

South Australia

# **Fisheries Management (Demerit Points) Regulations 2017**

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 2017*.

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## 2—Commencement

These regulations will come into operation on 15 January 2018.

## 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—
- (a) 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; and
  - (b) an offence against section 120 of the Act is an offence of a prescribed kind and the number of demerit points prescribed in relation to the offence is the same number as the number specified for the principal 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

Section	Description of offence	Demerit points
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
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
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
53(2)	<i>Using unregistered device, for commercial purpose, to engage in fishing activity of class that constitutes fishery</i>	75
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

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<b>Section</b>	<b>Description of offence</b>	<b>Demerit points</b>
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
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
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
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
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
62(1)	<i>Person not registered as fish processor acting as fish processor</i>	75
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
65(4)	<i>Registered fish processor contravening condition of registration—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	25
67(a)	<i>Giving another person possession or control of fishery authority not in name of the other person</i>	75
67(b)	<i>Having possession or control of another person's fishery authority</i>	75
67(c)	<i>Falsely representing to be person named in fishery authority</i>	75
71(1)(a)	<i>Taking aquatic mammal</i>	100
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

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## Schedule 1—Demerit point offences and demerit points

<b>Section</b>	<b>Description of offence</b>	<b>Demerit points</b>
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
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
71(2)(a)	<i>Interfering with, harassing or molesting aquatic mammal</i>	100
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
71(2)(b)	<i>Causing or permitting interference with, or harassment or molestation of, aquatic mammal</i>	100
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
72(1)	<i>Selling or purchasing aquatic resource taken without authority</i>	100
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
72(2)(b)	<i>Selling or purchasing, or having possession or control of, aquatic resource of protected species</i>	100
72(2)(c)	<i>Selling or purchasing, or having possession or control of, aquatic resource of prescribed class—</i>	
	(a) first offence	45
	(b) second offence	60
	(c) third or subsequent offence	75
73(1)	<i>Possessing quantity of fish of priority species exceeding prescribed quantity</i>	100
73(1)	<i>Possessing quantity of aquatic resource (other than fish of priority species) exceeding prescribed quantity—</i>	
	(a) if the offence is expiated	20

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Section	Description of offence	Demerit points
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
74(1)	<i>Trafficking in, or having possession or control of, commercial quantity of fish of priority species</i>	100
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
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
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
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
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
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—	

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Section	Description of offence	Demerit points
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
78(1)(a)	<i>Bringing into State aquatic resources of noxious species without permit</i>	100
78(1)(b)	<i>Taking from any waters aquatic resources of noxious species without permit</i>	100
78(1)(c)	<i>Selling, purchasing or delivering aquatic resources of noxious species without permit</i>	100
78(1)(d)	<i>Having possession or control of aquatic resources of noxious species without permit</i>	100
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>	100
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>	100
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
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
79A(3)	<i>Contravening condition of a permit issued for purposes of Part 7</i>	100
80(8)	<i>Failing to comply with requirement of Minister</i>	5
84(3)	<i>Resisting arrest or escaping from lawful custody</i>	100
88(4)	<i>Using registered boat without scientific observer aboard during period specified in notice given by Minister</i>	100
91(1)	<i>Hindering etc authorised person</i>	100
91(2)	<i>Assaulting authorised person etc</i>	100
92(9)	<i>Failing to comply with protection order—</i>	
	(a) if the offence is expiated	20
	(b) in any other case	100
94(9)	<i>Failing to comply with reparation order</i>	100

<b>Section</b>	<b>Description of offence</b>	<b>Demerit points</b>
102(2)	<i>Contravening suspension, disqualification or prohibition order made by court</i>	100
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
119	<i>Making false or misleading statement in information provided, or record kept, under Act</i>	100
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
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 2017***

<b>Clause</b>	<b>Description of offence</b>	<b>Demerit points</b>
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
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
	(ii) second offence	80
	(iii) third or subsequent offence	100
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—	

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<b>Clause</b>	<b>Description of offence</b>	<b>Demerit points</b>
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
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
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
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
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
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
	(ii) second offence	80
	(iii) third or subsequent offence	100



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<b>Clause</b>	<b>Description of offence</b>	<b>Demerit points</b>
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
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
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
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
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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<b>Clause</b>	<b>Description of offence</b>	<b>Demerit points</b>
13	<i>Taking fish in Coorong (area 1), Coorong (area 2) or Coorong coastal waters using large monofilament 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
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
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
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
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

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Clause	Description of offence	Demerit points
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—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
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
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
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
22	<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
23	<i>Taking fish using certain device without buoy (commercial)—</i>	
	(a) if the offence is expiated	5
	(b) in any other case	25

