FI401*

FISH RESOURCES MANAGEMENT ACT 1994

PROHIBITION ON COMMERCIAL FISHING (LAKE ARGYLE) ORDER 2012

Order No. 2

FD 1620/98 [1066]

Made by the Minister under section 43.

1. Citation

This instrument is the *Prohibition on Commercial Fishing (Lake Argyle) Order 2012.*

2. Terms used

In this order—

authorised boat means a boat in respect of which a fishing boat licence specified in Schedule 2 has been issued;

barramundi means fish of that common name described by the scientific classification opposite that name in Division 1, Column 2 of Schedule 7 to the regulations;

fishing boat licence means a licence referred to in regulation 117 of the regulations;

regulations means the *Fish Resources Management Regulations 1995;*

waters of Lake Argyle means the waters described in Schedule 1.

3. Prohibition on commercial fishing

A person must not engage in commercial fishing in the waters described in Schedule 1.

4. Exception

Clause 3 does not apply to a person fishing from an authorised boat in accordance with clause 5.

5. Restrictions on a person fishing from an authorised boat

(1) The person in charge of an authorised boat operating in the waters described in Schedule 1 must not—

(a) allow more than 1500 metres of net to be used from the boat at any one time; or

(b) use the boat to take barramundi.

(2) The person in charge of an authorised boat must not allow the boat to be used to take fish in any other Western Australian waters unless authorised by licence or permit.

(3) Despite clause 4 a person must not take any fish by means of net in the waters described in Schedule 1 during the period commencing 1 November in any year and ending on 31 December in the same year.

6. Revocation

The *Lake Argyle Fishery Notice 1994**, Notice No. 665 published in the *Gazette* of 22 July 1994 is revoked.

[**See regulation 186 of the Fish Resources Management Regulations 1995 concerning the continuation of notices made under or continued under section 9, 10, 11 or 38 of the Fisheries Act 1905 and that were in force immediately before the commencement of those regulations.*]

Schedule 1

Waters of Lake Argyle

All the waters of Lake Argyle including—

(a) the waters of the Bow River and the Ord River upstream of the dam wall and downstream of 16° 37' south latitude; and

(b) the waters of Spillway Creek upstream of 16° 03.958' south latitude.

Schedule 2

Fishing boat licences

Fishing Boat licence No. 1298

Fishing Boat licence No. 2042

Fishing Boat licence No. 3060

Fishing Boat licence No. 3116

Fishing Boat licence No. 3058

Fishing Boat licence No. 3059

Dated this 31st day of May 2012.

NORMAN MOORE, Minister for Fisheries.