

Part 7 Restrictions on activities in the marine park

Division 1 General restrictions

92 Bait netting

- (1) A person may carry out bait netting in the marine park using only—
- (a) for a recreational fisher—a cast, scoop or seine net complying with the Fisheries Regulation, chapter 4, part 1, division 4; or
 - (b) for a commercial fisher—a cast net or mesh net complying with the Fisheries Regulation, chapter 9, part 5.
- (2) A commercial fisher who is bait netting in the conservation park zone must not—
- (a) take a relevant fish while bait netting; or
 - (b) possess a relevant fish taken in contravention of paragraph (a).
- (3) For subsection (2)(a), a commercial fisher does not take a relevant fish while bait netting if—
- (a) the fish is taken unintentionally; and
 - (b) the fisher does not allow the net containing the fish to be out of the water other than to immediately remove the fish from the net; and
 - (c) the fisher immediately releases the fish into water deep enough to allow the fish to escape.
- (4) In this section—

commercial fisher means a commercial fisher under the Fisheries Regulation.

possess, a relevant fish, means—

- (a) to have custody or control of the fish; or
- (b) to have an ability or right to readily obtain custody or control of the fish.

relevant fish means a fish of any of the following species—

- (a) bream of the genus *Acanthopagrus* or *Rhabdosargus*;
- (b) flathead of the genus *Platycephalus*;
- (c) whiting of the genus *Sillago*.

Part 7 Restrictions applying to activities carried out in Marine Park

81 Bait netting

- (1) A person may carry out bait netting in the marine park using only—
- (a) for a recreational fisher under the Fisheries Regulation—a cast, scoop or seine net complying with chapter 4, part 1, division 4 of that regulation; or
 - (b) for a commercial fisher—a cast net or mesh net complying with the Fisheries Regulation, chapter 9, part 5.
- (2) A commercial fisher who is bait netting in the conservation park zone (other than an area within the Great Sandy area) must not—
- (a) take a relevant fish while bait netting; or
 - (b) possess a relevant fish taken in contravention of paragraph (a).
- (3) For subsection (2)(a), a commercial fisher does not take a relevant fish while bait netting if—
- (a) the fish is taken unintentionally; and
 - (b) the fisher does not allow the net containing the fish to be out of the water other than to immediately remove the fish from the net; and
 - (c) the fisher immediately releases the fish into water deep enough to allow the fish to escape.
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