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<b>Clause</b>	<b>Description of offence</b>	<b>Demerit points</b>
24	<i>Taking fish using certain device without tag (commercial)—</i>	
	(a) if the offence is expiated	5
	(b) in any other case—	25
25	<i>Taking Razorfish (bag limit) (commercial)—exceeding daily limit:</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	30
	(ii) second offence	40
	(iii) third or subsequent offence	50
26	<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
27	<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
28	<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
29	<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

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<b>Clause</b>	<b>Description of offence</b>	<b>Demerit points</b>
30	<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
31	<i>Taking certain fish in River Murray (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
32	<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
33	<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
34	<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
35	<i>Taking Vongole 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

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<b>Clause</b>	<b>Description of offence</b>	<b>Demerit points</b>
36	<i>Taking Blue Swimmer 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
37	<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
38	<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
39	<i>Taking 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
40	<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
41	<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

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Clause	Description of offence	Demerit points
42	<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
43	<i>Taking fish in coastal waters 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
44	<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
45	<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
46	<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
47	<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—	

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Clause	Description of offence	Demerit points
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
48	<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
49	<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
50	<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
51	<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
52	<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



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Demerit point offences and demerit points—Schedule 1

Clause	Description of offence	Demerit points
53	<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
54	<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
	(ii) second offence	60
	(iii) third or subsequent offence	75
55	<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
56	<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
57	<i>Taking fish in Lake George using mesh 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
58	<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

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Clause	Description of offence	Demerit points
	(ii) second offence	20
	(iii) third or subsequent offence	25
59	<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
60	<i>Taking rock lobster 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
61	<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
	(iii) third or subsequent offence	25
62	<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
63	<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

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Clause	Description of offence	Demerit points
	(iii) third or subsequent offence	100
64	Taking rock lobster ( <i>recreational non-charter boat fishing bag or boat limit</i> ) in the Northern Zone or Southern Zone—exceeding limit:	
	(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
64	Taking abalone ( <i>recreational non-charter boat fishing bag or boat 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
64	Taking Murray Cod ( <i>recreational non-charter boat fishing bag or boat limit</i> )—exceeding limit:	
	(a) if the offence is expiated—	
	(i) by up to 5 Murray Cod	10
	(ii) by more than 5 Murray Cod	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
65(1)	Taking cockle and vongole ( <i>recreational bag limit</i> )—exceeding limit:	
	(a) if the offence is expiated—	
	(i) by up to 50 cockles or vongole	5
	(ii) by more than 50 but not more than 100 cockles or vongole	10
	(iii) by more than 100 cockles or vongole	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100

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<b>Clause</b>	<b>Description of offence</b>	<b>Demerit points</b>
65(1)	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
65(1)	Taking Pipi ( <i>recreational bag 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
65(1)	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
65(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
66	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

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Clause	Description of offence	Demerit points
	(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
67	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
68	Taking cockle and vongole ( <i>recreational charter boat fishing bag or trip limit</i> )—exceeding limit:	
	(a) if the offence is expiated—	
	(i) by up to 100 cockles or vongole	5
	(ii) by more than 100 but not more than 200 cockles or vongole	10
	(iii) by more than 200 cockles or vongole	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
68	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

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

Clause	Description of offence	Demerit points
68	Taking Abalone, Congolli, Giant Crab, Western Blue Groper, Harlequin fish, Yellowtail Kingfish, Rock Lobster, Samsonfish, Bronze Whaler 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
68	Taking fish (other than Abalone, Cockle, Congolli, Giant Crab, Western Blue Groper, Harlequin fish, Yellowtail Kingfish, Rock Lobster, Pipi, Samsonfish, Bronze Whaler 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
69	Taking fish ( <i>recreational charter boat fishing bag, 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
70	Taking fish in Coorong (area 1) during certain period using mesh net in unlawful manner or without attending net ( <i>recreational</i> )—	
	(a) if the offence is expiated	15
	(b) in any other case—	

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Clause	Description of offence	Demerit points
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
71	<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
72	<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
73	<i>Taking fish in Lake George using mesh net in unlawful manner or at certain times of day 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
74	<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
75	<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
76	<i>Taking fish using bow and arrow—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	

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## Schedule 1—Demerit point offences and demerit points

<b>Clause</b>	<b>Description of offence</b>	<b>Demerit points</b>
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
77	<i>Taking rock lobster using fish spear 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
78	<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
79	<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
80	<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
81	<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



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Demerit point offences and demerit points—Schedule 1

Clause	Description of offence	Demerit points
81	<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
82	<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
82	<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
83	<i>Taking fish in coastal waters other than by power hauling method 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
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
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

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Clause	Description of offence	Demerit points
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
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
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
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
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
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

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Clause	Description of offence	Demerit points
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
	(ii) second offence	80
	(iii) third or subsequent offence	100
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
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
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
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
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
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

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Clause	Description of offence	Demerit points
	(ii) second offence	20
	(iii) third or subsequent offence	25
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
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
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
94	<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
95(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
95(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

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Demerit point offences and demerit points—Schedule 1

