

South Australia

Fisheries (General) Variation Regulations 2004

under the *Fisheries Act 1982*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

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

- 4 Variation of regulation 21—Keeping of rock lobster
 - 5 Variation of Schedule 1—Classes of fishing activities prescribed for purposes of section 41 of Act
 - 6 Variation of Schedule 9—Expiation of offences
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fisheries (General) Variation Regulations 2004*.

2—Commencement

These regulations will come into operation on 1 November 2004.

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 regulation 21—Keeping of rock lobster

Regulation 21—after its present contents (now to be designated as subregulation (1)) insert:

- (2) During the period commencing 1800 hours on 31 May in any year and ending 1200 hours on the following 1 November, a person must not store or confine live rock lobster taken from the waters of the Northern Zone Rock Lobster Fishery (regardless of when the rock lobster were actually taken).

Maximum penalty: \$2 500.

- (3) Subregulation (2) does not apply to a registered fish processor who stores or confines live rock lobster in a holding tank situated on land.

5—Variation of Schedule 1—Classes of fishing activities prescribed for purposes of section 41 of Act

Schedule 1, clauses 91 and 92—delete the clauses

6—Variation of Schedule 9—Expiation of offences

- (1) Schedule 9, table relating to *Fisheries (General) Regulations 2000*, item relating to regulation 21—delete "21" from the first column and substitute:

21(1)

- (2) Schedule 9, table relating to *Fisheries (General) Regulations 2000*—after the item relating to regulation 21 as varied by this regulation insert:

21(2)	Storing or confining, out of season, live rock lobster taken from Northern Zone Rock Lobster Fishery	\$300
-------	--	-------

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 28 October 2004

No 229 of 2004

MAFF04/0029CS