

South Australia

Fisheries Management (General) 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 (General) Variation Regulations 2019*.

2—Commencement

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

3—Variation provisions

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

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

4—Variation of regulation 3—Interpretation

- (1) Regulation 3(1)—after the definition of *bait net* insert:
Bight Redfish means *Centroberyx gerrardi*;
 - (2) Regulation 3(1)—after the definition of *yabby pot* insert:
Yelloweye Redfish means *Centroberyx australis*;
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5—Variation of Schedule 6—Classes of fishing activities prescribed for purposes of section 70 of Act

- (1) Schedule 6, clause 63(3)(e)—delete "Whale" and substitute:

Whaler

- (2) Schedule 6, clause 63(4)(e)—delete "Whale" and substitute:

Whaler

- (3) Schedule 6, clauses 66 to 69—delete clauses 66 to 69 (inclusive) and substitute:

66—Recreational charter boat fishing daily bag and trip limits

- (1) The taking by an unlicensed person in any 1 day, in the waters specified in column 1 of the table below, from a boat being used under a licence in respect of the Charter Boat Fishery, of more fish of the class specified in column 2 than the quantity specified in column 3.
- (2) The taking by an unlicensed person, in the waters specified in column 1 of the table below, of fish of the class specified in column 2, from a boat being used under a licence in respect of the Charter Boat Fishery, being a boat from which a quantity equal to 3 times the quantity specified in column 3 has already been taken by unlicensed persons during the same trip (being a trip lasting more than 3 days).

Table—Recreational charter boat fishing daily bag limits

Column 1 Waters	Column 2 Class of fish	Column 3 Maximum quantity per person per day
	Crustaceans	
The waters of the State	Giant Crab (<i>Pseudocarcinus gigas</i>)	2
The waters of the State	Blue Swimmer Crab (<i>Portunus armatus</i>)	20
The waters of the State	Sand Crab (<i>Ovalipes</i> spp)	20
The waters of the State	Southern Rock Lobster (<i>Jasus edwardsii</i>)	2
	Echinoderms	
The waters of the State	Sea Urchin (Echinoidea)	20
	Molluscs	
The waters of the State	Blacklip Abalone (<i>Haliotis</i> spp)	3
The waters of the State	Greenlip Abalone (<i>Haliotis</i> spp)	3
The waters of the State	Southern Calamari (<i>Sepioteuthis australis</i>)	8

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

Column 1 Waters	Column 2 Class of fish	Column 3 Maximum quantity per person per day
The waters of the State	Cockle (<i>Veneroida</i> other than Pipi)	150
The waters of the State	Cuttlefish (<i>Sepia</i> spp)	8
The waters of the State east of 136°E	Pipi (<i>Donax</i> spp)	300
The waters of the State west of 136°E	Pipi (<i>Donax</i> spp)	100
The waters of the State	Razorfish (<i>Pinna bicolor</i>)	13
The waters of the State	Scallop (<i>Pectinidae</i>)	50
The waters of the State	Vongole (<i>Katelysia</i> spp)	150
Scalefish		
The waters of the State	Albacore (<i>Thunnus alalunga</i>)	1
The waters of the State	Barracouta (<i>Thyrsites atun</i>)	5
The waters of the State	Bream (<i>Acanthopagrus</i> spp)	5
The waters of the State	Congolli (<i>Pseudaphritis urvillii</i>)	2
The waters of the State	Flathead (<i>Platycephalus</i> spp)	5
The waters of the State	Flounder (<i>Bothidae</i> or <i>Pleuronectidae</i>)	10
The waters of the State	Southern Garfish (<i>Hyporhamphus melanochir</i>)	30
The waters of the State	Gemfish (<i>Rexea solandri</i>)	5
The waters of the State (other than those waters specified in Schedule 5)	Western Blue Groper (<i>Achoerodus gouldii</i>)	1
The waters of the State	Harlequin Fish (<i>Othos dentex</i>)	2
The waters of the State	Australian Herring (<i>Arripis georgianus</i>)	40
The waters of the State	Yellowtail Kingfish (<i>Seriola lalandi</i>)	1
The waters of the State	Large Snapper (<i>Chrysophrys auratus</i>)	1
The waters of the State	Small Snapper (<i>Chrysophrys auratus</i>)	3
The waters of the State	Blue Morwong (<i>Nemadactylus valenciennesi</i>)	3
The waters of the State	Jackass Morwong (<i>Nemadactylus macropterus</i>)	5

