

South Australia

Fisheries Management (General) Variation Regulations 2012

under the *Fisheries Management Act 2007*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Fisheries Management (General) Regulations 2007*

- 4 Insertion of regulation 8A
 - 8A Possession of prescribed quantity of aquatic resource in prescribed circumstances
 - 5 Insertion of Schedule 7A
 - Schedule 7A—Prescribed quantities
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fisheries Management (General) Variation Regulations 2012*.

2—Commencement

These regulations come into operation on the day on which they are made.

3—Variation provisions

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

Part 2—Variation of *Fisheries Management (General) Regulations 2007*

4—Insertion of regulation 8A

After regulation 8 insert:

8A—Possession of prescribed quantity of aquatic resource in prescribed circumstances

- (1) For the purposes of section 73(1) of the Act—
 - (a) a quantity specified in Schedule 7A is fixed in relation to the class of fish or other aquatic resource specified alongside that quantity; and
 - (b) the following circumstances, or any combination of the following circumstances, are prescribed:
 - (i) where the fish or other aquatic resource is—
 - (A) frozen; or
 - (B) stored in a freezer;
 - (ii) where the fish or other aquatic resource—
 - (A) has been pickled, salted, smoked, cooked or otherwise processed; or
 - (B) is otherwise stored,
in a manner designed to preserve the fish or other aquatic resource.
- (2) For the purposes of section 73(2)(c) of the Act, in proceedings for an offence against section 73(1) of the Act it is a defence if the defendant proves that the fish or aquatic resources to which the proceedings relate—
 - (a) were purchased from a person whose ordinary business was the selling of such fish or aquatic resources; and
 - (b) were purchased in the ordinary course of that business.

5—Insertion of Schedule 7A

After Schedule 7 insert:

Schedule 7A—Prescribed quantities

(Regulation 8A)

Column 1 Class of fish	Column 2 Quantity
King George Whiting (<i>Sillaginodes punctatus</i>)	(a) if the person has in his or her possession both fish and fillets of the fish 36 fish or 3.5 kg of fillets of the fish (b) in any other case 72 fish or 7 kg of fillets of

Fisheries Management (General) Variation Regulations 2012
Variation of *Fisheries Management (General) Regulations 2007*—Part 2

Column 1 Class of fish	Column 2 Quantity
	the fish
Pipi (<i>Donax</i> spp)	1 200 Pipi
Razorfish (<i>Pinna bicolor</i>)	100 fish

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 27 September 2012

No 212 of 2012

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