

FI401

FISH RESOURCES MANAGEMENT ACT 1994
WEST COAST ROCK LOBSTER MANAGED FISHERY MANAGEMENT PLAN
AMENDMENT 2021

FD 1606

Made by the Minister under section 54.

1. Citation

This instrument is the *West Coast Rock Lobster Managed Fishery Management Plan Amendment 2021*.

2. Management plan amended

The amendments in this instrument are to the *West Coast Rock Lobster Managed Fishery Management Plan 2012*.

3. Commencement

These amendments come into operation as follows—

- (a) clauses 1 and 2—on the day on which these amendments are published in the Gazette;
- (b) the rest of the clauses—on the day after that day.

4. Clause 3 amended

In clause 3 delete the definition *holding tag*.

5. Clause 8 amended

In subclause 8 (3) delete “ 2022. “ and insert—
2023.

6. Clause 12 amended

In clause 12 (2)(b)(i) delete “ 2022, “ and insert—
2023,

7. Clause 19 amended

In clause 19 delete paragraphs 19(b) and (c) and insert—

- (b) have any rock lobster on board an authorised boat unless the total quantity of rock lobster taken under the authority of the licence in the Zone fished on that trip is less than or equal to the product of the current entitlement for the Zone in which rock lobster were taken and the relevant unit value; or
- (c) take, land, consign or sell rock lobsters unless the total quantity of rock lobster taken under the authority of the licence in the Zone fished on that trip is less than or equal to the product of the current entitlement for the Zone in which rock lobster were taken and the relevant unit value.

8. Clause 51 amended

In clause 51(3)(c)(ii) delete “ weight “ and insert—
quantity

9. Clause 67B inserted

Following clause 67 insert—

67B. Transitioning pots between different Zones

- (1) Notwithstanding clause 67, the master of an authorised boat may, with the written approval of a Fisheries Officer, have pots in more than one Zone of the Fishery for the purpose of transferring pots from one Zone to another Zone.
- (2) A person must not pull pots from more than one Zone of the Fishery during the period specified in any written approval provided under subclause (1).

10. Clause 72B replaced

Delete clause 72B and insert—

72B. Prohibitions in respect of back of boat lobsters

- (1) A person must not—
 - (a) sell, consign, or attempt to sell or consign, back of boat lobsters to a registered receiver; or
 - (b) receive a consignment of back of boat lobsters in a registered receiver’s premise.
- (2) A registered receiver must not purchase back of boat lobsters.
- (3) The master of an authorised boat must not land back of boat lobsters unless a pre-landing nomination form is submitted to the Department using Fish Eye, in accordance with clause 35.

11. Schedule 8 replaced

Delete Schedule 8 and insert—

SCHEDULE 8—Unit values

[clause 18]

1. The extent of the entitlement to fish in a Zone of the Fishery arising from a unit during a licence period is determined in accordance with the following formula—

$$\left(\frac{A}{B} \right) \times 101.5\% = C$$

Where—

- A is the capacity (whole weight of rock lobster) of the relevant Zone;
- B is—
 - (i) for the licence period ending 30 June 2021—the sum of all of the units conferred for that Zone, as specified on all the relevant licences immediately before the expiry of the relevant licensing period, subject to clause 23;
 - (ii) for any licence period other than as specified in (i)—the figure specified in the Table to this Schedule for that respective Zone;
- C is the value of the unit (incorporating water loss factor).

Table

Zone	Number of Conferred Units
Zone A	186,300
Zone B	230,936
Zone C	357,350

2. Where the result of a unit value calculation is more than two decimal places the fraction ending with 50 or less at the 3rd and 4th decimal places is rounded down to two decimal places and any fraction ending with 51 or more at the 3rd and 4th decimal places is rounded up to two decimal places.

12. Schedule 9 replaced

Delete Schedule 9 and insert—

SCHEDULE 9—Payment of fees by instalments

[clause 12]

The fee payable in respect of the grant or renewal of a licence may be paid in instalments consisting of—

- (a) For the period 1 July 2021 to 14 January 2023—
 - (i) the first instalment, being 20% of the total fee and due for payment on or before 1 July 2021;
 - (ii) the second instalment, being 50% of the total fee and due for payment on or before 31 March 2022;
 - (iii) the third instalment, being 30% of the total fee and due for payment on or before 30 September 2022.
- (b) For any other period—
 - (i) the first instalment, being 25% of the total fee and due for payment on or before 15 January in any year;
 - (ii) the second instalment, being 35% of the total fee and due for payment on or before 15 May following the day on which the first instalment is paid;
 - (iii) the third instalment, being 40% of the total fee and due for payment on or before 15 September following the day on which the first instalment is paid.

13. Schedule 12 amended

In the heading to Schedule 12 delete “ areas “ and insert—
area

Dated 6th day of May, 2021.

D. PUNCH, Minister for Fisheries.