted on board an authorised boat and such a boat shall not at any time have on board more persons than specified by the Minister.

#### **Stowage of otter boards and otter trawl nets**

15. (1) Otter boards, warp wires and otter trawl nets carried or attached —
- (a) to any class B boat shall be secured to that boat and kept out of the water between 0800 and 1700 hours each day in areas of the Fishery open to the taking of scallops except that otter trawl nets may be streamed between 0800 hours and 0900 hours on those days; and
  - (b) to any boat shall be secured to that boat and kept out of the water at all times in areas of the Fishery closed to the taking of scallops.
- (2) Subject to subclause (3) all boats are exempted from the provisions of subclause (1) when trialling gear in the area of water described in Schedule 4 provided that —
- (a) the codend is open when the gear is being trialled;
  - (b) no prawns or scallops are held on board the boat; and
  - (c) trials are only undertaken during the hours of daylight.
- (3) Trialling of gear by class B boats in the circumstances described in subclause (2) may only commence 14 days prior to the opening of the Shark Bay Prawn Limited Entry Fishery.
- (4) Notwithstanding the provisions of subclause (1) paragraph (a) a person acting under the authority of a licence when fishing for scallops from a class B boat, may have otter boards, warp wires and otter trawl nets in the water between 0800 and 1700 hours on any day in an area open to the taking of scallops provided —

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- (a) that a determination made by the CEO in accordance with clause 9 does not prohibit a class B boat to be used to fish for scallops during those hours in that part of the Fishery; and
- (b) the person is fishing in accordance with that determination.

#### **Requirements relating to the installation of an ALC**

**15A.** (1) For the purposes of this clause “approved” and “approved person” have the same meaning as provided for in regulation 55A of the regulations.

(2) A person must not use an authorised boat in the Fishery unless an ALC has been installed in that boat in accordance with the approved directions for use and by an approved person.

(3) A person must not use an authorised boat in the Fishery unless -

- (a) the ALC installed in that boat has been serviced in accordance with the approved directions for use, by an approved person and at intervals specified by the CEO in the approved directions for use;
- (b) the person has with them a legible copy of the approved directions for use; and
- (c) the ALC is used in the manner specified in the approved directions for use.

(4) It is a condition of a licence that the authorised boat must not be used in the Fishery unless-

- (a) an ALC is installed in the boat;
- (b) the ALC is serviced in accordance with the approved directions for use, by an approved person and at intervals specified by the CEO in the approved directions for use; and
- (c) when the ALC is used it is used in the manner specified in the approved directions for use.

(5) It is a condition of a licence that regulation 55C of the regulations is complied with at all times.

#### **Requirements relating to nominations to be given by the use of an ALC**

**15B.** (1) The master of an authorised boat must not, when intending to fish within the Fishery, use that boat –

- (a) to enter the waters of the Fishery; or
- (b) outside a Port Area (as specified in Schedule 5) within the waters of the Fishery,

at any time when any part of the Fishery is open to fishing unless –

- (c) a nomination of intention to enter the Fishery has been given to and received by the Department in respect of the boat; and
- (d) the nomination referred to in (c) has not been revoked.

(2) For the purposes of subclause (1) a nomination is revoked -

- (a) by a revocation of the nomination given by the master of the boat and received by the Department;
- (b) if the boat leaves the waters of the Fishery; or
- (c) at the end of the calendar year in which it is given,

whichever is the earlier.

(3) At any time when fishing may be carried out in any part of the Fishery the master of an authorised boat must not permit or allow the boat to enter or be underway in any closed waters unless –

- (a) a nomination to enter or be underway, as the case may be, has been given to and received by the Department; and
- (b) the nomination in (a) was given and received within the hour before the boat entered or commenced being underway in those waters.

(4) For the purposes of this clause “closed waters” means-

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- (a) waters that are not within an area of the Fishery in which fishing may be carried out under the relevant licence;
- (b) waters in which fishing is prohibited by reason of a notice made under clause 9.