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

Column 1 Waters	Column 2 Class of fish	Column 3 Maximum quantity per person per day
The waters of the State	Mullet (<i>Mugilidae</i>)	30
The waters of the State other than Coorong (area 1) or Coorong (area 2)	Mullocky (<i>Argyrosomus japonicus</i>)	1
The waters of the State	Bight Redfish (<i>Centroberyx gerrardi</i>)	5
The waters of the State	Yelloweye Redfish (<i>Centroberyx australis</i>)	5
The waters of the State	Large Salmon (<i>Arripis truttaceus</i>)	5
The waters of the State	Small Salmon (<i>Arripis truttaceus</i>)	10
The waters of the State	Samsonfish (<i>Seriola hippos</i>)	1
The waters of the State	Snook (<i>Sphyraena novaehollandiae</i>)	10
The waters of the State	Swallowtail (<i>Centroberyx lineatus</i>)	5
The waters of the State	Sweep (Genus Scorpiis)	10
The waters of the State	Trevally (<i>Pseudocaranx</i> spp)	10
The waters of the State	Eastern School Whiting (<i>Sillago flindersi</i>)	10
The waters of the State	King George Whiting (<i>Sillaginodes punctatus</i>)	10
The waters of the State	Yellowfin Whiting (<i>Sillago schomburgkii</i>)	10
The waters of the State	Wrasse (<i>Labridae</i>) (other than Western Blue Groper)	5
	Shark	
The waters of the State	Bronze Whaler Shark (<i>Carcharhinus brachyurus</i>)	1
The waters of the State	Dusky Shark (<i>Carcharhinus obscurus</i>)	1
The waters of the State	Gummy Shark (<i>Mustelus antarcticus</i>)	1
The waters of the State	School Shark (<i>Galeorhinus galeus</i>)	1

67—Recreational charter boat fishing daily bag (combination) limits

The taking by an unlicensed person, in the waters of the State, from a boat being used under a licence in respect of the Charter Boat Fishery—

- (a) of Southern Calamari or Cuttlefish if the person has already taken 8 Southern Calamari and Cuttlefish in combination on the same day; or
- (b) of Cockle (*Veneroida* other than Pipi) or Vongole (*Katelysia* spp) if the person has already taken 150 cockles (being a combination of Cockle (*Veneroida* other than Pipi) and Vongole) on the same day;
- (c) crab (being Blue Swimmer Crab or Sand Crab) if the person has already taken 20 crab (being a combination of Blue Swimmer Crab and Sand Crab) on the same day; or
- (d) of redfish (being Yelloweye Redfish or Bight Redfish) if the person has already taken 5 redfish (being a combination of Yelloweye Redfish and Bight Redfish) on the same day;
- (e) of shark (being Gummy Shark or School Shark) if the person has already taken 1 shark (being Gummy Shark or School Shark) on the same day; or
- (f) of shark (being Bronze Whaler Shark or Dusky Shark) if the person has already taken 1 shark (being Bronze Whaler Shark or Dusky Shark) on the same day.

68—Recreational charter boat fishing daily boat and bag limits

- (1) The taking by an unlicensed person in any 1 day, in the waters specified in column 1 of the table below, from a boat being used under a licence in respect of the Charter Boat Fishery that is carrying not more than 3 passengers, of more fish of the class specified in column 2 than the quantity specified in column 3.
- (2) The taking by an unlicensed person in any 1 day, in the waters specified in column 1 of the table below, of fish of the class specified in column 2, from a boat being used under a licence in respect of the Charter Boat Fishery that is carrying more than 3 passengers, being a boat from which the quantity of fish specified in column 4 has already been taken by unlicensed persons on the same day.

- (3) The taking by an unlicensed person, in the waters specified in column 1 of the table below, of fish of the class specified in column 2 from a boat from being used under a licence in respect of the Charter Boat Fishery from which the quantity specified in column 4 has already been taken by unlicensed persons during the same trip (being a trip lasting more than 3 days).

Table—Recreational charter boat fishing daily boat and bag limits

Column 1 Waters	Column 2 Class of fish	Column 3 Maximum quantity per person per day (charter boat carrying not more than 3 passengers)	Column 4 Maximum quantity per boat per day (charter boat carrying more than 3 passengers)
Scalefish			
The waters of the State	Rock Ling (<i>Genypterus tigerinus</i>)	3	18
The waters of the State	Southern Bluefin Tuna (<i>Thunnus maccoyii</i>)	2	6
The waters of the State	Blue Warehou (<i>Seriolella brama</i>)	10	30
The waters of the State	Silver Warehou (<i>Seriolella punctata</i>)	10	30

6—Variation of Schedule 11—Expiation fees

Schedule 11, table—delete the items relating to clauses 66 to 69 (inclusive) and substitute:

66	Taking Abalone (<i>recreational charter boat fishing bag or trip limit</i>)—exceeding limit: <ul style="list-style-type: none"> • by up to 5 Abalone \$50 • by more than 5 but not more than 10 Abalone \$100 • by more than 10 Abalone \$200
66	Taking Cockle or Vongole (<i>recreational charter boat fishing bag or trip limit</i>)—exceeding limit: <ul style="list-style-type: none"> • by up to 100 cockles or vongole \$50 • by more than 100 but not more than 200 cockles or vongole \$100 • by more than 200 cockles or vongole \$200
66	Taking Congolli (<i>recreational charter boat fishing bag or trip limit</i>)—exceeding limit: <ul style="list-style-type: none"> • by up to 5 Congolli \$100

