

South Australia

## **Fisheries Management (Demerit Points) Regulations 2009**

under the *Fisheries Management Act 2007*

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#### **1—Short title**

These regulations may be cited as the *Fisheries Management (Demerit Points) Regulations 2009*.

#### **2—Commencement**

These regulations will come into operation on 1 July 2009.

### 3—Interpretation

- (1) In these regulations—  
*Act* means the *Fisheries Management Act 2007*.
- (2) The clause headings in Schedule 1 form part of these regulations.

### 4—Demerit points

- (1) For the purposes of section 104(1) of the Act, an offence against a provision specified in Schedule 1 is an offence of a prescribed kind and the number of demerit points prescribed in relation to the offence is the number specified for the offence in Schedule 1.
- (2) Text set out in italic type under a column headed "Description of offence" in a table in Schedule 1 is a description for convenience purposes only and is not to be taken to define the offence for which a particular number is prescribed as the number of demerit points attracted by the offence.

## Schedule 1—Demerit point offences and demerit points

### Part 1—Offences against Act

#### 1—Sections other than section 70

Act	Description of offence	Demerit points
section 52	<i>Person not holding licence or permit in respect of fishery, or person not acting as agent of holder of such licence or permit, engaging, for commercial purpose, in fishing activity of class that constitutes fishery</i>	100
section 53(1)(a)	<i>Using boat other than registered boat, for commercial purpose, to engage in fishing activity of class that constitutes fishery</i>	50
section 53(1)(b)	<i>Using boat in charge of person other than registered master, for commercial purpose, to engage in fishing activity of class that constitutes fishery</i>	50
section 53(2)	<i>Using unregistered device, for commercial purpose, to engage in fishing activity of class that constitutes fishery</i>	75
section 55(3)	<i>Contravening condition of fishery authority related to quota entitlement—</i>	
	(a) if the offence is expiated by the holder of the authority and the Minister has not varied the conditions of the authority so as to reduce the quota entitlement under the licence	20
	(b) in any other case	100
section 55(3)	<i>Contravening condition of fishery authority not related to quota entitlement—</i>	
	(a) if the offence is expiated	20
	(b) in any other case	50

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section 59(1)	<i>Holder of fishery authority failing to carry fishery authority or identification while engaging in fishing activity under fishery authority—</i>	
	(a) if the offence is expiated	5
	(b) in any other case	25
section 59(2)	<i>Person in charge of registered boat on waters failing to carry fishery authority or identification—</i>	
	(a) if the offence is expiated	5
	(b) in any other case	25
section 59(3)(a)	<i>Person using registered device on waters failing to carry fishery authority or identification—</i>	
	(a) if the offence is expiated	5
	(b) in any other case	25
section 59(3)(b)	<i>Person in charge of boat on which registered device is being used failing to carry fishery authority or identification—</i>	
	(a) if the offence is expiated	5
	(b) in any other case	25
section 62(1)	<i>Person not registered as fish processor acting as fish processor</i>	75
section 62(3)	<i>Registered fish processor using premises, place, boat or vehicle not specified in certificate of registration for or in connection with processing, storing, transporting or dealing with aquatic resources—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
section 65(4)	<i>Registered fish processor contravening condition of registration—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	25
section 67(a)	<i>Giving another person possession or control of fishery authority not in name of the other person</i>	75
section 67(b)	<i>Having possession or control of another person's fishery authority</i>	75
section 67(c)	<i>Falsely representing to be person named in fishery authority</i>	75
section 71(1)(a)	<i>Taking aquatic mammal</i>	100
section 71(1)(a)	<i>Taking aquatic resource of protected species—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	80
	(ii) second or subsequent offence	100
section 71(1)(b)	<i>Injuring, damaging or otherwise harming aquatic mammal—</i>	
	(a) if the offence is expiated	20
	(b) in any other case	100

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section 71(1)(b)	<i>Injuring, damaging or otherwise harming aquatic resource of protected species—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	80
	(ii) second or subsequent offence	100
section 71(2)(a)	<i>Interfering with, harassing or molesting aquatic mammal</i>	100
section 71(2)(a)	<i>Interfering with, harassing or molesting aquatic resource of protected species—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	80
	(ii) second or subsequent offence	100
section 71(2)(b)	<i>Causing or permitting interference with, or harassment or molestation of, aquatic mammal</i>	100
section 71(2)(b)	<i>Causing or permitting interference with, or harassment or molestation, of aquatic resource of protected species—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	80
	(ii) second or subsequent offence	100
section 72(1)	<i>Selling or purchasing aquatic resource taken without authority</i>	100
section 72(2)(a)	<i>Selling or purchasing, or having possession or control, of aquatic resource taken in contravention of Act or corresponding law</i>	100
section 72(2)(b)	<i>Selling or purchasing, or having possession or control, of aquatic resource of protected species</i>	100
section 72(2)(c)	<i>Selling or purchasing, or having possession or control, of aquatic resource of prescribed class—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
section 73(1)	<i>Possessing quantity of fish of protected species exceeding prescribed quantity</i>	100
section 73(1)	<i>Possessing quantity of aquatic resource (other than fish of protected species) exceeding prescribed quantity—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80

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	(iii) third or subsequent offence	100
section 74(1)	<i>Trafficking in, or having possession or control of, commercial quantity of fish of priority species</i>	100
section 75(1)	<i>Obstructing or interfering with lawful fishing activity or interfering with aquatic resources taken in course of lawful fishing activity—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50
section 75(2)	<i>Failing to cease or discontinue obstructive conduct or interference with lawful fishing activity—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
section 76(a)	<i>Entering or remaining in aquatic reserve without authorisation or permit—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
section 76(b)	<i>Engaging in fishing activity in aquatic reserve without authorisation or permit—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
section 77(1)(a)	<i>Engaging in operation involving or resulting in disturbance of bed of waters in aquatic reserve without authorisation or permit—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
section 77(1)(b)	<i>Engaging in operation involving or resulting in removal of or interference with aquatic or benthic animals or plants of waters in aquatic reserve—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80

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	(iii) third or subsequent offence	100
section 78(1)(a)	<i>Bringing into State aquatic resources of noxious species without permit—</i>	
	(a) if the offence is expiated	20
	(b) in any other case	100
section 78(1)(b)	<i>Selling, purchasing or delivering aquatic resources of noxious species without permit—</i>	
	(a) if the offence is expiated	20
	(b) in any other case	100
section 78(1)(c)	<i>Having possession or control of aquatic resources of noxious species without permit—</i>	
	(a) if the offence is expiated	20
	(b) in any other case	100
section 78(2)(a)	<i>Releasing or permitting escape into any waters of exotic fish, aquaculture fish, or fish kept apart from natural habitat, without permit—</i>	
	(a) if the offence is expiated	20
	(b) in any other case	100
section 78(2)(b)	<i>Depositing into any waters exotic fish, aquaculture fish, fish kept apart from natural habitat, or exotic aquatic plants, without permit—</i>	
	(a) if the offence is expiated	20
	(b) in any other case	100
section 79(9)(a)	<i>Engaging in fishing activity in contravention of declaration or direction under section 79—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
section 79(9)(b)	<i>Having possession or control of aquatic resources in contravention of declaration under section 79—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
section 80(8)	<i>Failing to comply with requirement of Minister</i>	5
section 84(3)	<i>Resisting arrest or escaping from lawful custody</i>	100
section 88(4)	<i>Using registered boat without scientific observer aboard during period specified in notice given by Minister</i>	100

