

FI401

FISH RESOURCES MANAGEMENT ACT 1994

SHARK BAY PRAWN MANAGED FISHERY MANAGEMENT PLAN AMENDMENT 2023

[3347]

Made by the Minister under section 54.

1. Citation

This instrument is the *Shark Bay Prawn Managed Fishery Management Plan Amendment 2023*.

2. Management plan amended

The amendments in this instrument are to the *Shark Bay Prawn Managed Fishery Management Plan 1993*.

3. Commencement

These amendments come into operation as follows—

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

4. Clause 2 amended

In clause 2—

- (a) insert in the alphabetical position—
licence period means the period provided for in clause 7B;
- (b) delete the definition "calendar year".

5. Clause 7 replaced

Delete clause 7 and insert—

7. Application for a licence

- (1) The owner of a boat which fulfils the criteria in Clause 6 (a) or (b) may apply for a licence authorising the boat to operate in the Fishery.
- (2) A person making an application pursuant to subclause (1) must apply on or before 31 July 2018.

6. Clauses 7A and 7B inserted

After clause 7 insert—

7A. Additional criteria for the grant of a licence

(1) Notwithstanding clauses 6 and 7, the CEO may grant a person a licence to fish in the Fishery if the CEO is satisfied that—

- (a) immediately upon grant, an application will be made under section 140 of the Act to transfer a minimum number of usual units of entitlement to the licence, if it is to be granted, from another licence; and
- (b) the application referred to in paragraph (a) will be in respect of a total of not less than 81 units; and
- (c) in the CEO's opinion, there is no arguable ground, in respect of the application referred to in paragraph (a), to refuse to transfer the units of usual entitlement to the licence; and
- (d) the person is a fit and proper person to hold a licence.

(2) For the purposes of subclause (1) a reference to an application to transfer usual units of entitlement is to be taken to include an application made in connection with the surrender of a licence pursuant to clause 12C of this plan.

7B. Duration of licences

A licence expires on 1 March next following the date of grant or renewal.

7. Clause 11 amended

In clause 11(3)(d)(ii)(I) after the words "mesh size" insert—

not

8. Clause 11B amended

Delete subclause 11B(2) and insert—

- (2) The capacity of the Fishery—
 - (a) for the licence period ending on 1 March 2024, is 486 metres; and
 - (b) for the licence periods commencing—
 - (i) on 2 March 2024; and
 - (ii) on 2 March in any subsequent year,
- is 364.5 metres.

9. Clause 12 amended

Delete subclause 12(2) and insert—

(2) A unit of headrope length consists of—

- (a) for the licence period ending on 1 March 2024, 33.34 centimetres of headrope; and
- (b) for the licence periods commencing—
 - (i) on 2 March 2024; and
 - (ii) on 2 March in any subsequent year,

25 centimetres of headrope.

Dated 23rd of January 2023.

Hon. DON PUNCH, MLA, Minister for Fisheries.