

FISH RESOURCES MANAGEMENT ACT 1994**PROHIBITION ON FISHING (PURSE SEINING) ORDER 2017**

Order No. 7 of 2017

FD 8599/15 [1297]

Made by the Minister under section 43.

1. Citation

This order is the *Prohibition on Fishing (Purse Seining) Order 2017*.

2. Interpretation

(1) In this order –

auxiliary boat means a boat that is being used to fish exclusively in conjunction with a boat specified in a licence specified in column 1 of the Schedule;

Northern Development Zone means all WA waters north of 31° 00' south latitude;

purse seining means using a net with a draw or a purse string and includes ring netting;

Southern Development Zone means all WA waters south of 33° 00' south latitude, but excluding all waters off the southern coast of WA east of 115° 08.091' east longitude.

(2) A reference to a fish by a common name means the fish of that common name described by the scientific classification opposite that name in column 2 of Schedule 7 to the regulations.

3. Prohibition on fishing

(1) A person must not engage in fishing for salmon, herring, mulloway or pink snapper by means of purse seining or a purse seine net.

[Replaces Notice No. 267 published in the Government Gazette on 24 July 1987.]

(2) A person must not engage in commercial fishing for pilchard by any means.

[Replaces Notice No. 571 published in the Government Gazette on 9 October 1992.]

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- (3) A person must not engage in commercial fishing by purse seining or a purse seine net in the Northern Development Zone or the Southern Development Zone.

[Replaces Notice No. 312 published in the Government Gazette on 19 August 1988; recreational component transitioned into the regulations.]

- (4) A person must not fish using –
- (a) a fishing net drum;
 - (b) a puretic power block; or
 - (c) other similar device or equipment for hauling a fishing net, from a boat.

[Replaces Notice No. 476 published in the Government Gazette on 12 April 1991.]

4. Exceptions to prohibitions in clause 3

- (1) Subclause 3(2) does not apply to fishing –
- (a) in accordance with a managed fishery licence that authorises fishing in the –
 - (i) South Coast Purse Seine Managed Fishery; or
 - (ii) West Coast Purse Seine Managed Fishery; or
 - (b) from a boat specified in a licence specified in column 1 of Item 1 of the Schedule and any related auxiliary boat.
- (2) Subclause 3(3) does not apply to fishing from a boat specified in a licence specified in column 1 of Item 2 of the Schedule and any related auxiliary boat –
- (a) in the area specified in column 2 of Item 2 of the Schedule directly opposite that fishing boat licence; and
 - (b) for the species specified in column 3 of Item 2 of the Schedule directly opposite that fishing boat licence.
- (3) Subclause 3(4) does not apply to fishing –
- (a) in accordance with a managed fishery; or
 - (b) from a boat specified in a licence specified in column 1 of Item 3 of the Schedule.

5. Revocation

The following notices, which continued in force under regulation 186 of the regulations as if they were orders made under section 43, are revoked –

- (a) Notice No. 267 published in the *Gazette* of 24 July 1987;
- (b) Notice No. 571 published in the *Gazette* of 9 October 1992;
- (c) Notice No. 312 published in the *Gazette* of 19 August 1988; and
- (d) Notice No. 476 published in the *Gazette* of 12 April 1991.

Schedule

Item		Column 1 Fishing boat licence number	Column 2 Area	Column 3 Species
1.	Subclause 3(2)	2320		
		2265		
2.	Subclause 3(3)	2265	Southern Development Zone	pilchard, scaly mackerel, Perth herring, yellowtail scad, Australian anchovy, maray
		2320	Southern Development Zone	pilchard, scaly mackerel, Perth herring, yellowtail scad, Australian anchovy, maray
		2290	Southern Development Zone	scaly mackerel, Perth herring, yellowtail scad, Australian anchovy, maray
		1124	Northern Development Zone	scaly mackerel, Perth herring, yellowtail scad, Australian anchovy, maray
		1034	Northern Development Zone	scaly mackerel, Perth herring, yellowtail scad, Australian anchovy, maray
		1525	Northern Development Zone	scaly mackerel, Perth herring, yellowtail scad, Australian anchovy, maray
3.	Subclause 3(4)	1034		
		1525		
		2290		
		2320		
		1124		
		2265		

Dated this 23rd day of May 2017

Minister for Fisheries

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