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section 91(1)	<i>Hindering etc authorised person</i>	100
section 91(2)	<i>Assaulting authorised person etc</i>	100
section 92(9)	<i>Failing to comply with protection order—</i>	
	(a) if the offence is expiated	20
	(b) in any other case	100
section 94(9)	<i>Failing to comply with reparation order—</i>	
	(a) if the offence is expiated	20
	(b) in any other case	100
section 102(2)	<i>Contravening suspension, disqualification or prohibition order made by court</i>	100
section 115(6)	<i>Contravening condition of exemption—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
section 119	<i>Making false or misleading statement in information provided, or record kept, under Act</i>	100
section 124(1)	<i>Person engaged in administration of Act divulging or communicating information obtained in course of official duties except in prescribed circumstances</i>	100
section 124(3)	<i>Person using for other purpose information disclosed for particular purpose</i>	100

**2—Section 70 (Prescribed fishing activities prohibited)—engaging in a fishing activity of class specified in Schedule 6 of *Fisheries Management (General) Regulations 2007***

<b>Schedule 6 Regulations</b>	<b>Description of offence</b>	<b>Demerit points</b>
clause 1	<i>Taking fish in Coorong (area 1), Coorong (area 2) or Coorong coastal waters by using net other than small or large mesh monofilament net or small or large multifilament hauling net (commercial)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 2	<i>Taking fish in Coorong (area 1) or Coorong (area 2) using large mesh monofilament net other than as set net (commercial)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60

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	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 3	<i>Taking fish in Coorong (area 1) using certain net during closed season (commercial)—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 4	<i>Taking fish in coastal waters using hauling net during certain holiday periods (commercial)—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 5	<i>Taking fish in certain coastal waters using swinger net (commercial)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 6	<i>Taking fish in River Murray proper using certain device (commercial)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 7	<i>Taking fish for purpose of bait using fish net other than bait net (commercial)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 8	<i>Taking Scallop using scallop dredge (commercial)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60



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	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 9(1)	<i>Taking certain fish in Lakes and Coorong using more than permitted number of certain nets at same time (commercial)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 10	<i>Taking fish using drum net of unlawful specifications (commercial)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 11	<i>Taking fish in coastal waters using gill net or mesh net of unlawful specifications (commercial)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 12(a)	<i>Taking fish in Coorong (area 1), Coorong (area 2) or Coorong coastal waters using small mesh monofilament net of unlawful specifications as set net (commercial)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 12(b)	<i>Taking fish in Coorong (area 1), Coorong (area 2) or Coorong coastal waters using small mesh monofilament net otherwise than as set net in certain circumstances (commercial)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100

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clause 13	<i>Taking fish in Coorong (area 1), Coorong (area 2) or Coorong coastal waters using large multifilament mesh net of unlawful specifications (commercial)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 14	<i>Taking fish in Coorong coastal waters using large mesh monofilament net of unlawful specifications other than as set net (commercial)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 15	<i>Taking fish in Coorong (area 1), Coorong (area 2) or Coorong coastal waters using multifilament hauling net of unlawful specifications (commercial)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 16(1)	<i>Taking prawn in coastal waters using prawn trawl net of unlawful specifications (commercial)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 17	<i>Taking Blue Swimmer Crab using crab net of unlawful specifications (commercial)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 18(1)	<i>Taking rock lobster in Northern Zone using rock lobster pot of unlawful specifications (commercial)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	

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	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 19	<i>Taking rock lobster in Southern Zone using rock lobster pot of unlawful specifications (commercial)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 20	<i>Taking Ocean Jacket in waters deeper than 60m using fish trap of unlawful specifications (commercial)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 21	<i>Taking fish using fish trap of unlawful specifications (commercial)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 21A	<i>Taking pipi in Coorong coastal waters using cockle rake of unlawful specifications (commercial)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 22	<i>Taking fish using certain device without buoy (commercial)—</i>	
	(a) if the offence is expiated	5
	(b) in any other case	25
clause 23	<i>Taking fish using certain device without tag (commercial)—</i>	
	(a) if the offence is expiated	5
	(b) in any other case	25
clause 24	<i>Taking razorfish (bag limit) (commercial)—exceeding daily limit:</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	

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	(i) first offence	30
	(ii) second offence	40
	(iii) third or subsequent offence	50
clause 25	<i>Taking fish by licensed person using trawl nets and boats in Gulf St. Vincent Prawn Fishery—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 26	<i>Taking fish by licensed person using trawl nets and boats in Spencer Gulf Prawn Fishery—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 27	<i>Taking fish by licensed person using trawl nets and boats in West Coast Prawn Fishery—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 28	<i>Taking fish using unattended long line (commercial)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 29	<i>Taking fish using set line with more than permitted number of hooks (commercial)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 30	<i>Taking certain fish in River Murray (commercial)—</i>	
	(a) if the offence is expiated	15

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	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 31	<i>Taking Blue Swimmer Crab in certain Spencer Gulf waters (commercial)—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 32	<i>Taking Blue Swimmer Crab in certain other waters (commercial)—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 33	<i>Taking Sand Crab using sand crab pot in certain waters (commercial)—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 34	<i>Taking Cockle in certain waters (commercial)—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 35	<i>Taking Blue Crab in certain waters during closed season (commercial)—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100

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clause 36	<i>Taking fish in River Murray using certain device without buoy or tag (commercial)—</i>	
	(a) if the offence is expiated	5
	(b) in any other case	25
clause 37	<i>Taking fish in Lakes and Coorong by electrofishing (commercial)—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 38	<i>Taking of fish in coastal waters using fish net or long line (recreational)—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 39	<i>Taking fish using fish net in River Murray proper (recreational)—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 40	<i>Taking fish in Coorong (area 1) using fish net during certain period (recreational)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 41	<i>Taking fish using fish trap (recreational)—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 42	<i>Taking fish in coastal waters using more than permitted number of certain devices (recreational)—</i>	
	(a) if the offence is expiated	15

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	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 43	<i>Taking fish in River Murray proper using more than permitted number of certain devices (recreational)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 44	<i>Taking fish in Coorong (area 1) using more than permitted number of certain devices during certain period (recreational)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 45	<i>Taking fish in Coorong (area 2) using more than permitted number of certain devices (recreational)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 46	<i>Taking fish in Lakes Albert and Alexandrina using more than permitted number of certain devices (recreational)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 47	<i>Taking fish in Lake George using more than permitted number of certain devices (recreational)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75

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clause 48	<i>Taking fish in Coorong (area 1) during certain period using mesh net of unlawful specifications (recreational)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 49	<i>Taking fish in Coorong (area 2) using mesh net of unlawful specifications (recreational)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 50	<i>Taking fish in Lakes Albert and Alexandrina using mesh net of unlawful specifications (recreational)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 51	<i>Taking fish in Lake George using mesh net of unlawful specifications (recreational)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 52	<i>Taking crabs using crab net or hand net of unlawful specifications (recreational)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 53	<i>Taking rock lobster in Northern Zone or Southern Zone using rock lobster pot of unlawful specifications (recreational)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45