Clause	Description of offence	Demerit points
96	<i>Taking fish using towed net in certain 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
97	<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
98	<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
99	<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
99	<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
100	<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

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Clause	Description of offence	Demerit points
	(iii) third or subsequent offence	100
101	<i>Taking fish by licensed person in certain waters using mesh net as set 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
101	<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
102	<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
102	<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
103	<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
104(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—	

**Fisheries Management (Demerit Points) Regulations 2017**

Demerit point offences and demerit points—Schedule 1

Clause	Description of offence	Demerit points
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
104(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
105	<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
106	<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
106	<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
107	<i>Taking fish in Gulf St. Vincent or Spencer Gulf using large mesh net not 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
108	<i>Taking fish using fish net fixed etc across bay, inlet etc—</i>	
	(a) if the offence is expiated	15

**Fisheries Management (Demerit Points) Regulations 2017**

Schedule 1—Demerit point offences and demerit points

Clause	Description of offence	Demerit points
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
109	<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
109	<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
110	<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
110	<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
111	<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



**Fisheries Management (Demerit Points) Regulations 2017**

Demerit point offences and demerit points—Schedule 1

Clause	Description of offence	Demerit points
112	Taking rock lobster by diving ( <i>bag limit</i> )—exceeding limit:	
	(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—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
113(1)(a)	Taking undersize fish—	
	(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
113(1)(b)	Taking oversize Western Blue Groper or Murray Cod—	
	(a) if the offence is expiated	20
	(b) in any other case	50
113(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
114	<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
115	<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

**Fisheries Management (Demerit Points) Regulations 2017**

Schedule 1—Demerit point offences and demerit points

Clause	Description of offence	Demerit points
	(ii) second offence	20
	(iii) third or subsequent offence	25
116	<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
116	<i>Taking benthic marine organisms 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
117	<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
117	<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
118	<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
118	<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

**Fisheries Management (Demerit Points) Regulations 2017**

Demerit point offences and demerit points—Schedule 1

Clause	Description of offence	Demerit points
	(ii) second offence	60
	(iii) third or subsequent offence	75
119	<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
119	<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
	(ii) second offence	60
	(iii) third or subsequent offence	75
120	<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
120	<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
121	<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
121	<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—	

**Fisheries Management (Demerit Points) Regulations 2017**

Schedule 1—Demerit point offences and demerit points

Clause	Description of offence	Demerit points
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
122	<i>Setting rock lobster pots in Southern Zone 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
122	<i>Setting rock lobster pots in Southern Zone by unlicensed person during closed season—</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
123	<i>Setting rock lobster pots containing rock lobster for purpose other than commercial purpose—</i>	
	(a) first offence	60
	(b) second offence	80
	(c) third or subsequent offence	100
124(1)	<i>Taking fish (other than under fishery authority) using registered boat</i>	50
125	<i>Taking cephalopod in False Bay, Spencer Gulf—</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
126	<i>Taking fish using certain traces or hooks in certain waters between 0500 and 2100 hours on any 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
127	<i>Taking fish near Horseshoe Reef—</i>	
	(a) if the offence is expiated	5

Clause	Description of offence	Demerit points
	(b) in any other case—	
	(i) first offence	15
	(ii) second offence	20
	(iii) third or subsequent offence	25
128	<i>Taking fish in certain parts of Onkaparinga 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

**3—Section 70 (Prescribed fishing activities prohibited)—engaging in a fishing activity of class specified in Schedule 7 of *Fisheries Management (General) Regulations 2017***

Part	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 2017:</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 2017:</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 2017

Regulation	Description of offence	Demerit points
10(6)	<i>Licence holder taking abalone of certain class for commercial purpose where unit entitlement under licence falls below prescribed number (Central Zone Abalone Fishery)—</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
11(6)	<i>Licence holder taking abalone of certain class for commercial purpose where unit entitlement under licence falls below prescribed number (Southern Zone Abalone Fishery)—</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
12(6)	<i>Licence holder taking abalone of certain class for commercial purpose where unit entitlement under licence falls below prescribed number (Western Zone Abalone Fishery)—</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
13	<i>Licence holder taking abalone under licence using more than 1 registered boat at any 1 time, or causing etc more than 1 registered boat to be used at any 1 time to take abalone under licence—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50
14(1)	<i>Licence holder causing etc more than 1 person 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
15	<i>Licence holder causing etc registered boat to be transported or towed by another boat to fishing location</i>	50

**Fisheries Management (Demerit Points) Regulations 2017**

Demerit point offences and demerit points—Schedule 1

<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
16(2)	<i>Licence holder or registered master failing to comply with Minister's determination made for purposes of subregulation (1) by failing to record information in respect of catch and disposal of abalone taken under licence, failing to provide such information to Department, or failing to comply with Minister's requirements as to weighing, storing, placement, sealing, tagging, transport, delivery, consignment etc of abalone taken under licence—</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
16(3)	<i>Failing to keep records as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
17(1)	<i>Failing to provide return to Department as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
17(2)	<i>Failing to keep copy of return provided to Department as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
18	<i>Failing to keep records in good condition etc or failing to produce records for inspection by fisheries officer—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50

