

Fish Resources Management Act 1994

Office use only
EXEMPTION No.

251245124

Section 7

INSTRUMENT OF EXEMPTION

I, Tim Nicholas, Director, Aquatic Resource Management, as delegate of the Minister for Fisheries, pursuant to section 7(1) of the *Fish Resources Management Act 1994*, HEREBY EXEMPT the class of persons specified in **Schedule 1** from Clause 68(1) of the *West Coast Rock Lobster Managed Fishery Management Plan 2012* and any other provisions of the *Fish Resources Management Act 1994* and its subsidiary legislation, that would otherwise prevent those persons from carrying out the activities described in **Schedule 2**, for the period in **Schedule 3** for the purpose set out in **Schedule 4**, subject to the conditions set out in **Schedule 5**.

**Schedule 1
Persons**

The master of an authorised boat and all persons operating under the authority of a West Coast Rock Lobster Managed Fishery Licence.

**Schedule 2
Activity**

To fish for rock lobster from an authorised boat with more pots than the licence permits under clause 68(1) of the *West Coast Rock Lobster Managed Fishery Management Plan 2012*.

**Schedule 3
Period**

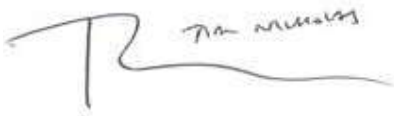
This Exemption is valid from 1 July 2024 to 1 August 2024.

**Schedule 4
Purpose**

To assist commercial fishers during season transition by permitting the use of additional rock lobster pots while transfers of entitlements are pending pursuant to section 7(2)(e).

**Schedule 5
Conditions**

- 1) For this exemption to apply, an application(s) to transfer entitlement onto the relevant Managed Fishery Licence for the authorised boat must have been received by the Department of Primary Industries and Regional Development.
- 2) Subject to condition 3, the master of an authorised boat may use up to the number of rock lobster pots that would be permitted to be used under that Managed Fishery Licence, should the application(s) lodged in accordance with condition 1, be approved.
- 3) The maximum number of pots that may be operated from an authorised boat is 150. Whale mitigation rules as outlined in Exemption 251208224 still apply.
- 4) When all entitlement transfer applications(s) submitted to the Department of Primary Industries and Regional Development for a particular Managed Fishery Licence have been approved and the relevant Managed Fishery Licence for an authorised boat has been re-issued, this Exemption no longer applies.
- 5) The master of an authorised boat must accurately record the total number of pots being operated during each fishing trip using Fish Eye, CatchER or Catch and Disposal Record (CDR) forms.
- 6) The master of an authorised boat must retain a copy of receipt issued for application to transfer entitlement on board of the boat when operating under the exemption.

A handwritten signature in blue ink, appearing to read 'Tim Nicholas', with a long horizontal flourish extending to the right.

Tim Nicholas
DIRECTOR, AQUATIC RESOURCE MANAGEMENT

as delegate of the MINISTER FOR FISHERIES

Dated this 6th day of June 2024