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	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 54	<i>Taking fish using device without tag (recreational)—</i>	
	(a) if the offence is expiated	5
	(b) in any other case—	
	(i) first offence	15
	(ii) second offence	20
	(iii) third or subsequent offence	25
clause 55	<i>Taking fish using mesh net without tag (recreational)—</i>	
	(a) if the offence is expiated	5
	(b) in any other case—	
	(i) first offence	15
	(ii) second offence	20
	(iii) third or subsequent offence	25
clause 56	<i>Taking fish using drop net without buoy or tag (recreational)—</i>	
	(a) if the offence is expiated	5
	(b) in any other case—	
	(i) first offence	15
	(ii) second offence	20
	(iii) third or subsequent offence	25
clause 57	<i>Taking fish using hoop net without buoy or tag (recreational)—</i>	
	(a) if the offence is expiated	5
	(b) in any other case—	
	(i) first offence	15
	(ii) second offence	20
	(iii) third or subsequent offence	25
clause 58	<i>Taking fish using rock lobster pot without buoy or tag (recreational)—</i>	
	(a) if the offence is expiated	5
	(b) in any other case—	
	(i) first offence	15
	(ii) second offence	20
	(iii) third or subsequent offence	25
clause 59	<i>Taking fish using shrimp trap or yabby pot without buoy or tag (recreational)—</i>	
	(a) if the offence is expiated	5
	(b) in any other case—	
	(i) first offence	15
	(ii) second offence	20

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	(iii) third or subsequent offence	25
clause 60	<i>Taking fish using device with tag bearing registration information relating to device registered for commercial fishing (recreational)—</i>	
	(a) if the offence is expiated	5
	(b) in any other case—	
	(i) first offence	15
	(ii) second offence	20
	(iii) third or subsequent offence	25
clause 61	<i>Taking fish (recreational non-charter boat fishing bag or boat limit)—exceeding limit:</i>	
	(a) if the offence is expiated—	
	(i) by up to 10 fish	5
	(ii) by more than 10 but not more than 20 fish	10
	(iii) by more than 20 fish	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 62	<i>Taking rock lobster (recreational non-charter boat fishing bag or boat limit) in the Northern Zone or Southern Zone—exceeding limit:</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 62	<i>Taking abalone (recreational non-charter boat fishing bag or boat limit)—exceeding limit:</i>	
	(a) if the offence is expiated—	
	(i) by up to 5 abalone	5
	(ii) by more than 5 but not more than 10 abalone	10
	(iii) by more than 10 abalone	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 62	<i>Taking Murray Cod (recreational non-charter boat fishing bag or boat limit)—exceeding limit:</i>	
	(a) if the offence is expiated—	
	(i) by up to 5 Murray Cod	10
	(ii) by more than 5 Murray Cod	15

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	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 63	Taking South-east Crayfish ( <i>recreational bag limit</i> )—exceeding limit:	
	(a) if the offence is expiated—	
	(i) by up to 5 crayfish	10
	(ii) by more than 5 crayfish	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 63	Taking Yabby ( <i>recreational bag limit</i> )—exceeding limit:	
	(a) if the offence is expiated	5
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 63	Taking Cockle ( <i>recreational bag limit</i> )—exceeding limit:	
	(a) if the offence is expiated—	
	(i) by up to 50 cockles	5
	(ii) by more than 50 but not more than 100 cockles	10
	(iii) by more than 100 cockles	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 63	Taking Black Cowrie ( <i>recreational bag limit</i> )—exceeding limit:	
	(a) if the offence is expiated—	
	(i) by up to 5 Black Cowrie	10
	(ii) by more than 5 Black Cowrie	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 63	Taking pipi ( <i>recreational bag limit</i> )—exceeding limit:	
	(a) if the offence is expiated—	
	(i) by up to 100 pipi	5

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	(ii)	by more than 100 but not more than 200 pipi	10
	(iii)	by more than 200 pipi	15
	(b)	in any other case—	
	(i)	first offence	60
	(ii)	second offence	80
	(iii)	third or subsequent offence	100
clause 63		Taking Mulloway ( <i>recreational bag limit</i> )—exceeding limit:	
	(a)	if the offence is expiated—	
	(i)	by up to 10 Mulloway	5
	(ii)	by more than 10 but not more than 20 Mulloway	10
	(iii)	by more than 20 Mulloway	15
	(b)	in any other case—	
	(i)	first offence	60
	(ii)	second offence	80
	(iii)	third or subsequent offence	100
clause 64		Taking fish ( <i>recreational charter boat fishing boat or trip limit</i> )—exceeding limit:	
	(a)	if the offence is expiated—	
	(i)	by up to 10 fish	5
	(ii)	by more than 10 but not more than 20 fish	10
	(iii)	by more than 20 fish	15
	(b)	in any other case—	
	(i)	first offence	60
	(ii)	second offence	80
	(iii)	third or subsequent offence	100
clause 65		Taking fish ( <i>recreational charter boat fishing boat or trip limit</i> )—exceeding limit:	
	(a)	if the offence is expiated—	
	(i)	by up to 10 fish	5
	(ii)	by more than 10 but not more than 20 fish	10
	(iii)	by more than 20 fish	15
	(b)	in any other case—	
	(i)	first offence	60
	(ii)	second offence	80
	(iii)	third or subsequent offence	100
clause 66		Taking rock lobster ( <i>recreational charter boat fishing bag or trip limit</i> )—exceeding limit:	
	(a)	if the offence is expiated—	
	(i)	by up to 5 rock lobster	5

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	(ii) by more than 5 but not more than 10 rock lobster	10
	(iii) by more than 10 rock lobster	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 66	Taking Abalone ( <i>recreational charter boat fishing bag or trip limit</i> )— exceeding limit:	
	(a) if the offence is expiated—	
	(i) by up to 5 abalone	5
	(ii) by more than 5 but not more than 10 abalone	10
	(iii) by more than 10 abalone	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 66	Taking Cockle ( <i>recreational charter boat fishing bag or trip limit</i> )— exceeding limit:	
	(a) if the offence is expiated—	
	(i) by up to 100 cockles	5
	(ii) by more than 100 but not more than 200 cockles	10
	(iii) by more than 200 cockles	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 66	Taking pipi ( <i>recreational charter boat fishing bag or trip limit</i> )— exceeding limit:	
	(a) if the offence is expiated—	
	(i) by up to 100 pipi	5
	(ii) by more than 100 but not more than 200 pipi	10
	(iii) by more than 200 pipi	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 66	Taking King George Whiting ( <i>recreational charter boat fishing bag or trip limit</i> )—exceeding limit:	
	(a) if the offence is expiated—	