**5—Fisheries Management (Blue Crab Fishery) Regulations 2013**

<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
11(2)	<i>Licence holder or registered master failing to comply with Minister's determination made for purposes of subregulation (1) by failing to record information in respect of catch and disposal of blue crab taken under licence, failing to provide such information to Department, or failing to comply with Minister's requirements as to weighing, storing, placement, sealing, tagging, transport, delivery, consignment etc of blue crab taken under licence—</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

**Fisheries Management (Demerit Points) Regulations 2017**Schedule 1—Demerit point offences and demerit points

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<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
11(3)	<i>Failing to keep records as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
12(1)	<i>Failing to provide return to Department as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
12(2)	<i>Failing to keep copy of return provided to Department as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
13	<i>Failing to keep records in good condition etc or failing to produce records for inspection by fisheries officer—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50

**6—Fisheries Management (Charter Boat Fishery) Regulations 2016**

<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
11(1)	<i>Using, possessing or controlling rock lobster pot (recreational) registered in name of licensed person, registered master or agent of licensed person aboard registered boat being used under licence—</i>	
	(a) if the offence is expiated	20
	(b) in any other case	50
12(2)	<i>Failing to comply with determination of Minister made for purposes of subregulation (1) by failing to provide certain information to Department if registered boat is, or is to be, used under licence—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
13(1)	<i>Failing to provide return to Department as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
13(2)	<i>Failing to keep copy of return provided to Department as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
14	<i>Failing to keep records in good condition etc or failing to produce records for inspection by fisheries officer—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50



**7—Fisheries Management (Fish Processors) Regulations 2017**

<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
7(1)	<i>Failing to check for undersize fish in consignment of aquatic resources</i>	50
7(2)	<i>Failing to dispose of undersize fish found in consignment of aquatic resources—</i>	50
8(2)	<i>Failing to comply with Minister's determination made for purposes of subregulation (1) by failing to record information in respect of abalone, failing to provide such information to Department, or failing to comply with Minister's requirements as to records and information, or weighing, storing, placement, sealing, tagging, sale, transport, delivery, consignment etc of abalone purchased or obtained by fish processor</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
8(3)	<i>Failing to keep records made under subregulation (1) in relation to abalone as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
9(2)	<i>Failing to comply with Minister's determination made for purposes of subregulation (1) by failing to record information in respect of vongole, failing to provide such information to Department, or failing to comply with Minister's requirements as to records and information, or weighing, storing, placement, sealing, tagging, sale, transport, delivery, consignment etc of vongole purchased or obtained by, or consigned or delivered to, fish processor—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
9(3)	<i>Failing to keep records made under subregulation (1) in relation to vongole as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
10(2)	<i>Failing to comply with Minister's determination made for purposes of subregulation (1) by failing to record information in respect of pipi, failing to provide such information to Department, or failing to comply with Minister's requirements as to records and information, or weighing, storing, placement, sealing, tagging, sale, transport, delivery, consignment etc of pipi purchased or obtained by, or consigned or delivered to, fish processor—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
10(3)	<i>Failing to keep records made under subregulation (1) in relation to pipi as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50

**Fisheries Management (Demerit Points) Regulations 2017**

## Schedule 1—Demerit point offences and demerit points

<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
11(2)	<i>Failing to comply with Minister's determination made for purposes of subregulation (1) by failing to record information in respect of blue crab, failing to provide such information to Department, or failing to comply with Minister's requirements as to records and information, or weighing, storing, placement, sealing, tagging, sale, transport, delivery, consignment etc of blue crab purchased or obtained by, or consigned or delivered to, fish processor—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
11(3)	<i>Failing to keep records made under subregulation (1) in relation to blue crab as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
12(2)	<i>Failing to comply with Minister's determination made for purposes of subregulation (1) by failing to record information in respect of giant crab, failing to provide such information to Department, or failing to comply with Minister's requirements as to records and information, or weighing, storing, placement, sealing, tagging, sale, transport, delivery, consignment etc of giant crab purchased or obtained by, or consigned or delivered to, fish processor—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
12(3)	<i>Failing to keep records made under subregulation (1) in relation to giant crab as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
13(2)	<i>Failing to comply with Minister's determination made for purposes of subregulation (1) by failing to record information in respect of sardines, failing to provide such information to Department, or failing to comply with Minister's requirements as to records and information, or weighing, storing, placement, sealing, tagging, sale, transport, delivery, consignment etc of sardines purchased or obtained by, or consigned or delivered to, fish processor—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
13(3)	<i>Failing to keep records made under subregulation (1) in relation to sardines as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50

