

South Australia

Fisheries Management (Rock Lobster Fisheries) (Miscellaneous) Amendment Regulations 2023

under the *Fisheries Management Act 2007*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement

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

- 3 Insertion of regulation 14A
14A Use of rock lobster pots without escape gaps in Northern Zone
 - 4 Amendment of regulation 15—Individual rock lobster catch quota system—Northern Zone
 - 5 Amendment of regulation 16—Individual rock lobster catch quota system—Southern Zone
 - 6 Amendment of regulation 17A—Individual King George whiting catch quota system
 - 7 Amendment of regulation 17B—Individual snapper catch quota system
 - 8 Amendment of regulation 17C—Individual southern calamari catch quota system
 - 9 Amendment of regulation 17D—Individual southern garfish catch quota system
 - 10 Amendment of Schedule 1—Aquatic resources prescribed for rock lobster fisheries
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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fisheries Management (Rock Lobster Fisheries) (Miscellaneous) Amendment Regulations 2023*.

2—Commencement

These regulations come into operation on 1 May 2023.

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

3—Insertion of regulation 14A

After regulation 14 insert:

14A—Use of rock lobster pots without escape gaps in Northern Zone

- (1) The holder of a licence in respect of the Northern Zone Rock Lobster Fishery must not, without the written approval of the Minister, take rock lobster in the Northern Zone using a rock lobster pot that is not fitted with 2 escape gaps that comply with subregulation (4).

Maximum penalty:

- (a) for a first offence—\$10 000;
- (b) for a second offence—\$20 000;
- (c) for a third or subsequent offence—\$35 000.

Expiation fee: \$500.

- (2) An approval under subregulation (1)—
- (a) may be made subject to such conditions as the Minister thinks fit; and
 - (b) may, at any time, be varied or revoked by the Minister (including by varying or revoking a condition of the approval or imposing a further condition).

- (3) A person must not contravene a condition of the approval.

Maximum penalty:

- (a) for a first offence—\$10 000;
- (b) for a second offence—\$20 000;
- (c) for a third or subsequent offence—\$35 000.

Expiation fee: \$500.

- (4) Escape gaps must—
- (a) be as near as practicable to 180° apart; and
 - (b) be kept free of obstructions at all times; and
 - (c) be not less than 5.7 centimetres high and 28 centimetres wide; and
 - (d) be not more than 11 centimetres above the base of the pot at their highest point.

4—Amendment of regulation 15—Individual rock lobster catch quota system—Northern Zone

Regulation 15(4)(c)—delete "; or" and substitute:

;

5—Amendment of regulation 16—Individual rock lobster catch quota system—Southern Zone

Regulation 16(3a)(c)—delete "; or" and substitute:

;

6—Amendment of regulation 17A—Individual King George whiting catch quota system

Regulation 17A—after subregulation (4) insert:

- (4a) The Minister may, after the commencement of a quota period, vary a determination under subregulation (4) to increase the value of a King George whiting unit in relation to a particular King George whiting fishing zone.

7—Amendment of regulation 17B—Individual snapper catch quota system

Regulation 17B—after subregulation (4) insert:

- (4a) The Minister may, after the commencement of a quota period, vary a determination under subregulation (4) to increase the value of a snapper unit in relation to a particular snapper fishing zone.

8—Amendment of regulation 17C—Individual southern calamari catch quota system

Regulation 17C—after subregulation (4) insert:

- (4a) The Minister may, after the commencement of a quota period, vary a determination under subregulation (4) to increase the value of a southern calamari unit in relation to a particular southern calamari fishing zone.

9—Amendment of regulation 17D—Individual southern garfish catch quota system

Regulation 17D—after subregulation (4) insert:

- (4a) The Minister may, after the commencement of a quota period, vary a determination under subregulation (4) to increase the value of a southern garfish unit in relation to a particular southern garfish fishing zone.

10—Amendment of Schedule 1—Aquatic resources prescribed for rock lobster fisheries

- (1) Schedule 1, Part 1—before "Annelids" insert:

Anguilliformes

Conger Eel (Family Congridae)

- (2) Schedule 1, Part 1—after "Giant Crab (*Pseudocarcinus gigas*)" insert:

Rock Crab (*Nectocarcinus integrifons*)

Spider Crab (Family Majidae)

- (3) Schedule 1, Part 1—after "Dory (Family Zeidae)" insert:

Silver Drummer (*Kyphosus sydneyanus*)

- (4) Schedule 1, Part 1—after "Australian Herring (*Arripis georgianus*)" insert:

Knifejaw (*Oplegnathus woodwardi*)

- (5) Schedule 1, Part 1—before "Snapper (*Chrysophrys auratus*)" insert:

Sergeant Baker (*Latropiscis purpurissatus*)

- (6) Schedule 1, Part 1—after "Whiting (Family Sillaginidae)" insert:

Blue Weed-Whiting (*Haletta semifasciata*)

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 19 of 2023