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	(i)	by up to 10 Whiting	5
	(ii)	by more than 10 but not more than 20 Whiting	10
	(iii)	by more than 20 Whiting	15
	(b)	in any other case—	
	(i)	first offence	60
	(ii)	second offence	80
	(iii)	third or subsequent offence	100
clause 67		<i>Taking fish (recreational charter boat fishing bag, boat or trip limit)— exceeding limit:</i>	
	(a)	if the offence is expiated—	
	(i)	by up to 10 fish	5
	(ii)	by more than 10 but not more than 20 fish	10
	(iii)	by more than 20 fish	15
	(b)	in any other case—	
	(i)	first offence	60
	(ii)	second offence	80
	(iii)	third or subsequent offence	100
clause 68		<i>Taking fish in Coorong (area 1) during certain period using mesh net in unlawful manner or without attending net (recreational)—</i>	
	(a)	if the offence is expiated	15
	(b)	in any other case—	
	(i)	first offence	45
	(ii)	second offence	60
	(iii)	third or subsequent offence	75
clause 69		<i>Taking fish in Coorong (area 2) using mesh net in unlawful manner or without attending net (recreational)—</i>	
	(a)	if the offence is expiated	15
	(b)	in any other case—	
	(i)	first offence	45
	(ii)	second offence	60
	(iii)	third or subsequent offence	75
clause 70		<i>Taking fish in Lakes Albert and Alexandrina using mesh net in unlawful manner or without attending net (recreational)—</i>	
	(a)	if the offence is expiated	15
	(b)	in any other case—	
	(i)	first offence	45
	(ii)	second offence	60
	(iii)	third or subsequent offence	75

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clause 71	<i>Taking fish in Lake George at certain times of day using mesh net without attending net (recreational)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 72	<i>Taking fish for non-commercial purpose using device other than permitted device etc—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 73	<i>Taking fish for non-commercial purpose using mesh net or rock lobster pot not registered in user's name—</i>	
	(a) if the offence is expiated	20
	(b) in any other case	100
clause 74	<i>Taking fish using bow and arrow (other than in prescribed circumstances in River Murray)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 75	<i>Taking fish by licensed person in Murray mouth using long line—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 75	<i>Taking fish by unlicensed person in Murray mouth using long line—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 76	<i>Taking rock lobster using fish spear etc—</i>	
	(a) if the offence is expiated	20

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	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 77	<i>Taking fish using more than permitted number of rod and lines or hand lines etc—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 78	<i>Taking fish using more than permitted number of large mesh nets—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 79	<i>Taking fish using more than permitted number of teaser lines from jetty etc—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 80	<i>Taking fish by licensed person in inland waters using yabby pot of unlawful specifications—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 80	<i>Taking fish by unlicensed person in inland waters using yabby pot of unlawful specifications—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75



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clause 81	<i>Taking fish by licensed person in Lake George using fish net of unlawful specifications—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 81	<i>Taking fish by unlicensed person in Lake George using fish net of unlawful specifications—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 82	<i>Taking fish in Venus Bay using hauling net of unlawful specifications—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 83	<i>Taking fish in coastal waters other than by power hauling method using hauling net or seine net of unlawful specifications—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 84	<i>Taking fish by power hauling method using hauling net of unlawful specifications etc—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 85	<i>Taking fish by licensed person in certain Coorong waters using mesh net of unlawful specifications—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80

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	(iii) third or subsequent offence	100
clause 85	<i>Taking fish by unlicensed person in certain Coorong waters using mesh net of unlawful specifications—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 86	<i>Taking fish on week days in certain waters using mesh net of unlawful specifications—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 87	<i>Taking fish by licensed person in Lakes Albert and Alexandrina using mesh net of unlawful specifications—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 87	<i>Taking fish by unlicensed person in Lakes Albert and Alexandrina using mesh net of unlawful specifications—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 88	<i>Taking fish using large mesh net of unlawful specifications—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 89	<i>Taking Salmon using purse seine net of unlawful specifications—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60

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	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 90	<i>Taking fish by licensed person using shrimp trap of unlawful specifications—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 90	<i>Taking fish by unlicensed person using shrimp trap of unlawful specifications—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 91	<i>Taking fish by licensed person using mesh net or set line without buoys—</i>	
	(a) if the offence is expiated	5
	(b) in any other case	25
clause 91	<i>Taking fish by unlicensed person using mesh net or set line without buoys—</i>	
	(a) if the offence is expiated	5
	(b) in any other case—	
	(i) first offence	15
	(ii) second offence	20
	(iii) third or subsequent offence	25
clause 92	<i>Taking fish by licensed person using fish net without buoys—</i>	
	(a) if the offence is expiated	5
	(b) in any other case	25
clause 92	<i>Taking fish by unlicensed person using fish net without buoys—</i>	
	(a) if the offence is expiated	5
	(b) in any other case—	
	(i) first offence	15
	(ii) second offence	20
	(iii) third or subsequent offence	25
clause 93	<i>Taking fish by licensed person in Lakes Albert and Alexandrina, Murray mouth or Coorong using fish net within certain distance of another fish net—</i>	
	(a) if the offence is expiated	15

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	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 93	<i>Taking fish by unlicensed person in Lakes Albert and Alexandrina, Murray mouth or Coorong using fish net within certain distance of another fish net—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 94	<i>Taking fish using fish net during closed season in Bay of Shoals—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 95	<i>Taking fish in certain waters using device other than rod and line, hand line or hand net—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 96(1)	<i>Taking fish by licensed person in certain inland waters—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 96(1)	<i>Taking fish by unlicensed person in certain inland waters—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 97	<i>Taking fish using towed net in certain waters—</i>	
	(a) if the offence is expiated	15

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	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 98	<i>Taking fish in certain waters deeper than 5m using fish net—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 99	<i>Taking fish in certain waters of Spencer Gulf using fish net—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 100	<i>Taking fish by licensed person in certain waters of Coorong using fish net or set line—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 100	<i>Taking fish by unlicensed person in certain waters of Coorong using fish net or set line—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 101	<i>Taking fish in Murray mouth using long line—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 102	<i>Taking fish by licensed person in certain waters using mesh net as set net—</i>	
	(a) if the offence is expiated	20

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	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 102	<i>Taking fish by unlicensed person in certain waters using mesh net as set net—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 103	<i>Taking fish by licensed person in certain waters of Coorong using mesh net as set net on weekend—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 103	<i>Taking fish by unlicensed person in certain waters of Coorong using mesh net as set net on weekend—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 104	<i>Taking fish in certain waters of Coorong using hauling net on weekend—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 105(1) or (2)	<i>Taking fish by licensed person using certain device near artificial reef—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100

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clause 105(1) or (2)	<i>Taking fish by unlicensed person using certain device near artificial reef—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 106	<i>Taking fish using large mesh net left in water more than 4 hours—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 107	<i>Taking prawn by licensed person by power hauling method—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 107	<i>Taking prawn by unlicensed person by power hauling method—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 108	<i>Taking fish in Gulf St. Vincent or Spencer Gulf using large mesh net shot out in straight line—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 109	<i>Taking fish using fish net fixed etc across bay, inlet etc—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100