**Fisheries Management (Demerit Points) Regulations 2017**

Demerit point offences and demerit points—Schedule 1

<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
14(2)	<i>Failing to comply with Minister's determination made for purposes of subregulation (1) by failing to record information in respect of tuna, failing to provide such information to Department, or failing to comply with Minister's requirements as to records and information, or weighing, storing, placement, sealing, tagging, sale, transport, delivery, consignment etc of tuna purchased or obtained by, or consigned or delivered to, fish processor—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
14(3)	<i>Failing to keep records made under subregulation (1) in relation to tuna as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
15(2)	<i>Failing to comply with Minister's determination made for purposes of subregulation (1) by failing to record information in respect of rock lobster, failing to provide such information to Department, or failing to comply with Minister's requirements as to records and information, or weighing, storing, placement, sealing, tagging, sale, transport, delivery, consignment etc of rock lobster purchased or obtained by, or consigned or delivered to, fish processor—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
15(3)	<i>Failing to keep records made under subregulation (1) in relation to rock lobster as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
16(4)	<i>Contravening regulation by failing to provide return to Department as determined by Minister, or failing to keep record of return provided to Department as determined by Minister—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
17(3)	<i>Failing to comply with Minister's determination made for purposes of subregulation (1) by failing to record information in connection with purchasing, obtaining, processing, storage, transport or dealing with aquatic resources, or failing to provide such information to Department—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
17(3)	<i>Failing to comply with Minister's determination made for purposes of subregulation (2) by failing to record information in connection with receipt of aquatic resources, or failing to provide such information to Department—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75

**Fisheries Management (Demerit Points) Regulations 2017**

## Schedule 1—Demerit point offences and demerit points

<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
17(4)	<i>Failing to keep records as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(a) in any other case	50
18	<i>Failing to keep records in good condition etc or failing to produce records for inspection by fisheries officer—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50

**8—Fisheries Management (General) Regulations 2017**

<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
8(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
8(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
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
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
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
15(1)	<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—	

**Fisheries Management (Demerit Points) Regulations 2017**

Demerit point offences and demerit points—Schedule 1

<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
16	<i>Carrying device by licensed person near lock 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
16	<i>Carrying device by unlicensed person near lock 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
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
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
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
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
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

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Schedule 1—Demerit point offences and demerit points

<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
	(ii) second offence	60
	(iii) third or subsequent offence	75
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
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
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
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
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
21	<i>Storing or confining rock lobster in corf without holding licence in respect of rock lobster fishery—</i>	100
	(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
22(1)	<i>Taking rock lobster by unlicensed person in Northern Zone during closed season—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60

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Demerit point offences and demerit points—Schedule 1

<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
	(iii) third or subsequent offence	75
22(2)	<i>Setting rock lobster pot by unlicensed person in Northern Zone during closed season—</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
23	<i>Failing to clip tail fan of rock lobster—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
24(1)	<i>Using certain animal body 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—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
24(3)	<i>Depositing or using in marine waters body or body parts of mammal, bird, reptile or amphibian—</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
25(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
26(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

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## Schedule 1—Demerit point offences and demerit points

<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
27(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 etc and fishery licence, fishery permit number or fish processor registration number—</i>	
	(a) if the offence is expiated	5
	(b) in any other case	25
29(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
29(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 2009**

<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
11(2)	<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
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
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
11(5)	<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
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



**Fisheries Management (Demerit Points) Regulations 2017**  
Demerit point offences and demerit points—Schedule 1

<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
11A(2)	<i>Causing or permitting agents to be engaged in fishing activities on shore when licence holder 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
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
11A(4)	<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
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
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
13(1)	<i>Licence holder 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
13(2)	<i>Licence holder (other than licence subject to pipi quota entitlement) taking pipi other than for purpose of bait to be used under licence—</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
13(3)	<i>Licence holder taking vongole other than for purpose of bait or taking vongole in excess of daily limit—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45

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

Regulation	Description of offence	Demerit points
	(ii) second offence	60
	(iii) third or subsequent offence	75
13(4)	<i>Licence holder taking cockles in excess of daily limit—</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
14	<i>Using more than 6 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
15(2)	<i>Failing to comply with Minister's determination made for purposes of subregulation (1) as to provision of certain information to Department if fishing activities involving taking of pipi are, or are to be, engaged in—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
16	<i>Failing to land pipi taken under licence subject to pipi quota entitlement 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
17	<i>Failing to ensure all pipi taken under licence subject to pipi quota entitlement 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
18(2)	<i>Licence holder or registered master failing to comply with Minister's determination made for purposes of subregulation (1) by failing to record information in respect of catch and disposal of pipi taken under licence, failing to provide such information to Department, or failing to comply with Minister's requirements as to weighing, storing, placement, sealing, tagging, transport, delivery, consignment etc of pipi taken under licence—</i>	
	(a) if the offence is expiated	15

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Demerit point offences and demerit points—Schedule 1