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	<ul style="list-style-type: none">• by more than 5 Congolli	\$200
66	Taking Giant Crab (<i>recreational charter boat fishing bag or trip limit</i>)—exceeding limit:	
	<ul style="list-style-type: none">• by up to 5 Giant Crabs	\$100
	<ul style="list-style-type: none">• by more than 5 Giant Crabs	\$200
66	Taking Harlequin Fish (<i>recreational charter boat fishing bag or trip limit</i>)—exceeding limit:	
	<ul style="list-style-type: none">• by up to 5 Harlequin fish	\$100
	<ul style="list-style-type: none">• by more than 5 Harlequin fish	\$200
66	Taking Western Blue Groper (<i>recreational charter boat fishing bag or trip limit</i>)—exceeding limit:	
	<ul style="list-style-type: none">• by up to 5 Western Blue Groper	\$100
	<ul style="list-style-type: none">• by more than 5 Western Blue Groper	\$200
66	Taking Yellowtail Kingfish (<i>recreational charter boat fishing bag or trip limit</i>)—exceeding limit:	
	<ul style="list-style-type: none">• by up to 5 Yellowtail Kingfish	\$100
	<ul style="list-style-type: none">• by more than 5 Yellowtail Kingfish	\$200
66	Taking Pipi (<i>recreational charter boat fishing bag or trip limit</i>)—exceeding limit:	
	<ul style="list-style-type: none">• by up to 50 Pipi	\$50
	<ul style="list-style-type: none">• by more than 50 but not more than 100 Pipi	\$100
	<ul style="list-style-type: none">• by more than 100 Pipi	\$200
66	Taking Rock Lobster (<i>recreational charter boat fishing bag or trip limit</i>)—exceeding limit:	
	<ul style="list-style-type: none">• by up to 5 rock lobster	\$50
	<ul style="list-style-type: none">• by more than 5 but not more than 10 rock lobster	\$100
	<ul style="list-style-type: none">• by more than 10 rock lobster	\$200
66	Taking Samsonfish (<i>recreational charter boat fishing bag or trip limit</i>)—exceeding limit:	
	<ul style="list-style-type: none">• by up to 5 Samsonfish	\$100
	<ul style="list-style-type: none">• by more than 5 Samsonfish	\$200
66	Taking Bronze Whaler Shark (<i>recreational charter boat fishing bag or trip limit</i>)—exceeding limit:	
	<ul style="list-style-type: none">• by up to 5 Bronze Whaler Shark	\$100
	<ul style="list-style-type: none">• by more than 5 Bronze Whaler Shark	\$200
66	Taking Dusky Shark (<i>recreational charter boat fishing bag or trip limit</i>)—exceeding limit:	
	<ul style="list-style-type: none">• by up to 5 Dusky Shark	\$100
	<ul style="list-style-type: none">• by more than 5 Dusky Shark	\$200
66	Taking Gummy Shark (<i>recreational charter boat fishing bag or trip limit</i>)—exceeding limit:	

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		• by up to 5 Gummy Shark	\$100
		• by more than 5 Gummy Shark	\$200
66	Taking School Shark (<i>recreational charter boat fishing bag or trip limit</i>)—exceeding limit:		
		• by up to 5 School Shark	\$100
		• by more than 5 School Shark	\$200
66	Taking Snapper (<i>recreational charter boat fishing bag or trip limit</i>)—exceeding limit:		
		• by up to 5 Snapper	\$100
		• by more than 5 Snapper	\$200
66	Taking Wrasse (other than Western Blue Groper) (<i>recreational charter boat fishing bag or trip limit</i>)—exceeding limit:		
		• by up to 5 Wrasse	\$100
		• by more than 5 Wrasse	\$200
66	Taking fish (other than Abalone, Cockle, Vongole, Congolli, Giant Crab, Harlequin fish, Western Blue Groper, Yellowtail Kingfish, Pipi, 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:		
		• by up to 10 fish	\$50
		• by more than 10 but not more than 20 fish	\$100
		• by more than 20 fish	\$200
67	Taking fish (<i>recreational charter boat fishing combination bag limit</i>)—exceeding limit:		
		• by up to 10 fish	\$50
		• by more than 10 but not more than 20 fish	\$100
		• by more than 20 fish	\$200
68	Taking fish (<i>recreational charter boat fishing bag, boat or trip limit</i>)—exceeding limit:		
		• by up to 10 fish	\$50
		• by more than 10 but not more than 20 fish	\$100
		• by more than 20 fish	\$200

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 34 of 2019

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