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clause 110	<i>Taking fish by licensed person by fixing or placing stake, log etc across mouth of waters, channel etc so as to impair free passage of fish—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 110	<i>Taking fish by unlicensed person by fixing or placing stake, log etc across mouth of waters, channel etc so as to impair free passage of fish—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 111	<i>Taking fish by licensed person using pipeline—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 111	<i>Taking fish by unlicensed person using pipeline—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 112	<i>Taking fish using explosive or anaesthetic etc—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 113	<i>Taking rock lobster by diving (bag limit)—exceeding limit:</i>	
	(a) if the offence is expiated	
	(i) by up to 5 rock lobster	5
	(ii) by more than 5 but not more than 10 rock lobster	10
	(iii) by more than 10 rock lobster	15
	(b) in any other case—	



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	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 114	<i>Taking undersize fish—</i>	
	(a) if the offence is expiated	
	(i) up to 10 fish	5
	(ii) more than 10 fish	10
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 115	<i>Taking oversize fish—</i>	
	(a) first offence	60
	(b) second offence	80
	(c) third offence	100
clause 116	<i>Taking molluscs in waters of West Lakes etc—</i>	
	(a) if the offence is expiated	5
	(b) in any other case—	
	(i) first offence	15
	(ii) second offence	20
	(iii) third or subsequent offence	25
clause 117	<i>Taking filter-feeding marine molluscan shellfish in certain waters of Port Adelaide River—</i>	
	(a) if the offence is expiated	5
	(b) in any other case—	
	(i) first offence	15
	(ii) second offence	20
	(iii) third or subsequent offence	25
clause 118	<i>Taking benthic marine organisms by licensed person in certain waters—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 118	<i>Taking benthic marine organisms by unlicensed person in certain waters—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	

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	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 119	<i>Taking prawn by licensed person in certain waters less than 10m deep</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 119	<i>Taking prawn by unlicensed person in certain waters less than 10m deep</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 120	<i>Taking rock lobster by licensed person in certain waters—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 120	<i>Taking rock lobster by unlicensed person in certain waters—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 121	<i>Taking fish by licensed person near locks and weir of River Murray—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 121	<i>Taking fish by unlicensed person near locks and weir of River Murray—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45

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	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 122	<i>Taking fish by licensed person during closed season in certain waters—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 122	<i>Taking fish by unlicensed person during closed season in certain waters—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 123	<i>Taking fish by licensed person using 2mm or greater trace wire with size 12/0 fishing hooks—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 123	<i>Taking fish by unlicensed person using 2mm or greater trace wire with size 12/0 fishing hooks—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 124	<i>Setting rock lobster pots by licensed person during closed season—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 124	<i>Setting rock lobster pots by unlicensed person during closed season—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45

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	(ii) second offence	60
	(iii) third or subsequent offence	75
clause 125	<i>Setting rock lobster pots other than under fishery authority—</i>	
	(a) first offence	60
	(b) second offence	80
	(c) third or subsequent offence	100
clause 126(1)	<i>Taking fish (other than under fishery authority) using registered boat</i>	50

### 3—Section 70 (Prescribed fishing activities prohibited)—engaging in a fishing activity of class specified in Schedule 7 of *Fisheries Management (General) Regulations 2007*

Schedule 7 Regulations	Description of offence	Demerit points
Part 1	<i>Engaging in a fishing activity of a prescribed class—taking fish by using a fish net in any of the waters of the State specified in Schedule 7 Part 1 of the Fisheries Management (General) Regulations 2007:</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
Part 2	<i>Engaging in a fishing activity of a prescribed class—taking fish using a net other than a large mesh net or sardine net in any of the waters of the State specified in Schedule 7 Part 2 of the Fisheries Management (General) Regulations 2007:</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100

## Part 2—Offences against regulations

### 4—*Fisheries Management (Abalone Fisheries) Regulations 2006*

Regulations	Description of offence	Demerit points
reg 14(6)	<i>Licence holder taking abalone of certain class where unit entitlement under licence falls below prescribed number—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60

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	(ii) second offence	80
	(iii) third or subsequent offence	100
reg 15(6)	<i>Taking Blacklip Abalone under licence from more than 1 prescribed area on any 1 day—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
reg 15(7)	<i>Licence holder taking abalone of certain class for commercial purpose where unit entitlement under licence falls below prescribed number—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
reg 16(6)	<i>Licence holder taking abalone of certain class for commercial purpose where unit entitlement under licence falls below prescribed number—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
reg 17	<i>Taking abalone under licence using etc more than 1 boat at any 1 time—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50
reg 18	<i>Licence holder causing etc more than 1 registered master to engage in fishing activities under licence on the same day—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50
reg 19	<i>Licence holder causing etc registered boat to be transported or towed by another boat to fishing location—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50
reg 20(3)	<i>Failing to complete form or failing to cause abalone and completed form to be transported to registered premises of registered fish processor etc—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45

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	(ii) second offence	60
	(iii) third or subsequent offence	75
reg 21(1)	<i>Failing to complete or deliver monthly catch return—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
reg 21(4)	<i>Failing to make and retain copy of monthly catch return—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50

**5—Fisheries Management (Blue Crab Fishery) Regulations 1998**

<b>Regulations</b>	<b>Description of offence</b>	<b>Demerit points</b>
reg 16(3)	<i>Failing to comply with subregulation (2) by failing to weigh blue crabs and complete form (paragraph (a)), failing to cause blue crabs to which completed form relates to be transported to registered premises of registered processor specified on completed form (paragraph (b)), failing to complete forms in consecutive order etc (paragraph (c)), failing to ensure copies of forms are kept onboard registered boat (paragraph (d)) or failing to deliver completed CDR book (paragraph (e))—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
reg 17(1)	<i>Failing to complete or deliver monthly catch return—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
reg 18	<i>Failing to make and retain copy of monthly catch return—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50

**6—Fisheries Management (Charter Boat Fishery) Regulations 2005**

<b>Regulations</b>	<b>Description of offence</b>	<b>Demerit points</b>
reg 14(1)	<i>Failing to complete or deliver monthly catch return—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
reg 15	<i>Failing to make and retain copy of monthly catch return—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50

**7—Fisheries Management (Fish Processors) Regulations 2007**

<b>Regulations</b>	<b>Description of offence</b>	<b>Demerit points</b>
reg 6(5)	<i>Failing to keep written records relating to premises, places etc used by fish processor for or in connection with fish processing etc—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
reg 7(4)	<i>Failing to lodge monthly return in respect of sale, purchase, processing etc of aquatic resources—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
reg 8(1)	<i>Failing to check for undersize fish in consignment of aquatic resources—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
reg 8(2)	<i>Failing to dispose of undersize fish found in consignment of aquatic resources—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
reg 9(6)	<i>Contravening or failing to comply with regulation 9 by purchasing or obtaining abalone from a fishery licence or permit holder in respect of which certain form has not been delivered (subregulation (3)), failing to weigh abalone or deliver form in respect of abalone (subregulation (4)) or failing to shuck whole abalone or failing to weigh shucked abalone or record weight (subregulation (5))—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
reg 9A(2)	<i>Unsealing containers of cockles other than at registered premises—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
reg 9A(3)	<i>Failing to keep completed forms relating to cockles purchased by registered fish processor—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
reg 10(3)	<i>Failing to weigh blue crab or failing to complete form or deliver completed form in respect of blue crab—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
reg 11(3)	<i>Failing to weigh giant crab or failing to complete form or deliver completed form in respect of giant crab—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75

