

FISHERIES ACT 1905
FISH TRAPS PROHIBITION NOTICE 1994
Notice No. 677

FD 392/87.

Made by the Minister under sections 9, 10 and 11.

Citation

1. This notice may be cited as the *Fish Traps Prohibition Notice 1994*.

Interpretation

2. For the purpose of this notice –
 - "fish trap" means a device designed to act as a trap or that may act as a trap for fish;
 - "licensed fishing boat" has the meaning provided for in the regulations;
 - "regulations" means the Fish Resources Management Regulations 1995;
 - "rock lobster" means the fish of that common name described by the scientific classification opposite that name in Column 2 of Schedule 7 of the regulations;
 - "snow crab" means the fish of that common name described by the scientific classification opposite that name in Column 2 of Schedule 7 of the regulations.

Exemption

3. (1) This notice does not apply to a licensed professional fisherman using a licensed fishing boat –
 - (a) (i) which is being operated in a limited entry fishery declared by notice under section 32 of the Act; and
 - (ii) authorised to be used to take fish by means of fish traps in that limited entry fishery; and
 - (iii) which is being operated in accordance with the provisions of the notice declaring the fishery in which the boat is being used;or
 - (b) the licence for which is endorsed to permit the boat to be used to take fish by means of fish traps and the boat is being used in accordance with that endorsement.(1a) This notice does not apply to a person fishing under the authority of a permit granted in respect of the Octopus Interim Managed Fishery.
 - (2) The prohibition in clause 4 does not apply to a person who –
 - (a) holds a recreational fishing licence or a rock lobster pot licence granted under the regulations; and
 - (b) is using a rock lobster pot in accordance with regulation 38.
 - (3) Subclauses (1) and (2) do not apply to the taking of snow crabs on or before 15 November 2004 from the waters specified in Schedule 2.

Prohibition on the use of fish traps

4. All persons are prohibited from taking or attempting to take fish by means of fish traps in the waters described in the Schedule.

Cancellation

5. Notice No. 313 published in the *Gazette* of 19 August 1988 is cancelled.

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This compilation incorporates amendments up to and including the *Fish Traps Prohibition Amendment Order 2015* published in Government Gazette No. 163 on 27/10/2015.

Schedule 1

All waters of –

- (a) the Indian and Southern Oceans;
- (b) the Timor Sea; and
- (c) any estuary, inlet, river, brook or stream.

Schedule 2

All waters situated on the south coast of the State bounded by a line commencing at the intersection of the high water mark and 115°08.091' east longitude (Cape Leeuwin) extending south to the intersection of 115°08.091' east longitude and 34°24' south latitude, thence west along 34°24' south latitude to the outer limit of the Australian Fishing Zone, thence generally southerly and easterly along that boundary to its intersection with 129° east longitude, thence due North to the highwater mark on the mainland, thence along the high water mark to the commencing point.

Dated this 18th day of October 1994.

MONTY HOUSE, Minister for Fisheries.

Original Order and Amendment Information:

Fish Traps Prohibition Order 1994 was first published in Government Gazette No. 150 on 25.10.94. (p.5425-5426).

Amendments: Fish Traps Prohibition Amendment Order 2002 published in Government Gazette No. 184 on 11.10.02. (p. 5132-5133); *Fish Traps Prohibition Amendment Order 2003* published in Government Gazette No. 166 on 17.10.03. (p. 4436); *Fish Traps Prohibition Amendment Order (No. 2) 2003* published in Government Gazette No. 202 on 23.12.03. (p. 5232); *Fish Traps Prohibition Amendment Order 2015* published in Government Gazette No. 163 on 27.10.15. (p. 4418).

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