FD 1620/98 [1076]
Made by the Minister under section 43.

1. Citation
This order is the Prohibition on Commercial Fishing (Shoalwater Islands Marine Park) Amendment Order 2012.

2. Order amended
The amendments in this instrument are to the Prohibition on Commercial Fishing (Shoalwater Islands Marine Park) Order 2010.

3. Clause 3 replaced
Delete clause 3 and insert—

Prohibition on commercial fishing
(1) A person must not fish for a commercial purpose by any means in the waters of the Shoalwater Islands Marine Park.
(2) Subclause (1) does not apply in respect of the General Use Area.

4. Clause 4 replaced
Delete clause 4 and insert—

Exceptions to prohibition
Subclause 3(1) does not apply to a person who—
(a) holds a commercial fishing licence; and
(b) engages in an activity specified in Schedule 6.

5. Schedule 5 replaced
Delete Schedule 5 and insert—

Schedule 5—General Use Area
All waters of the Shoalwater Islands Marine Park that are not waters described in Schedules 2, 3, or 4.

6. Schedule 6 replaced
Delete Schedule 6 and insert—

Schedule 6—Permitted Commercial Fishing Activities
1. Fishing for abalone, in the waters of the Shoalwater Bay Special Purpose Area (Wildlife Conservation), in accordance with and under the authority of the Abalone Management Plan 1992;
2. Fishing for coral or live rock in the Shoalwater Bay Special Purpose Area (Wildlife Conservation) in the manner specified in the Prohibition on Fishing (Coral, 'Live Rock' and Algae) Order 2007;
3. Fishing for crab, in the waters of the Shoalwater Bay Special Purpose Area (Wildlife Conservation), in accordance with and under the authority of the Warnbro Sound (Crab) Management Plan 1995;
4. Fishing for marine aquarium fish, in the waters of the Shoalwater Bay Special Purpose Area (Wildlife Conservation), in accordance with and under the authority of the Marine Aquarium Fish Management Plan 1995;
5. Fishing for rock lobster, in the waters of the Shoalwater Bay Special Purpose Area (Wildlife Conservation) and the Murray Reef Special Purpose Area (Scientific Reference), in accordance with an authorisation permitting commercial fishing for rock lobster;
6. Fishing for specimen shell, in the waters of the Shoalwater Bay Special Purpose Area (Wildlife Conservation), in accordance with and under the authority of the Specimen Shell Fishery Management Plan 1995;
7. Fishing by line, other than by troll line, longline or dropline, from a licensed fishing boat, in the waters of the Shoalwater Bay Special Purpose Area (Wildlife Conservation), in accordance with and under the authority of -
(a) the Mackerel Managed Fishery Management Plan 2011; or
(b) the West Coast Demersal Scalefish (Interim) Management Plan 2007;
8. Fishing by line for squid or cuttlefish in the waters of the Shoalwater Bay Special Purpose (Wildlife Conservation) Area in accordance with a fishing boat licence.

Dated this 2nd day of October 2012.

NORMAN MOORE, Minister for Fisheries.