

South Australia

Fisheries Management (Demerit Points) (Pipi) 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) (Pipi) Variation Regulations 2016*.

2—Commencement

These regulations will come into operation on 1 January 2017.

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, Part 2, clause 9, table, items relating to regulation 11(1), 11(2), 11(3), 11(4) and 11(6)—delete the items and substitute:

reg 11(2)	<i>Causing or permitting agents to be engaged in fishing activities on shore when holder of licence 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

Fisheries Management (Demerit Points) (Pipi) Variation Regulations 2016Part 2—Variation of *Fisheries Management (Demerit Points) Regulations 2009*

reg 11(3)	<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 11(4)	<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 11(5)	<i>Causing or permitting agents to be engaged in fishing activities on boat when holder of licence 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 11(6)	<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 11A(2)	<i>Causing or permitting agents to be engaged in fishing activities on shore when holder of licence or nominated agent 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 11A(3)	<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 11A(4)	<i>Causing or permitting agents to be engaged in fishing activities on shore when holder of licence 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 11A(5)	<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 11A(9)	<i>Contravening or failing to comply with condition of approval—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50

- (2) Schedule 1, Part 2, clause 9, table, item relating to regulation 14—delete "3" and substitute:

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- (3) Schedule 1, Part 2, clause 10, table, item relating regulation 13A—delete "engaging in fishing activities other than those involving the use of certain types of devices" and substitute:

engaging in certain fishing activities

- (4) Schedule 1, Part 2, clause 10, table—after the item relating to regulation 17(5) insert:

reg 18(6)	<i>Holder of licence taking sardines 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

- (5) Schedule 1, Part 2, clause 10, table—after the item relating to regulation 18A(2) insert:

reg 18A(3)	<i>Holder of licence taking blue crab 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 18A(4)	<i>Holder of licence taking sardines 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

- (6) Schedule 1, Part 2, clause 10, table, item relating to regulation 18B—delete "3" and substitute:

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Fisheries Management (Demerit Points) (Pipi) Variation Regulations 2016Part 2—Variation of *Fisheries Management (Demerit Points) Regulations 2009*

- (7) Schedule 1, Part 2, clause 10, table, items relating to regulations 21(1), 21(2), 21(2a) and 21(3)—delete the items and substitute:

reg 21(2)	<i>Causing or permitting agents to be engaged in fishing activities on shore when holder of licence 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 on shore at the same time—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50
reg 21(4)	<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 21(6)	<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 21A(2)	<i>Causing or permitting agents to be engaged in relevant fishing activity on shore when holder of licence or nominated agent 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 21A(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 21A(4)	<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 21A(8)	<i>Contravening or failing to comply with condition of approval—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50

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 15 December 2016

No 292 of 2016

16MAFF0079