

South Australia

Fisheries Management (Demerit Points) Variation Regulations 2019

under the *Fisheries Management Act 2007*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fisheries Management (Demerit Points) Variation Regulations 2019*.

2—Commencement

These regulations come into operation on the day on which the *Fisheries Management (General) Variation Regulations 2019* come into operation.

3—Variation provisions

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

Part 2—Variation of *Fisheries Management (Demerit Points) Regulations 2017*

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

- (1) Schedule 1, Part 1, clause 2, table—delete the items relating to clauses 66 to 69 (inclusive) and substitute:

66 Taking cockle and vongole (*recreational charter boat fishing bag or trip limit*)—exceeding limit:

(a) if the offence is expiated—

(i) by up to 100 cockles or vongole

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	(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
66		Taking Pipi (<i>recreational charter boat fishing bag or trip limit</i>)—exceeding limit:	
	(a)	if the offence is expiated—	
	(i)	by up to 100 Pipi	5
	(ii)	by more than 100 but not more than 200 Pipi	10
	(iii)	by more than 200 Pipi	15
	(b)	in any other case—	
	(i)	first offence	60
	(ii)	second offence	80
	(iii)	third or subsequent offence	100
66		Taking Abalone, Congolli, Giant Crab, Western Blue Groper, Harlequin Fish, Yellowtail Kingfish, Rock Lobster, Samsonfish, Bronze Whaler Shark, Dusky Shark, Gummy Shark, School Shark, Snapper 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
66		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, Gummy Shark, School Shark, Snapper 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

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	(ii) second offence	80
	(iii) third or subsequent offence	100
67	Taking Southern Calamari, Cuttlefish, Cockle, Vongole, Blue Swimmer Crab or Sand Crab (<i>recreational charter boat fishing bag combination 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
67	Taking Yelloweye Redfish, Bight Redfish, Bronze Whaler Shark, Dusky Shark, Gummy Shark or School Shark (<i>recreational charter boat fishing bag combination 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 (<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
(2) Schedule 1, Part 2, clause 8, table—delete the entries relating to regulation 21 and substitute:		
21	<i>Storing or confining rock lobster in corf without holding licence in respect of rock lobster fishery—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	

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(i)	first offence	60
(ii)	second offence	80
(iii)	third or subsequent offence	100

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 26 April 2019

No 35 of 2019

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