

South Australia

Fisheries Management (General) (Yabby Pots) Amendment Regulations 2023

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) (Yabby Pots) Amendment Regulations 2023*.

2—Commencement

These regulations come into operation on 1 July 2023.

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

3—Amendment of regulation 3—Interpretation

Regulation 3(1), definition of *yabby pot*—delete the definition

4—Amendment of regulation 13—Requirements relating to buoys and tags

Regulation 13(a)(iii)(A)—delete subsubparagraph (A) and substitute:

- (A) in the case of a buoy attached to a drop net, drum net, hoop net, pyramid net or shrimp trap used by any person to take fish in inland waters—2 litres; or

5—Amendment of Schedule 1—Permitted devices

Schedule 1—delete "Yabby pot"

6—Amendment of Schedule 6—Classes of fishing activities prescribed for purposes of section 70 of Act

- (1) Schedule 6, clause 6—delete "yabby pot,"
- (2) Schedule 6, clause 42—delete the clause and substitute:

42—Use of certain fish traps

- (1) The taking of fish by an unlicensed person in the waters of the State by using a fish trap other than—
 - (a) a rock lobster pot registered under these regulations in the name of that person; or
 - (b) a shrimp trap; or
 - (c) a pyramid net.
- (2) The taking of fish by an unlicensed person in coastal waters by using a pyramid net.
- (3) Schedule 6, clause 44(d) and (db)—delete paragraphs (d) and (db)
- (4) Schedule 6, clause 44(g)—delete "a yabby pot or"
- (5) Schedule 6, clause 47(d) and (db)—delete paragraphs (d) and (db)
- (6) Schedule 6, clause 47(g)—delete "a yabby pot or"
- (7) Schedule 6, clause 61—delete the clause and substitute:

61—Use of shrimp trap or pyramid net without buoy or tag

The taking of fish by an unlicensed person in the waters of the State by using an unattended shrimp trap or pyramid net that does not have attached to it—

- (a) a line with a tag that—
 - (i) complies with regulation 13; and
 - (ii) bears the name and address of the person using the trap or net; and
- (b) when set away from the shore—a white buoy that complies with regulation 13.
- (8) Schedule 6, clause 81—delete clause 81
- (9) Schedule 6, clause 95(1)—delete subclause (1) and substitute:
 - (1) The taking of fish using a fyke net in the waters to which this clause applies other than the taking of short finned eel (*Anguilla australis occidentalis*) using a fyke net that—
 - (a) is not more than 1.5 metres in height, length and width; and

- (b) has entrance funnels that do not exceed 6 centimetres at their narrowest part; and
- (c) has mesh that—
 - (i) if made of fish netting—is of at least 3 centimetres; or
 - (ii) if made of mesh material (whether rigid or flexible)—is such as to allow a cylindrical rod 9 millimetres in diameter to be passed freely through it.

7—Amendment of Schedule 11—Expiation fees

- (1) Schedule 11, table—delete the entry relating to clause 42 of Schedule 6 and substitute:

42(1)	<i>Taking fish in waters of State using certain fish traps (recreational)</i>	\$250
42(2)	<i>Taking fish in coastal waters using pyramid net (recreational)</i>	\$250

- (2) Schedule 11, table, entry relating to clause 61 of Schedule 6—delete "*yabby pot*"
- (3) Schedule 11, table, entry relating to clause 81 of Schedule 6—delete the entry
- (4) Schedule 11, table, entry relating to clause 95(1)—after "fish" insert:
using a fyke net

Editorial note—

As required by section 10AA(2) of the *Legislative Instruments 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 20 April 2023
No 23 of 2023