

Office use only

EXEMPTION
NUMBER:

Fish Resources Management Act 1994

Section 7(2)(e)

INSTRUMENT OF EXEMPTION

I, Jo Kennedy, Director, Aquatic Resource Management, as delegate of the Minister for Fisheries, pursuant to section 7(2)(e) of the *Fish Resources Management Act 1994*, HEREBY EXEMPT the class of persons in **Schedule 1** from section 46 of the *Fish Resources Management Act 1994*, Regulation 10 and Part 2 of Schedule 2 of the *Fish Resources Management Regulations 1995* which would otherwise prevent those persons specified in **Schedule 1** from lawfully pursuing the activities specified in **Schedule 2**, for the period specified in **Schedule 3** for the purposes specified in **Schedule 4**, and subject to the conditions specified in **Schedule 5**.

Schedule 1 Persons

- (a) Holders of, and persons operating under the authority of, a West Coast Rock Lobster Managed Fishery Licence.
- (b) Registered receivers under the *West Coast Rock Lobster Managed Fishery Management Plan 2012*.
- (c) Persons acting for, or on behalf of, a registered receiver under the *West Coast Rock Lobster Managed Fishery Management Plan 2012*.
- (d) Recipients of rock lobster consigned for personal consumption in accordance with the *West Coast Rock Lobster Managed Fishery Management Plan 2012*.
- (e) Persons who legally purchase or obtain lobster which has been received by a registered receiver in accordance with the *West Coast Rock Lobster Managed Fishery Management Plan 2012*.

Schedule 2 Activity

The taking, possession, selling and consignment of setose western rock lobster, by the persons described in paragraph (a) of **Schedule 1**.

The possession, selling and consigning of setose western rock lobster, by the persons described in paragraph (b) or (c) of **Schedule 1**.

The possession of setose western rock lobster, by the persons described in paragraph (d) of **Schedule 1**.

The possession and selling of setose western rock lobster by person described in paragraph (e) of **Schedule 1**.

**Schedule 3
Period**

This Exemption applies from 1 May 2019 until 31 October 2019.

**Schedule 4
Purpose**

To provide opportunity for fishers to maintain their catch rates during the whale mitigation period where there is a reduction in the numbers of pots permitted to be used.

**Schedule 5
Conditions**

- (a) Classes of persons described in **Schedule 1** paragraph (e) must ensure that they have a copy of a receipt for any lobster purchased from a registered receivers or retailers.



Jo Kennedy
DIRECTOR, AQUATIC RESOURCE MANAGEMENT
As delegate of the MINISTER FOR FISHERIES

Dated this 30th day of April 2019