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Fish Resources Management Act 1994

Section 7 (2)

EXEMPTION

I, **Norman Moore MLC**, the Minister for Fisheries hereby exempt the class of persons named in **Schedule 1** from all those provisions of the *Fish Resources Management Act 1994*, and in particular section 46, which would otherwise prevent those persons from lawfully undertaking the activity in **Schedule 2** in the area specified in **Schedule 3** for the purpose in **Schedule 4** subject to the Condition in **Schedule 5**.

**Schedule 1
Class of Persons**

- Members of the Western Australian Police Force
- Fisheries and Marine Officers from the Department of Fisheries; and
- Wildlife Officers, from Department of Environment and Conservation.

**Schedule 2
Activity**

Taking Great White Sharks (*Carcharodon carcharias*)

**Schedule 3
Area**

All Western Australian Waters

**Schedule 4
Purpose**

Public safety

**Schedule 5
Conditions**

It is a condition of this Exemption that members of the Class of Persons named in Schedule 1 shall not take a Great White Shark without the specific direction of the Chief Executive Officer of the Department of Fisheries or – where the Chief Executive Officer is unavailable – any one of the persons who at the relevant time is acting as 'Operational Manager' for the purposes of the Shark Patrol Roster pursuant to the Department of Fisheries' *Shark Incident Emergency Response Plan*.



**NORMAN MOORE MLC
MINISTER FOR FISHERIES**

Dated this 24th day of December 2009

Fish Resources Management Act 1994

Section 7 (2)

I, **Norman Moore MLC, the Minister for Fisheries** hereby exempt the class of persons named in **Schedule 1** from all provisions of the *Fish Resources Management Act 1994*, which would otherwise prevent those persons from lawfully undertaking the activity in **Schedule 2** in the area specified in **Schedule 3** for the purpose in **Schedule 4** subject to the Conditions in **Schedule 5**.

Schedule 1 Class of Persons

- Fisheries and Marine Officers from the Department of Fisheries.
- Members of the Western Australian Police Force.
- Wildlife Officers from the Department of Environment and Conservation.
- Holders of a Commercial Fishing Licence.

Schedule 2 Activity

The:

- taking and possession (for such time as is reasonably necessary to land the shark, or dispose of it at sea within WA Waters) of White Sharks (*Carcharodon carcharias*);
- taking and possession (for such time as is reasonably necessary to land the shark, or dispose of it at sea) of Whaler Sharks (Family Carcharhinidae) with an interdorsal fin length of 70cm or greater in the waters of the West Coast and South Coast regions.
- the landing of White Sharks in WA; and
- the landing of Whaler Sharks (Family Carcharhinidae) with an interdorsal fin length of 70cm or greater within the West Coast and South Coast regions.

on or before 31st August 2015.

Schedule 3 Area

White Shark; All waters within the limit of the State (WA Waters).
Whaler Shark; All waters of the West Coast and South Coast
Regions.

**Schedule 4
Purpose**

Public safety

**Schedule 5
Conditions**

1. A member of the class of persons named in Schedule 1 shall not take, be in possession of, land, or dispose of a White Shark, or a Whaler Shark (as described in Schedule 2) without the specific direction of the Director General of the Department of Fisheries, a Regional Manager, or any one of the persons who at the relevant time is acting as 'Operational Manager' for the purposes of the Shark Patrol Roster pursuant to the Department of Fisheries' *Shark Response Plan*.
2. Any shark, taken under this Exemption, must be delivered as soon as is practicable to an Officer of the Department of Fisheries, unless approval has been granted by the Director General of the Department of Fisheries, a Regional Manager, or any one of the persons who at the relevant time is acting as 'Operational Manager' for the purposes of the Shark Patrol Roster pursuant to the Department of Fisheries' Shark Response Plan, to dispose of it at sea in waters described in Schedule 3.
3. A person who has given a specific direction under this Schedule must make a written record of the direction.



NORMAN MOORE MLC
MINISTER FOR FISHERIES

Dated this 20th day of November 2012