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reg 12(3)	<i>Accepting delivery of rock lobster not in approved containers or delivered without completed forms—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
reg 12(4)	<i>Failing to complete form in respect of rock lobster or failing to fax or deliver completed form—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
reg 12(5)	<i>Failing to weigh rock lobster or failing to complete form or fax or deliver completed form—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
reg 12(6)	<i>Failing to weigh rock lobster or failing to complete form or deliver completed form in respect of rock lobster—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
reg 12(7)	<i>Failing to weigh rock lobster or failing to complete form or deliver completed form in respect of rock lobster—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
reg 12(8)	<i>Completing certain part of form, being same person who completed certain other parts of form, relating to rock lobster—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
reg 12(9)	<i>Failing to keep copies of completed forms or books in respect of rock lobster—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
reg 13(3)	<i>Failing to complete forms in respect of sardines before transportation to registered premises—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
reg 13(4)	<i>Failing to weigh sardines or failing to complete form or deliver completed form in respect of sardines—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
reg 13(5)	<i>Failing to keep copies of completed forms in respect of sardines—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50



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reg 14(2)	<i>Purchasing or obtaining tuna in respect of which form has not been delivered—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
reg 14(3)	<i>Failing to complete form in respect of tuna or failing to deliver completed form—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
reg 15	<i>Failing to keep documents in good condition etc or failing to produce documents for inspection by fisheries officer—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50

**8—Fisheries Management (General) Regulations 2007**

Regulations	Description of offence	Demerit points
reg 11	<i>Person using registered device for recreational fishing failing to produce certificate of registration within 48 hours of request—</i>	
	(a) if the offence is expiated	5
	(b) in any other case	25
reg 14(1)	<i>Carrying explosive device by licensed person in specified area—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
reg 14(1)	<i>Carrying explosive device by unlicensed person in specified area—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
reg 15	<i>Carrying certain devices while using scuba, hookah or other apparatus for breathing underwater—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75

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reg 16	<i>Carrying device by licensed person near locks and weir of River Murray—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
reg 16	<i>Carrying device by unlicensed person near locks and weir of River Murray—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
reg 17(2)	<i>Using registered boat not bearing distinguishing marks to engage in fishing activity of class that constitutes fishery—</i>	
	(a) if the offence is expiated	5
	(b) in any other case	25
reg 17(3)	<i>Using dinghy as tender to registered boat where dinghy does not bear same distinguishing marks (with addition of letter "T" forming part of distinguishing marks as prefix) as registered boat to which dinghy is tender—</i>	
	(a) if the offence is expiated	5
	(b) in any other case	25
reg 17(4)	<i>Owner of registered boat that ceases to be registered boat failing to remove or cause to be removed as soon as practicable after cessation any distinguishing mark on boat—</i>	
	(a) if the offence is expiated	5
	(b) in any other case	25
reg 18(2)	<i>Mutilating certain fish before fish are brought ashore or landed—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
reg 19(1)	<i>Removing abalone (Southern Zone) from shell other than at premises of registered fish processor in course of business of processor—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75

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reg 19(2)	<i>Removing abalone from shell before bringing abalone to position above water line—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
reg 19(3)	<i>Taking abalone without carrying measuring device—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
reg 19(4)	<i>Failing to immediately and carefully replace undersize abalone—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
reg 19(5)	<i>Possessing etc abalone removed from shell other than in prescribed circumstances—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
reg 20	<i>Storing or confining fish in corfs without tagged buoy attached—</i>	
	(a) if the offence is expiated	5
	(b) in any other case	25
reg 21(1)	<i>Storing or confining rock lobster in corf without holding licence in respect of rock lobster fishery—</i>	100
reg 21(2)	<i>Storing or confining live rock lobster (Northern Zone) during certain period—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
reg 22	<i>Failing to clip tail fan of rock lobster—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
reg 23(1)	<i>Using certain animal parts as berley (otherwise than in rock lobster pot or other fish trap) within 2 nautical miles of mainland or exposed island or reef of State—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	

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	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
reg 23(2)	<i>Depositing or using in marine waters body or body parts of mammal or bird—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
reg 24(3)	<i>Leaving bait net registered under fishery authority unattended after set in waters from registered boat—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
reg 25(1)	<i>Failing to remove from Lakes and Coorong anchors etc from nets removed from Lakes and Coorong (Commercial)—</i>	
	(a) if the offence is expiated	5
	(b) in any other case	25
reg 26(1)	<i>Holder of fishery authority, fish processor or person otherwise involved in business of handling, storing, moving or dealing with fish transporting etc fish in receptacle without marking or labelling receptacle with name and licence or permit number—</i>	
	(a) if the offence is expiated	5
	(b) in any other case	25
reg 28(1)	<i>Holder of fishery authority (natural person) failing to notify Minister of change of residential or business address within 30 days of change—</i>	
	(a) if the offence is expiated	5
	(b) in any other case	25
reg 28(2)	<i>Holder of fishery authority (body corporate) failing to notify Minister of change of registered address within 30 days of change—</i>	
	(a) if the offence is expiated	5
	(b) in any other case	25

**9—Fisheries Management (Lakes and Coorong Fishery) Regulations 2006**

<b>Regulations</b>	<b>Description of offence</b>	<b>Demerit points</b>
reg 14(1)	<i>Causing or permitting agents to be engaged in fishing activities on shore when licence holder or registered master is not also so engaged etc at the same time—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50
reg 14(2)	<i>Causing or permitting agents to be engaged in fishing activities on boat when licence holder or registered master is not also so engaged etc at the same time—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50
reg 14(3)	<i>Causing or permitting more than prescribed number of agents to be engaged in fishing activities on shore at the same time—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50
reg 14(3a)	<i>Causing or permitting more than prescribed number of agents to be engaged in taking pipi on shore at the same time—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50
reg 14(4)	<i>Causing or permitting more than prescribed number of agents to be engaged in fishing activities on boat at the same time—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50
reg 15A	<i>Holder of licence taking pipi for commercial purpose without quota entitlement—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
reg 15B(1)	<i>Using more than 3 cockle rakes at any 1 time for purpose of taking pipi under licence—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50
reg 15C(2)	<i>Failing to provide certain information to Minister before pipi are taken—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75

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reg 15D	<i>Failing to land pipi taken under licence within State—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
reg 15E	<i>Failing to ensure all pipi taken under licence are consigned or delivered to registered fish processor—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
reg 15F(2)	<i>Failing to comply with subregulation (2) by failing to complete form in respect of pipi before removal of pipi (paragraph (a)(ii))—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
reg 15F(2)	<i>Failing to comply with subregulation (2) by failing to place pipi in approved bag (paragraph (a)(i)), failing to place completed form in envelope issued by Minister and secure it to approved bag (paragraph (a)(iii)), failing to ensure damaged tag is threaded onto replacement tag etc (paragraph (b)), failing to ensure Minister is immediately notified of loss of tag (paragraph (c)), failing to ensure form is posted or faxed to Minister (paragraph (d)), failing to ensure forms are completed in consecutive order etc (paragraph (e)) or failing to ensure sealed bags containing pipi are not opened before delivery or consignment to fish processor (paragraph (f))—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
reg 15F(3)	<i>Failing to ensure cancelled form in respect of cockle is marked or failing ensure original form is delivered—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
reg 15F(4)	<i>Failing to keep completed G-CDR books in respect of pipi—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
reg 15F(5)	<i>Failing to keep completed forms in respect of pipi—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50