(5) For the purposes of this clause any nomination or revocation must be made using an ALC in accordance with the approved directions for use.

#### Transfer of licence

16. Notwithstanding the provisions of clause 24 and for the purposes of section 140(2) of the Act, if the total fee for a licence has not been paid that shall be grounds on which the CEO may refuse to transfer that licence.

#### Transfer of net entitlement

17. (1) The owner of a class B boat may, subject to the provisions of this clause and with the prior written approval of the CEO, transfer to another class B boat the whole or part of the net entitlement endorsed on the licence, and the licence of the transferee and transferor shall be endorsed accordingly.
- (2) The whole or part of the net entitlement of a class B boat may be transferred to a boat not authorised to operate in the Fishery and a new licence issued if —
- (a) the replacement boat is a licensed Western Australian fishing boat; and
  - (b) the replacement boat is authorised to be operated in another trawl fishery that operates within Western Australia.
- (3) A transfer made in accordance with the provisions of this clause shall be either one eight fathom net or in multiples of one eight fathom net.
- (4) Where the net entitlement of an authorised boat is transferred and the boat does not have access to another limited entry fishery declared under this Act that boat shall be withdrawn from the Fishery and the Western Australian fishing boat licence cancelled.

#### Replacement of an authorised boat

18. (1) Subject to the prior written approval of the CEO an authorised boat may be replaced provided the replacement boat does not exceed —
- 375 boat units calculated in accordance with the formula —
- $$\frac{ML \times B \times D \times 0.6}{2.83} + IEP$$
- (2) Notwithstanding the provisions of subclause (1), the Minister may approve in writing the replacement of an authorised boat with any other boat; and
- (3) Any replacement boat approved under this clause shall be subject to any conditions the Minister may impose.

#### Boat modification

19. The owner of a boat licensed to operate in the Fishery shall not, without the prior written approval of the CEO, repower the boat by —
- (a) changing the configuration of the existing engine, gearbox, propeller shaft or other components; or
  - (b) installing a new engine.

#### Engine seals

20. (1) The owner of a boat licensed to operate in the Fishery shall —
- (a) on the written instruction of the CEO cause the suppliers of an engine for the boat to install a lead seal on the fuel pump of such engine; and
  - (b) authorise the CEO to install, or permit the installation of, any such further lead seals as the CEO may require.

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- (2) The owner of the boat the engine of which has installed a seal in accordance with paragraph (1)(a) or (b) —
- (a) shall not permit the removal or allow any interference to such seal without the prior written approval of the CEO; and
  - (b) shall immediately report to the CEO any interference to such seal caused by accident or mechanical requirements and as soon as practical thereafter arrange for re-certification of the installed engine power by the supplier and the installation of a new seal.

#### **Inspection of fishing gear, engines and seals**

21. (1) The owner of a boat licensed to operate in the Fishery shall permit the inspection of the fishing gear, engine configuration and any seal by an officer of the Fisheries Department and shall permit on board the boat any person such officer may require for such inspection.
- (2) The owner of a boat licensed to operate in the Fishery shall —
- (a) make that boat available for inspection within a five kilometre radius from the Carnarvon townsite for a period of 24 hours in the week prior to the opening of the Fishery; and
  - (b) provide 24 hours prior notice to the Fisheries Department at Carnarvon of where and when the boat will be available for inspection in accordance with subclause (2)(a).

#### **How the CEO may give notice**

23. The CEO may, by letter, or by notice published in *The West Australian* newspaper or in the *Western Fisheries* magazine published by the Fisheries Department, give notice of the names and addresses of the persons who hold licences to engage in the Fishery and the areas to which those licences apply.