<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
18(3)	<i>Failing to keep records as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
19(1)	<i>Failing to provide return to Department as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
19(2)	<i>Failing to keep copy of return provided to Department as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
20	<i>Failing to keep records in good condition etc or failing to produce records for inspection by fisheries officer—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50

**10—Fisheries Management (Marine Scalefish Fisheries) Regulations 2017**

<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
4(3)	<i>Licence holder taking blue crab for commercial purpose in blue crab fishing zone without quota entitlement relating to that zone—</i>	
	(a) first offence	45
	(b) second offence	60
	(c) third or subsequent offence	75
11	<i>Registered master other than licence holder in respect of a marine scalefish fishery engaging in certain fishing activities—</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
12	<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

**Fisheries Management (Demerit Points) Regulations 2017**Schedule 1—Demerit point offences and demerit points

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<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
14(7)	<i>Licence holder taking vongole for commercial purpose in vongole fishing zone without quota entitlement relating to that zone—</i>	
	(a) first offence	45
	(b) second offence	60
	(c) third or subsequent offence	75
16(5)	<i>Licence holder taking blue crab in certain waters while unit entitlement is below prescribed number—</i>	
	(a) first offence	45
	(b) second offence	60
	(c) third or subsequent offence	75
17(6)	<i>Licence holder 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
18(1)	<i>Licence holder (other than licence subject to vongole quota entitlement) taking vongole other than for purpose of bait to be used under licence, or taking on 1 day for such purpose number of vongole in excess of daily limit—</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
18(2)	<i>Licence holder 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
18(3)	<i>Licence holder without pipi quota entitlement taking pipi other than for purpose of bait to be used under licence—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60

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Demerit point offences and demerit points—Schedule 1

<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
	(iii) third or subsequent offence	75
18(4)	<i>Licence holder taking cockles in any 1 day in excess of daily limit fixed by condition of licence—</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
18(5)	<i>Licence holder 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
18(6)	<i>Licence holder 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
19	<i>Licence holder using or causing etc use of more than 6 cockle rakes at any 1 time for purpose of taking pipi under eligible licence—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50
20	<i>Licence holder failing to ensure pipi taken under licence subject to pipi quota entitlement is landed 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
21	<i>Licence holder taking aquatic resources other than sand crabs using sand crab pot (Marine Scalefish Fishery)—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60

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Regulation	Description of offence	Demerit points
	(ii) second offence	80
	(iii) third or subsequent offence	100
22(2)	<i>Being registered owner or registered operator of registered boat on which are carried sand crab pots and other kinds of registered devices at the same time—</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
23(2)	<i>Being registered owner or registered operator of boat registered under more than 1 MSSF licence used 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
24(2)	<i>Failing to comply with Minister's determination by failing to notify Department of certain information before fishing activities involving taking of vongole under licence subject to vongole quota entitlement—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
25(2)	<i>Failing to comply with Minister's determination by failing to notify Department of certain information before fishing activities involving taking of pipi under licence subject to pipi quota entitlement—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
26(2)	<i>Failing to comply with Minister's determination by failing to notify Department of certain information 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
27(2)	<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
27(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

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Demerit point offences and demerit points—Schedule 1

<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
27(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
27(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
28(2)	<i>Causing or permitting agents to be engaged in relevant fishing activity on shore when licence holder 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
28(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
28(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
28(8)	<i>Contravening or failing to comply with condition of approval of nominated agent—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50
29(2)	<i>Licence holder or registered master failing to comply with Minister's determination made for purposes of subregulation (1) by failing to record information in respect of catch and disposal of vongole taken under licence, failing to provide such information to Department, or failing to comply with Minister's requirements as to weighing, storing, placement, sealing, tagging, transport, delivery, consignment etc of vongole taken under licence—</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
29(3)	<i>Failing to keep records as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50

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## Schedule 1—Demerit point offences and demerit points

<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
30(2)	<i>Licence holder or registered master failing to comply with Minister's determination made for purposes of subregulation (1) by failing to record information in respect of catch and disposal of pipi taken under licence, failing to provide such information to Department, or failing to comply with Minister's requirements as to weighing, storing, placement, sealing, tagging, transport, delivery, consignment etc of pipi taken under licence—</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
30(3)	<i>Failing to keep records as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
31(2)	<i>Licence holder or registered master failing to comply with Minister's determination made for purposes of subregulation (1) by failing to record information in respect of catch and disposal of blue crab taken under licence, failing to provide such information to Department, or failing to comply with Minister's requirements as to weighing, storing, placement, sealing, tagging, transport, delivery, consignment etc of blue crab taken under licence—</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
31(3)	<i>Failing to keep records as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
32(2)	<i>Licence holder or registered master failing to comply with Minister's determination made for purposes of subregulation (1) by failing to record information in respect of catch and disposal of sardines taken under licence, failing to provide such information to Department, or failing to comply with Minister's requirements as to weighing, storing, placement, sealing, tagging, transport, delivery, consignment etc of sardine taken under licence—</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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<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
32(3)	<i>Failing to keep records as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
33(1)	<i>Licence holder failing to ensure all vongole taken under licence subject to vongole quota entitlement 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
33(2)	<i>Licence holder failing to ensure all pipi taken under Marine Scalefish Fishery licence subject to pipi quota entitlement 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
33(3)	<i>Licence holder 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
34	<i>Licence holder or registered master 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
35(1)	<i>Failing to provide return to Department as determined by Minister—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50

