

South Australia

Fisheries (General) Variation Regulations 2003

under the *Fisheries Act 1982*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fisheries (General) Variation Regulations 2003*.

2—Commencement

These regulations will come into operation on 30 October 2003.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Fisheries (General) Regulations 2000*

4—Variation of Schedule 1—Fishing activities of a prescribed class for the purposes of s. 41 of the Act

Schedule 1, clause 90—delete the clause and substitute:

- 90(1) The taking of rock lobster by a licensed person in the Northern Zone—
 - (a) by using a rock lobster pot that does not comply with subclause (2); or
 - (b) by using, at any one time, more than 3 rock lobster pots not fitted with 2 escape gaps that comply with subclause (3).

- (2) A rock lobster pot must—
- (a) weigh not more than 40 kilograms; and
 - (b) be not more than 61 centimetres high; and
 - (c) be not more than 122 centimetres wide at its base; and
 - (d) have its mouth at the top; and
 - (e) be attached by a line to a floating buoy that complies with these regulations.
- (3) Escape gaps must—
- (a) be as near as practicable to 180° apart; and
 - (b) be kept free of obstructions at all times; and
 - (c) be not less than 5.7 centimetres high and 28 centimetres wide; and
 - (d) be not more than 11 centimetres above the base of the pot at their highest point.

- (4) In this clause—

Northern Zone has the same meaning as in the *Fisheries (Scheme of Management—Rock Lobster Fisheries) Regulations 1991*.

5—Variation of Schedule 9—Expiation of offences

- (1) Schedule 9, item relating to clause 90 of Schedule 1—delete the item and substitute:

90(1)(a)	<i>Taking rock lobster in Northern Zone using rock lobster pot of unlawful specifications (commercial)</i>	\$100
90(1)(b)	<i>Taking rock lobster in Northern Zone using more than 3 rock lobster pots not fitted with escape gaps (commercial)</i>	\$100

- (2) Schedule 9, items relating to the *Fisheries (Scheme of Management—Rock Lobster Fisheries) Regulations 1991*—delete the items and the heading above those items
- (3) Schedule 9, items relating to the *Fisheries (Fish Processors) Regulations 1991*—delete the items and the heading above those items

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 30 October 2003

No 218 of 2003

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