#### **Payment by instalments**

24. (1) For the purposes of regulation 137(2) of the Regulations, the total fee may be paid by instalments as specified in Item 6 of the Schedule if —
- (a) an election to pay by instalments is made by the holder of a licence in accordance with subclause (2); and
  - (b) there is no other fee, charge or levy in respect of the licence which has not been paid at the time the election is received at the head office of the Department.
- (2) An election for the purposes of subclause (1) must be
- (a) made in writing;
  - (b) received at the head office of the Department prior to the commencement of the licensing period to which the election relates;
  - (c) accompanied by the first instalment plus the surcharge.
- (3) For the purposes of regulation 137(3) of the regulations, the surcharge shall be 1.25% of the total fee.
- (4) The holder of a licence, or a person acting on that persons behalf, must not fish in the Fishery at any time when any fee or surcharge payable in respect of the licence is outstanding.

#### **Offences and major provisions**

24A. A person who contravenes a provision of clause -

- (a) 5, 6, 8, 9, 11, 14, 15, 15A(2), 15B(3), 19, 20, or 24(4); or
- (b) 15A(3) or 15B(1),

commits an offence and for the purpose of section 75 of the Act the provisions described in subclause (a) are major provisions.

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### Procedure before this Plan may be amended

**24B** For the purposes of section 65(1) of the Act, the Joint Trawl Management Advisory Committee is the advisory committee and the licensees of the fishery are the persons that are to be consulted before this Plan is amended or revoked.

### Revocation

**25.** The following notices are revoked —

Notice number	Date published
436	23 February 1990
487	19 April 1991
536	6 March 1992
536 Erratum	1 May 1992
599	26 March 1993.

### Schedule 1 (The Fishery)

All waters of the Indian Ocean and Shark Bay between 23°34' south latitude and 26°30' south latitude and adjacent to Western Australia on the landward side of a line commencing at the intersection of 23°34' south latitude and 113°03.37' east longitude; thence continuing south westerly along the geodesic to the intersection of 23°36' south latitude and 113°02' east longitude; thence south westerly along the geodesic to the intersection of 24°06' south latitude and 112°37' east longitude; thence south westerly along the geodesic to the intersection of 24°25' south latitude and 112°25' east longitude; thence south westerly along the geodesic to the intersection of 24°39' south latitude and 112°19' east longitude; thence southerly along the geodesic to the intersection of 25°00' south latitude and 112°14' east longitude; thence southerly along the geodesic to the intersection of 25°33' south latitude and 112°12' east longitude; thence southerly along the geodesic to the intersection of 26°00' south latitude and 112°18' east longitude; thence south easterly along the geodesic to the intersection of 26°24' south latitude and 112°30' east longitude; thence south easterly along the geodesic to the intersection of 26°30' south latitude and 112°33.25' east longitude, being the end point of the line, together with those waters of Shark Bay south of 26°30' south latitude.

### Schedule 2 (Closed waters - clause 9)

All waters of the Fishery east of 113°30.6' east longitude.

### Schedule 3 (Nursery Areas)

That area of the Fishery—

- (a) south of a line drawn due east along the parallel from the intersection of 26° 00.94' south latitude and 113° 17.97' east longitude (being the northern extremity of Cape Bellefin) to Peron Peninsular, at the intersection of 26° 00.94' south longitude and 113° 34.5' east longitude;
- (b) south and east of a line commencing at the intersection of 25° 30.2' south latitude and 113° 30.6' east longitude; thence north along the meridian to 25° 20.4' south latitude; thence south easterly along the geodesic to the intersection of 25° 26' south latitude and 113° 40' east longitude; thence east along the parallel to the intersection of 25° 26' south latitude and 113° 55.5' east longitude (being the intersection of the coastline at mean high water of Western Australia); and
- (c) bounded by a line commencing at Cape Ronsard on Bernier Island at the intersection of the high water mark and 113°09.60' east longitude; thence

