

South Australia

## **Fisheries Management (Demerit Points) (Bag and Boat Limits) Variation Regulations 2016**

under the *Fisheries Management Act 2007*

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### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Fisheries Management (Demerit Points) (Bag and Boat Limits) Variation Regulations 2016*.

#### **2—Commencement**

These regulations will come into operation on 1 December 2016.

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

#### **4—Variation of Schedule 1—Demerit point offences and demerit points**

- (1) Schedule 1, clause 2, table, item relating to clause 63 and South-east Crayfish—delete the item
- (2) Schedule 1, clause 2, table, item relating to clause 63 and Yabby—delete the item
- (3) Schedule 1, clause 2, table, column 1—delete "clause 63" wherever occurring and substitute in each case:

clause 63(1)

(4) Schedule 1, clause 2, table—before the item relating to clause 64 insert:

clause 63(2)	Taking bloodworms ( <i>recreational limit</i> )—exceeding limit:	
	(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

(5) Schedule 1, clause 2, table, item relating to clause 66 and rock lobster—delete the item

(6) Schedule 1, clause 2, table, item relating to clause 66 and abalone—delete the item

(7) Schedule 1, clause 2, table, item relating to clause 66 and King George Whiting—delete the item and substitute:

clause 66	Taking Abalone, Congolli, Giant Crab, Western Blue Groper, Harlequin fish, Yellowtail Kingfish, Rock Lobster, Samsonfish, Bronze Whale Shark, Dusky Shark, King George Whiting or Wrasse ( <i>recreational charter boat fishing bag or trip limit</i> )—exceeding limit:	
	(a) if the offence is expiated—	
	(i) by up to 5 fish	5
	(ii) by more than 5 but not more than 10 fish	10
	(iii) by more than 10 fish	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
clause 66	Taking fish (other than Abalone, Cockle, Congolli, Giant Crab, Western Blue Groper, Harlequin fish, Yellowtail Kingfish, Rock Lobster, Pipi, Samsonfish, Bronze Whale Shark, Dusky Shark, King George Whiting or Wrasse) ( <i>recreational charter boat fishing bag 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

- (8) Schedule 1, clause 2, table, column 1—delete "clause 114" and substitute:  
clause 114(1)(a)
- (9) Schedule 1, clause 2, table, item relating to clause 115—delete the item relating to clause 115 and substitute:
- |                  |  |     |
|------------------|--|-----|
| clause 114(1)(b) | Taking oversize Western Blue Groper or Murray Cod— |     |
| (a)              | if the offence is expiated                         | 20  |
| (b)              | in any other case                                  | 50  |
| clause 114(2)    | Taking undersize or oversize Wrasse—               |     |
| (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 |
- (10) Schedule 1, clause 8, table—before the item relating to regulation 11 insert:
- |           |  |    |
|-----------|--|----|
| reg 8B(1) | <i>Being person in charge of vehicle in or on which there are more than 300 Pipi (West of longitude 136°East)—</i> |    |
| (a)       | if the offence is expiated   | 15 |
| (b)       | in any other case  | 75 |
| reg 8B(2) | <i>Being person in charge of vehicle in or on which there are more than 900 Pipi (East of longitude 136°East)—</i> |    |
| (a)       | if the offence is expiated   | 15 |
| (b)       | in any other case  | 75 |

**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 3 November 2016

No 257 of 2016

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