**Fisheries Management (Demerit Points) Regulations 2017**Schedule 1—Demerit point offences and demerit points

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<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
35(2)	<i>Failing to keep copy of return provided to Department as determined by Minister—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50
36	<i>Failing to keep records in good condition etc or failing to produce records 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 2015**

<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
10(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
10(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
11(1)	<i>Failing to provide return to Department as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
11(2)	<i>Failing to keep copy of return provided to Department as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
12	<i>Failing to keep records in good condition etc or failing to produce records for inspection by fisheries officer—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50

**12—Fisheries Management (Miscellaneous Broodstock and Seedstock Fishery) Regulations 2013**

<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
10(1)	<i>Failing to provide return to Department as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50

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<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
10(2)	<i>Failing to keep copy of return provided to Department as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
11	<i>Failing to keep records in good condition etc or failing to produce records for inspection by fisheries officer—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50

**13—Fisheries Management (Miscellaneous Developmental Fishery) Regulations 2013**

<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
10(1)	<i>Failing to provide return to Department as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
10(2)	<i>Failing to keep copy of return provided to Department as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
11	<i>Failing to keep records in good condition etc or failing to produce records for inspection by fisheries officer—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50

**14—Fisheries Management (Miscellaneous Research Fishery) Regulations 2013**

<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
9(1)	<i>Failing to provide return to Department as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
9(2)	<i>Failing to keep copy of return provided to Department as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
10	<i>Failing to keep records in good condition etc or failing to produce records for inspection by fisheries officer—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50

**15—Fisheries Management (Prawn Fisheries) Regulations 2017**

<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
9(6)	<i>Engaging in fishing activity under licence during daylight hours or closed season—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
9(7)	<i>Engaging in fishing activity under licence by using amalgamated gear without Minister's approval—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
10(3)	<i>Contravening or failing to comply with notice under subregulation (1)—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
11(2)	<i>Licence holder or registered master (Gulf St. Vincent Prawn Fishery) failing to comply with Minister's determination made for purposes of subregulation (1) by failing to record information in respect of catch and disposal of prawn taken under licence, failing to provide such information to Department, or failing to comply with Minister's requirements as to weighing, storing, placement, sealing, tagging, transport, delivery, consignment etc of prawn taken under licence—</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
11(3)	<i>Failing to keep records as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
12(1)	<i>Failing to provide return to Department as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
12(2)	<i>Failing to keep copy of return provided to Department as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
13	<i>Failing to keep records in good condition etc or failing to produce records for inspection by fisheries officer—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50

### **16—Fisheries Management (River Fishery) Regulations 2017**

<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
9(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
9(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
10(1)	<i>Failing to provide return to Department as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
10(2)	<i>Failing to keep copy of return provided to Department as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
11	<i>Failing to keep records in good condition etc or failing to produce records for inspection by fisheries officer—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50

### **17—Fisheries Management (Rock Lobster Fisheries) Regulations 2017**

<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
9(1)	<i>Using, or causing or permitting the use of, 2 registered boats at the same time</i>	50
10(5)	<i>Contravening regulation 10 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
10(5)	<i>Failing to comply with regulation 10 by failing to notify Department if 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

**Fisheries Management (Demerit Points) Regulations 2017**

## Schedule 1—Demerit point offences and demerit points

<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
10(5)	<i>Contravening regulation 10 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
11(2)	<i>Registered master failing to notify Department as determined by the Minister of certain information before registered bait net is set in waters from registered boat—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
12(1)	<i>Northern Zone Rock Lobster Fishery licence holder taking rock lobster in Northern Zone Inner Region 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
12(2)	<i>Northern Zone Rock Lobster Fishery licence holder setting rock lobster pot in Northern Zone Inner Region 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
13(6)	<i>Eligible rock lobster licence holder taking vongole for commercial purpose in vongole 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

**Fisheries Management (Demerit Points) Regulations 2017**

Demerit point offences and demerit points—Schedule 1

<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
14(3)	<i>Northern Zone Rock Lobster Fishery licence holder 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
14(4)	<i>Southern Zone Rock Lobster Fishery licence holder 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
15(6)	<i>Northern Zone Rock Lobster Fishery licence holder 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
18(1)	<i>Licence holder (other than licence subject to vongole quota entitlement) taking vongole other than for the purpose of bait or taking vongole in excess of the daily limit—</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
18(2)	<i>Licence holder taking cockles in any 1 day in excess of daily limit fixed by condition of licence—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45