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northerly along the geodesic to the intersection of 24° 44.90' south latitude and 113° 09.70' (Koks Island); thence south easterly along the geodesic to the intersection of 24° 45.30' south latitude and 113° 10.50' east longitude; thence southerly along the geodesic to the intersection of 24° 49' south latitude and 113° 11' east longitude; thence southerly along the geodesic to the intersection of 24° 52.75' south latitude and 113° 10.25' east longitude; thence south along the meridian to the intersection of 24°56.80' south latitude and 113°10.25 east longitude; thence southerly along the geodesic to the intersection of 24°58.50' south latitude and 113°09' east longitude; thence south easterly along the geodesic to the intersection 25°11' south latitude and 113° 18' east longitude; thence south along the meridian to the intersection of 25°13' south latitude and 113°18' east longitude; thence south westerly along the geodesic to the intersection of 25°20.50' south latitude and 113°14.50' east longitude; thence southerly along the geodesic to the intersection of 25°24.25' south latitude and 113°16' east longitude; thence south westerly along the geodesic to the intersection of 25° 31.25' south latitude and 113° 09.75' east longitude; thence westerly along the geodesic to the intersection of high water at Cape Levillian on Dirk Hartog Island and 25°30' south latitude; thence generally in a north westerly direction along the high water mark of Dirk Hartog Island to the intersection of the high water mark at Cape Inscription and 112°58.30' east longitude; thence north easterly along the geodesic to the intersection of the high water at Cape St Cricq on Dorre Island and 113°04.60' east longitude; thence generally northerly along the high water mark on the eastern side of Dorre Island to the intersection of the high water mark at Cape Boullanger and 113° 07.10' east longitude; thence northerly along the geodesic to the intersection of the high water mark at Cape Couture on Bernier Island and 113° 07.20' east longitude; thence generally northerly along the high water mark on the eastern side of Bernier Island to the commencement point.

#### Schedule 4 (Trialing Area)

That area of the Fishery bounded by a line commencing at the intersection of 24° 52.75' south latitude and 113° 25' east longitude and extending south along the meridian to the intersection of 24° 55.75' south latitude and 113° 25' east longitude; thence east along the parallel to the intersection of 24° 55.75' south latitude and 113° 28.25' east longitude; thence north along the meridian to the intersection of 24° 52.75' south latitude and 113° 28.25' east longitude, thence west along the parallel to the commencement point.

#### Schedule 5 (Port Areas)

##### Item 1 (Carnarvon)

The intersection of 24°53.934' south latitude and 113°39.071 east longitude (T jetty, Fishing Boat Harbour).

##### Item 2 (Denham)

The intersection of 25°55.71' south latitude and 113°31.99' east longitude (Service jetty, Denham)

#### Schedule 6 (Payments by Instalments)

- (a) The first instalment is 50% of the total fee and is due for payment on or before 2 March of the year for which the licence is to be granted or renewed.
- (b) The second instalment is the total fee less the instalment provided for in paragraph (a) and is due for payment on or before 1 June immediately following the period specified in paragraph (a).

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[\* Published in the Gazette of 23 February 1990.]

[\*\*Declared by Notice No 595 published in the Gazette of 12 March 1993.]

Dated this 19th day of April 1994.

MONTY HOUSE, Minister for Fisheries

**Note:**

*This consolidated plan includes the original Notice No 655 published in GG No.52 of 26.04.94, pg 1730-5; and the following subsequent amendments - Notice No. 717 published in GG 79 of 20.06.95, pg 2401; Amendment (No. 1) of 1996 published in GG 97 of 12.07.96, pg 3355; Amendment (No. 1) of 1997 published in GG 39 of 14.03.97, pg 1496-8; Amendment (No. 1) of 2000 published in GG 78 of 03.05.00, pg 2127-30; Amendment (No.1) of 2003 published in GG 32 of 28.02.03, pg 701-3; Amendment (No.1) of 2004 published in GG 132 of 27.07.04, pg 3095-6; Shark Bay Scallop Fishery Management Plan Amendment 2011 published in Government Gazette No. 149 on 09.08.11, pages 3208-3209.*

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