

Fish Resources Management Act 1994***Section 7*****INSTRUMENT OF EXEMPTION**

I, Nathan Harrison, Executive Director Fisheries and Agriculture Resource Management, as delegate of the Minister for Fisheries, pursuant to Section 7(1) of the *Fish Resources Management Act 1994*, do hereby exempt the class of persons specified in **Schedule 1**, from Clause 50(3), Clause 53, Clause 62(5), (6), (7), (8), (9), and (10), 72(B)(1) and Clause 72B(2) 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 specified in **Schedule 2**, for the period specified in **Schedule 3** for the purpose specified in **Schedule 4**, subject to the conditions specified in **Schedule 5**.

**Schedule 1
Persons**

- a) Nominated Master and person(s) operating under the authority of a West Coast Rock Lobster Managed Fishery Licence.
- b) Registered Receiver operating under the authority of a *West Coast Rock Lobster Managed Fishery Management Plan 2012*.

**Schedule 2
Activity**

1. Persons in schedule 1(a) to land unlimited back of boat lobsters in respect of a trip.
2. Persons in schedule 1(a) to sell or consign back of boat lobsters to a registered receiver.
3. Persons in schedule 1(b) to receive or purchase back of boat lobsters taken in accordance with the *West Coast Rock Lobster Managed Fishery Management Plan 2012*.
4. Person in schedule 1(b) to take possession of rock lobsters that have been taken as back of boat lobsters under the authority of the West Coast Rock Lobster Managed Fishery Licence specified in (1), without completing the requirements of a registered receiver specified under the *West Coast Rock Lobster Managed Fishery Management Plan 2012*.

**Schedule 3
Period**

This exemption is valid from 21 December 2024 until 24 December 2024.

**Schedule 4
Purpose**

To provide for the increased supply of rock lobster to the WA community in the days prior to Christmas for a commercial purpose under section 7(2)(e) of the *Fish Resources Management Act 1994*.

**Schedule 5
Conditions**

1. The master of the authorised boat must land any back of boat lobsters taken under the authority of this exemption within the:
 - a. Mandurah Ocean Marina; or
 - b. Fremantle approved landing area; or
 - c. Hillarys approved landing area, or
 - d. Cervantes approved landing area, or
 - e. Geraldton approved landing area; or
 - f. Kalbarri approved landing area.
2. The master of the authorised boat must complete all nominations in FishEye for any back of boat lobsters taken pursuant to this exemption, in accordance with the *West Coast Rock Lobster Managed Fishery Management Plan 2012*. If the master consigns more than 999 back of boat lobsters, they must utilise the comments box in the pre-landing notification to record additional back of boat lobsters.
3. If the master of the authorised boat consigns back of boat lobsters to a registered receiver in accordance with this exemption, the master must provide a receipt to the registered receiver specifying the Managed Fishery Licence under which the lobsters were taken, and the quantity of back of boat lobsters.
4. The registered receiver must retain a receipt detailing the Managed Fishery Licence under which the back of boat lobsters were taken, and the quantity of any back of boat lobsters consigned pursuant to the exemption.



**Nathan Harrison,
Executive Director Fisheries and Agriculture Resource Management
as delegate of the MINISTER FOR FISHERIES**

Dated this 13th day of December 2024