## Fisheries Management (Demerit Points) Regulations 2017

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

Regulation	Description of offence	Demerit points
	(ii) second offence	60
	(iii) third or subsequent offence	75
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
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
21(2)	<i>Failing to notify Department of certain information if fishing activities involving taking of vongole under licence subject to vongole quota entitlement are, or are to be, engaged in—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
22(3)	<i>Licence holder or registered master (Northern Zone Rock Lobster Fishery) failing to comply with regulation 22(1) by failing to notify Department before rock lobster taken under licence is removed from registered boat, or failing to notify Department of any changes in information notified—</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
22(3)	<i>Licence holder or registered master (Northern Zone Rock Lobster Fishery) failing to comply with Minister's determination made for purposes of subregulation (2) by failing to record information in respect of catch and disposal of rock lobster taken under licence, failing to provide such information to Department, or failing to comply with Minister's requirements as to weighing, storing, placement, sealing, tagging, transport, delivery, consignment etc of rock lobster taken under licence—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	



**Fisheries Management (Demerit Points) Regulations 2017**

Demerit point offences and demerit points—Schedule 1

Regulation	Description of offence	Demerit points
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
22(4)	<i>Failing to keep records as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
23(3)	<i>Licence holder or registered master (Southern Zone Rock Lobster Fishery) failing to comply with regulation 23(1) by failing to notify Department before rock lobster taken under licence is removed from registered boat, or failing to notify Department of any changes in information notified—</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
23(3)	<i>Licence holder or registered master (Southern Zone Rock Lobster Fishery) failing to comply with Minister's determination made for purposes of subregulation (2) by failing to record information in respect of catch and disposal of rock lobster taken under licence, failing to provide such information to Department, or failing to comply with Minister's requirements as to weighing, storing, placement, sealing, tagging, transport, delivery, consignment etc of rock lobster taken under licence—</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
23(4)	<i>Failing to keep records as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
24(3)	<i>Licence holder or registered master (Southern Zone Rock Lobster Fishery) failing to comply with regulation 24(1) by failing to notify Department before giant crab taken under licence is removed from registered boat, or failing to notify Department of any changes in information notified—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60

## Fisheries Management (Demerit Points) Regulations 2017

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

Regulation	Description of offence	Demerit points
	(iii) third or subsequent offence	75
24(3)	<i>Licence holder or registered master (Southern Zone Rock Lobster Fishery) failing to comply with Minister's determination made for purposes of subregulation (2) by failing to record information in respect of catch and disposal of giant crab taken under licence, failing to provide such information to Department, or failing to comply with Minister's requirements as to weighing, storing, placement, sealing, tagging, transport, delivery, consignment etc of giant crab taken under licence—</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
24(4)	<i>Failing to keep records as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
25(2)	<i>Licence holder or registered master failing to comply with Minister's determination made for purposes of subregulation (1) by failing to record information in respect of catch and disposal of vongole taken under licence, failing to provide such information to Department, or failing to comply with Minister's requirements as to weighing, storing, placement, sealing, tagging, transport, delivery, consignment etc of vongole taken under licence—</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
25(3)	<i>Failing to keep records as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
26	<i>Failing to ensure all vongole taken under licence subject to vongole quota entitlement 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
27(1)	<i>Failing to provide return to Department as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50

**Fisheries Management (Demerit Points) Regulations 2017**

Demerit point offences and demerit points—Schedule 1

<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
27(2)	<i>Failing to keep copy of return provided to Department as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
28	<i>Southern Zone Rock Lobster Fishery licence holder failing to notify Department 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
29(1)	<i>Southern Zone Rock Lobster Fishery licence holder 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
30	<i>Failing to keep records in good condition etc or failing to produce records for inspection by fisheries officer—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50

**18—Fisheries Management (Vessel Monitoring Scheme) Regulations 2017**

<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
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
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
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
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

**Fisheries Management (Demerit Points) Regulations 2017**

## Schedule 1—Demerit point offences and demerit points

<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
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
	(b) in any other case	50
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
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
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
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
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
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
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
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

<b>Regulation</b>	<b>Description of offence</b>	<b>Demerit points</b>
10(1)	<i>Failing to ensure alternative means of communication with boat is provided (paragraph (a)), failing to ensure that Department is notified of call sign etc (paragraph (b)), failing to provide Department 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
	(b) in any other case	25
10(2)	<i>Failing to notify Department 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
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
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

## **Schedule 2—Revocation of *Fisheries Management (Demerit Points) Regulations 2009***

The *Fisheries Management (Demerit Points) Regulations 2009* are revoked.

### **Made by the Governor's Deputy**

with the advice and consent of the Executive Council  
on 8 August 2017

No 223 of 2017

DPC17/041CS