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reg 16(1)	<i>Failing to complete or deliver monthly catch return—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
reg 16(3)	<i>Failing to make and retain copy of monthly catch return—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50

**10—Fisheries Management (Marine Scalefish Fisheries) Regulations 2006**

<b>Regulations</b>	<b>Description of offence</b>	<b>Demerit points</b>
reg 4(3)	<i>Holder of licence taking blue crab for commercial purpose in blue crab fishing zone without quota entitlement relating to that zone—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
reg 14	<i>Registered master using boat under licence in respect of Restricted Marine Scalefish Fishery causing or permitting more than prescribed number of agents to assist in fishing activities—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50
reg 16(9)	<i>Holder of licence taking cockles for commercial purpose in cockle fishing zone without quota entitlement relating to that zone—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
reg 17(5)	<i>Holder of licence taking blue crab in certain waters while unit entitlement is below prescribed number—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
reg 19(2)	<i>Using boat registered under more than 1 MSSF licence to take sardines under more than 1 licence at the same time—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50

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reg 20(2)	<i>Failing to provide certain information to Minister before boat registered under more than 1 MSSF licence is used to take sardines under such licence—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
reg 21(1)	<i>Causing or permitting agents to be engaged in fishing activities on shore when licence holder or registered master is not also so engaged etc at the same time—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50
reg 21(2)	<i>Causing or permitting agents to be engaged in fishing activities on boat when licence holder or registered master is not also so engaged etc at the same time—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50
reg 21(3)	<i>Causing or permitting more than prescribed number of agents to be engaged in fishing activities under Restricted Marine Scalefish Fishery licence—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50
reg 22(3)	<i>Failing to comply with subregulation (2)(b) by failing to cause crabs to which completed form relates to be transported to registered premises of registered fish processor together with completed forms—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
reg 22A(2)	<i>Failing to comply with subregulation (2) by failing to weigh cockles and place them in approved sealed containers before returning to water for storage (paragraph (d)), failing to ensure tags are used in consecutive order etc (paragraph (e)), failing to ensure tags are not reused (paragraph (f)), failing to ensure damaged tag is threaded onto replacement tag and number is recorded (paragraph (g)), failing to ensure Minister is immediately notified of loss of tag (paragraph (h)) or failing to ensure containers of cockles are not unsealed before consignment or delivery to registered fish processor (paragraph (m))—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
reg 22A(3)	<i>Failing to mark cancelled completed form in respect of cockle or failing to deliver original form—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50



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reg 22A(4)	<i>Failing to keep completed CDR books in respect of cockle—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
reg 22A(5)	<i>Failing to keep copies of completed forms in respect of cockle—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
reg 22B	<i>Failing to ensure all cockles taken under licence are delivered or consigned to registered fish processor—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
reg 23	<i>Failing to ensure all sardines taken under MSSF licence are delivered or consigned to registered fish processor—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
reg 24	<i>Causing, suffering or permitting sardines to be unloaded onto boat not specified on certificate of registration of fish processor to whom sardines are to be consigned—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
reg 25(1)	<i>Failing to ensure certain information relating to catch and disposal of sardines is reported to Minister within required time—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
reg 25(4)	<i>Failing to ensure that certain information is reported to Minister before sardines unloaded from registered boat—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
reg 26(3)	<i>Failing to comply with provisions of subregulation (2) relating to sardines taken under MSSF licence—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	

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	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
reg 26(4)	<i>Failing to mark cancelled completed form in respect of sardines or failing to deliver original form—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
reg 26(5)	<i>Failing to keep certain documents relating to sardines—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
reg 27(1)	<i>Failing to complete or deliver monthly catch return—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
reg 27(4)	<i>Failing to make and retain copy of monthly catch return—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
reg 28	<i>Failing to keep documents in good condition etc or failing to produce documents for inspection by fisheries officer—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50

**11—Fisheries Management (Miscellaneous Fishery) Regulations 2000**

<b>Regulations</b>	<b>Description of offence</b>	<b>Demerit points</b>
reg 15(1)	<i>Causing or permitting agents to be engaged in fishing activities on shore when licence holder or registered master is not also so engaged etc at the same time—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50
reg 15(2)	<i>Causing or permitting more than prescribed number of agents to be engaged in fishing activities on shore at the same time—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50
reg 16(1)	<i>Failing to complete or deliver monthly catch return—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50

reg 17	<i>Failing to make and keep copy of monthly catch return—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50

**12—Fisheries Management (Prawn Fisheries) Regulations 2006**

Regulations	Description of offence	Demerit points
reg 13(1)	<i>Failing to complete or deliver monthly catch return—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
reg 13(3)	<i>Failing to make and retain copy of monthly catch return—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50

**13—Fisheries Management (River Fishery) Regulations 2006**

Regulations	Description of offence	Demerit points
reg 13(a)	<i>Causing or permitting agents to be engaged in fishing activities on shore when licence holder is not also so engaged etc at the same time—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50
reg 13(b)	<i>Causing or permitting more than prescribed number of agents to be engaged in fishing activities on shore at the same time—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50
reg 14(1)	<i>Failing to complete or deliver monthly catch return—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
reg 14(4)	<i>Failing to make and retain copy of monthly catch return—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50

**14—Fisheries Management (Rock Lobster Fisheries) Regulations 2006**

Regulations	Description of offence	Demerit points
reg 11(1)	<i>Using, or causing or permitting the use of, 2 registered boats at the same time—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50

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reg 11A(5)	<i>Contravening regulation 11A by using registered boat to take aquatic resources under Southern Zone Rock Lobster Fishery licence where boat has been used on same day under Victorian licence (subregulation (1))—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
reg 11A(5)	<i>Failing to comply with regulation 11A by failing to notify Minister before using registered boat to take aquatic resources under Southern Zone Rock Lobster Fishery licence or Victorian licence (subregulation (2))—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
reg 11A(5)	<i>Contravening regulation 11A by using registered boat to take aquatic resources under Southern Zone Rock Lobster Fishery licence, or storing aquatic resources taken under such licence on registered boat, while aquatic resources taken outside waters to which Act applies are aboard boat (subregulation (4))—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
reg 12	<i>Registered master failing to ensure Minister is notified of particulars concerning use of bait nets—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
reg 13	<i>Registered master of boat registered under Northern Zone Rock Lobster Fishery licence engaging in fishing activities during certain period—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
reg 14(6)	<i>Holder of eligible rock lobster licence taking cockles for commercial purpose in cockle fishing zone without quota entitlement relating to that zone—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75

