

This compilation incorporates amendments up to and including the *Prohibition on Commercial Fishing (Muiron Islands Marine Management Area) Amendment Order 2022* published in Government Gazette No. 73 on 31/5/2022

Fish Resources Management Act 1994

**PROHIBITION ON COMMERCIAL FISHING
(MUIRON ISLANDS MARINE MANAGEMENT AREA) ORDER 2008**

Order No. 9 of 2008

FD 1620/98 [809]

Made by the Minister under section 43.

1. Citation

This order is the *Prohibition on Commercial Fishing (Muiron Islands Marine Management Area) Order 2008*.

2. Interpretation

“**Conservation Area**” means an area of the Muiron Islands Marine Management Area classified under section 62(1b) of the *Conservation and Land Management Act 1984* and published in the *Gazette* of 21 January 2005 at page 313, as specified in Schedule 2;

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

“**live sand**” means sand or sedimentary material taken from the sea floor, or present in the water column, and in which aquatic organisms are likely to be present;

“**marine aquarium fish**” has the same meaning as provided for in the *Marine Aquarium Fish Managed Fishery Management Plan 2018*;

“**Muiron Islands Marine Management Area**” means all WA waters reserved as a marine management area and classified as being of Class ‘A’ under section 13 of the

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Conservation and Land Management Act 1984 by an Order in Council published in the *Gazette* on 30 November 2004 at page 5481, as described in Schedule 1;

“specimen shell” has the same meaning as provided for in the *Specimen Shell Management Plan 1995* **;

“unclassified area” means the waters of the Muiron Islands Marine Management Area that have not been classified as a Conservation Area.

3. Prohibition on commercial fishing

A person must not fish for a commercial purpose by any means in the waters of the Muiron Islands Marine Management Area.

4. Exceptions to prohibition

Clause 3 does not apply to a person who -

- (a) holds a commercial fishing licence; and
- (b) engages in an activity specified in Schedule 3.

5. Revocation

The *Prohibition On Taking Fish (South Muiron Island) Notice 1994* (Notice No. 672), published in the *Gazette* of 21 December 1994, which was made under the *Fisheries Act 1905* and was continued in force under regulation 186 of the *Fish Resources Management Regulations 1995* as if it were an order made under Section 43 of the Act, is revoked.

Schedule 1 Muiron Islands Marine Management Area

All waters bounded by a line commencing west of the Muiron Islands at the intersection of 21° 41.45' south latitude and 114° 14.39' east longitude; thence generally south easterly along the geodesic (contiguous with the boundary of the Ningaloo Marine Park) to the intersection of 21° 44.8536' south latitude and 114° 17.3082' east longitude; thence east along the parallel 21° 44.8536' south latitude to its intersection with 114° 25.722' east longitude; thence generally north easterly along the geodesic to the intersection of 21° 42.411' south latitude and 114° 27.4914' east longitude; thence generally north westerly along the geodesic to the intersection of 21° 36.5694' south latitude and 114° 25.9026' east longitude; thence generally north westerly along the geodesic to the intersection of 21° 34.4226' south latitude and 114° 22.4496' east longitude; thence generally south westerly along the geodesic to the intersection of 21° 34.7' south latitude and 114° 21.7' east longitude; thence generally south westerly along the geodesic to the intersection of 21° 35.3' south latitude and 114° 20.5' east longitude; thence generally

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south westerly along the geodesic to the intersection of 21° 36.0' south latitude and 114° 19.7' east longitude; thence generally south westerly along the geodesic to the intersection of 21° 37.1' south latitude and 114° 18.8' east longitude; thence generally south westerly along the geodesic to the intersection of 21° 37.8' south latitude and 114° 18.0' east longitude; thence generally south westerly along the geodesic to the intersection of 21° 38.5' south latitude and 114° 17.3' east longitude; thence generally south westerly along the geodesic to the intersection of 21° 39.2' south latitude and 114° 16.5' east longitude; thence generally south westerly along the geodesic to the intersection of 21° 40.0' south latitude and 114° 15.9' east longitude; thence generally south westerly along the geodesic to the intersection of 21° 40.5' south latitude and 114° 15.5' east longitude; thence generally south westerly along the geodesic to the intersection of 21° 41.1' south latitude and 114° 15.2' east longitude; thence generally south westerly along the geodesic to the commencement point.

Schedule 2 Conservation areas

Sunday Island Conservation Area

All waters bounded by a line commencing south west of Sunday Island at the intersection of 21° 43.05' south latitude and 114° 24.85' east longitude; thence east along the parallel to its intersection with 114° 25.65' east longitude; thence north along the meridian to its intersection with 21° 41.75' south latitude; thence west along the parallel to its intersection with 114° 24.85' east longitude; thence south along the meridian to the commencement point.

North Muiron Conservation Area

All waters bounded by a line commencing south west of North Muiron Island at the intersection of 21° 40.30' south latitude and 114° 21.55' east longitude; thence east along the parallel to its intersection with 114° 23.45' east longitude; thence north along the meridian to its intersection with 21° 38.85' south latitude; thence west along the parallel to its intersection with the high water mark on the south easterly shoreline of North Muiron Island; thence generally southerly and westerly along the high water mark to its intersection with 114° 21.55' east longitude; thence south along the meridian to the commencement point.

South Muiron Conservation Area

All waters bounded by a line commencing west of South Muiron Island at the intersection of 21° 41.00' south latitude and 114° 18.35' east longitude; thence east along the parallel to its intersection with the high water mark on the westerly shoreline of South Muiron Island; thence generally north easterly along the high water mark to its intersection with 21° 39.55' south latitude; thence west along the parallel to the intersection with 114° 18.35' east longitude; thence south along the meridian to the commencement point.

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Schedule 3 Permitted Commercial Fishing Activities

1. Fishing by trawling, in the waters of the unclassified area, in accordance with the *Exmouth Gulf Prawn Management Plan 1989* *** ;
2. Fishing for specimen shell, in the waters of the unclassified area, in accordance with the *Specimen Shell Management Plan 1995*;
3. Fishing for marine aquarium fish, other than coral or live rock or live sand, in the waters of the unclassified area, in accordance with the *Marine Aquarium Fish Managed Fishery Management Plan 2018*;
4. Fishing by line, other than by longline, from a licensed fishing boat, in the waters of the unclassified area.

* *Published in the Gazette of 22 September 1995.*

** *Published in the Gazette of 24 February 1995.*

*** *Published in the Gazette of 27 July 2004.*

Dated this 11th day of December 2008.

NORMAN MOORE, Minister for Fisheries.

Original Order and Amendment Information:

Prohibition on Commercial Fishing (Muiron Islands Marine Management Area) Order 2008 was first published in Government Gazette No. 229 on 30.12.08. (p.5650-5651); Prohibition on Commercial Fishing (Muiron Islands Marine Management Area) Amendment Order 2018 was published in Government Gazette No. 117 on 3.8.18 (p.2797); Prohibition on Commercial Fishing (Muiron Islands Marine Management Area) Amendment Order 2021 was published in Government Gazette No. 175 on 15.10.21 (p.4729); Prohibition on Commercial Fishing (Muiron Islands Marine Management Area) Amendment Order 2022 was published in Government Gazette No. 73 on 31.5.22 (p.3124).

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