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reg 15(3)	<i>Holder of Northern Zone Rock Lobster Fishery licence engaging, for commercial purpose, in fishing activities of class constituting Fishery while rock lobster pot entitlement under licence is less than prescribed number—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
reg 15(4)	<i>Holder of Southern Zone Rock Lobster Fishery licence engaging, for commercial purpose, in fishing activities of class constituting Fishery while rock lobster pot entitlement under licence is less than prescribed number—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
reg 16(5)	<i>Holder of Northern Zone Rock Lobster Fishery licence engaging, for commercial purpose, in fishing activities of class constituting Fishery while number of rock lobster units allocated to licence is less than prescribed number—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
reg 19	<i>Failing to ensure that rock lobster taken under Northern Zone Rock Lobster Fishery licence is landed whole and within State—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
reg 20(1)	<i>Failing to ensure all rock lobster and giant crab taken under licence are consigned or delivered to registered fish processor—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75

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reg 21(3)	<i>Failing to comply with subregulation (1) or (2)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
reg 21(4)	<i>Failing to keep completed copies of forms relating to rock lobster taken under Northern Zone Rock Lobster Fishery licence—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
reg 22(4)	<i>Failing to comply with regulation 22 by failing to notify Minister of certain information where rock lobster is taken under Southern Zone Rock Lobster Fishery licence (subregulation (1))—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
reg 22(4)	<i>Failing to comply with regulation 22 by failing to complete forms (subregulation (3)(a)), failing to remove rock lobster from boat (subregulation (3)(c)), failing to ensure rock lobster is delivered to nearest certification station (subregulation (3)(d)) or failing to weigh rock lobster immediately after delivery to certification station (subregulation (3)(e))—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
reg 23(4)	<i>Failing to comply with subregulation (1) or (3)—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
reg 23A(2)	<i>Failing to complete form in respect of cockles immediately after the cockles are brought ashore or landed (paragraph (c)), failing to ensure form is posted or faxed to Minister (paragraph (i)), failing to ensure forms are completed in consecutive order etc (paragraph (j)) or failing to cause cockles to which completed form relates to be transported to registered premises of registered fish processor specified on form etc (paragraph (l))—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75

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reg 23A(2)	<i>Failing to ensure Minister is notified of certain information (paragraph (a)), failing to ensure Minister is notified of certain changes in information previously notified (paragraph (b)), failing to ensure cockles are weighed and placed in sealed approved containers before return to waters for storage (paragraph (d)), failing to ensure tags are used in consecutive order etc (paragraph (e)), failing to ensure tags are not reused (paragraph (f)), failing to ensure damaged tag is threaded to replacement tag and number is recorded (paragraph (g)), failing to ensure Minister is immediately notified of loss of tag (paragraph (h)), failing to ensure Minister is notified of certain information (paragraph (k)) or failing to ensure that containers of cockles are not unsealed before consignment or delivery to registered fish processor (paragraph (m))—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
reg 23A(3)	<i>Failing to ensure cancelled form in respect of cockle is marked or failing ensure original form is delivered—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
reg 23A(4)	<i>Failing to keep completed M-CDR books in respect of cockles—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
reg 23A(5)	<i>Failing to keep completed forms in respect of cockles—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
reg 23B	<i>Failing to ensure all cockles taken under licence are consigned or delivered to registered fish processor—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
reg 24(1)	<i>Failing to complete or delivery monthly catch return—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
reg 24(4)	<i>Failing to make and retain copy of monthly catch return—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50

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reg 25	<i>Holder of Southern Zone Rock Lobster Fishery licence failing to notify Minister on becoming holder of, or on ceasing to hold, Victorian licence—</i>	
	(a) if the offence is expiated	5
	(b) in any other case	25
reg 26(1)	<i>Holder of Northern Zone Rock Lobster Fishery licence selling live rock lobster during closed season—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
reg 26(3)	<i>Holder of Southern Zone Rock Lobster Fishery licence selling live rock lobster during closed season—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100

**15—Fisheries Management (Vessel Monitoring Scheme) Regulations 2007**

<b>Regulations</b>	<b>Description of offence</b>	<b>Demerit points</b>
reg 4(1)	<i>Failing to ensure registered boat is fitted with approved VMS unit—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
reg 4(2)	<i>Failing to ensure device capable of sending and receiving email is connected to VMS unit in registered boat used to take sardines—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
reg 5(1)	<i>Failing to ensure VMS unit is operating at all times during fishing season—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
reg 5(2)	<i>Failing to ensure device capable of sending and receiving email is operating at all times while VMS unit is operating—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
reg 5(3)	<i>Failing to take reasonable measures to ensure registered owner is made aware of cessation of operation of VMS unit etc—</i>	
	(a) if the offence is expiated	10



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	(b)		50
reg 5(4)		<i>Failing to notify Minister that VMS unit has ceased to operate—</i>	
	(a)	if the offence is expiated	10
	(b)	in any other case	25
reg 6(4)		<i>Contravention of or failure to comply with condition of approval relating to switching off or placing in sleep mode VMS unit—</i>	
	(a)	if the offence is expiated	10
	(b)	in any other case	25
reg 6(7)		<i>Failing to ensure VMS unit is switched on etc before engaging in fishing activity after period when VMS was switched off or placed in sleep mode—</i>	
	(a)	if the offence is expiated	10
	(b)	in any other case	50
reg 6(8)		<i>Failing to ensure device capable of sending and receiving email connected to VMS unit is switched on etc before engaging in fishing activity after period when VMS unit and device were switched off or placed in sleep mode—</i>	
	(a)	if the offence is expiated	10
	(b)	in any other case	50
reg 7		<i>Failing to ensure testing of operation of VMS unit etc following servicing or repairing of boat—</i>	
	(a)	if the offence is expiated	10
	(b)	in any other case	50
reg 8(2)		<i>Failing to comply with requirements of notice relating to modification or replacement of VMS unit—</i>	
	(a)	if the offence is expiated	10
	(b)	in any other case	50
reg 9(1)		<i>Person other than approved installer installing etc VMS unit on registered boat—</i>	
	(a)	if the offence is expiated	10
	(b)	in any other case	25
reg 9(2)		<i>Failing to take reasonable steps to prevent person other than approved installer installing etc VMS unit on registered boat—</i>	
	(a)	if the offence is expiated	10
	(b)	in any other case	25
reg 10(1)		<i>Failing to ensure alternative means of communication with boat is provided (paragraph (a)), failing to ensure that Minister is notified of call sign etc (paragraph (b)), failing to provide Minister with details of nominated contact person (paragraph (c)), failing to ensure alternative means of communication with boat is operating at all times during fishing season (paragraph (d)) or failing to ensure directions given by fisheries officer or VMS administrator respecting alternative means of communications are complied with (paragraph (e))—</i>	
	(a)	if the offence is expiated	10

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## Fisheries Management (Demerit Points) Regulations 2009

### Schedule 1—Demerit point offences and demerit points

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	(b) in any other case	25
reg 10(2)	<i>Failing to notify Minister of change in name or contact details of nominated contact person—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	25
reg 10(4)	<i>Nominated contact person failing to immediately inform registered master of registered boat by alternative means of communication on boat that VMS unit is not operating—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	25
reg 12	<i>Failing to comply with directions given by Minister, fisheries officer or VMS administrator—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	25

#### 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 11 June 2009

No 174 of 2009

MAFF09-006CS