

South Australia

## **Fisheries Management (General) Regulations 2007**

under the *Fisheries Management Act 2007*

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Legislative history

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### 1—Short title

These regulations may be cited as the *Fisheries Management (General) Regulations 2007*.

### 3—Interpretation

(1) In these regulations, unless the contrary intention appears—

*Act* means the *Fisheries Management Act 2007*;

*bait net* means a fish net that—

- (a) is not more than 150 m in length; and
- (b) has a mesh size of not less than 30 mm and not more than 150 mm;

*Blacklip Abalone* means *Haliotis rubra*;

*Blue Swimmer Crab* means *Portunus pelagicus*;

*Catfish* means *Arius* spp;

*Central Zone Abalone Fishery* means the fishery of that name constituted by the *Fisheries Management (Abalone Fisheries) Regulations 2006*;

*Charter Boat Fishery* means the fishery constituted by the *Fisheries Management (Charter Boat Fishery) Regulations 2005*;

*cm* means centimetre;

*coastal waters* does not include Coorong (area 1), Coorong (area 2) and Lake George;

*cockle rake* means a device designed to be held in the hand and consisting of a pole at 1 end of which is attached—

- (a) a cross-bar with teeth; or
- (b) a cross-bar with a net in the form of a bag or cone; or
- (c) a cross-bar with teeth and a net in the form of a bag or cone;

**Coorong** means that area of water separated from the Lower Murray, and from Lake Alexandrina, by the Goolwa, Mundoo, Boundary Creek, Ewe Island and Tauwitche Barrages, and separated from the ocean by Sir Richard Peninsula and Youngusband Peninsula, and by the geodesic from the location on Mean High Water Springs closest to the mouth of the River Murray on the northern side of the headland of Sir Richard Peninsula to the location on Mean High Water Springs closest to the northern side of the headland of Youngusband Peninsula;

**Coorong (area 1)** means the waters of the Coorong separated from the Lower Murray, and from Lake Alexandrina, by the Goolwa, Mundoo, Boundary Creek, Ewe Island and Tauwitche Barrages, separated from the waters of the Coorong south east of Tauwitche Barrage by the geodesic from the location on Mean High Water Springs closest to 35°35'37.17" South, 139°01'26.49" East (Pelican Point) to the location on Mean High Water Springs closest to 35°35'40.60" South, 139°00'44.56" East (Gnurlung Point), and separated from the ocean by Sir Richard Peninsula and Youngusband Peninsula, and by the geodesic from the location on Mean High Water Springs closest to the mouth of the River Murray on the northern side of the headland of Sir Richard Peninsula to the location on Mean High Water Springs closest to the northern side of the headland of Youngusband Peninsula;

**Coorong (area 2)** means the waters of the Coorong south east of the geodesic from the location on Mean High Water Springs closest to 35°35'37.17" South, 139°01'26.49" East (Pelican Point) to the location on Mean High Water Springs closest to 35°35'40.60" South, 139°00'44.56" East (Gnurlung Point), and separated from the ocean by Youngusband Peninsula;

**Coorong coastal waters** means the coastal waters from the location on Mean High Water Springs closest to 35°31'23.50" South, 138°46'23.83" East (Beach Road, Goolwa) to the location on Mean High Water Springs closest to 36°49'34.59" South, 139°50'55.95" East (Kingston SE jetty);

**corf** includes any floating or submerged holding box or container used to hold live fish;

**crab net** means a device used to take crabs (Family Portunidae) consisting of a drop net or a net in the form of a bag or cone attached to a hoop at its opening;

**crab pot** means a fish trap that—

- (a) is designed and constructed for the purpose of taking Blue Swimmer Crabs; and
- (b) has a maximum height of 650 mm; and
- (c) has a maximum diameter of 2 m; and
- (d) is covered with a fish net that has—
  - (i) a minimum mesh size of 75 mm; or
  - (ii) an escape panel that has a minimum mesh size of 75 mm and is at least 700 mm by 300 mm;

**crab rake** means a device designed to be held in the hand and consisting of a pole at 1 end of which is attached—

- (a) a cross-bar with teeth; and
- (b) a circular metal framed mesh;

**Cuttlefish** means *Sepia* spp;

**depth**, in relation to a net, means the distance from the cork line, buoyant line or other line on which the net is slung to the lead line or to the bottom of the net if there is no lead line such distance to be measured when the cork line, buoyant line or other line on which the net is slung is taut and the lead line or the bottom of the net, if there is no lead line, is hanging free and out of water;

**dip tin** means a perforated open metal basket that—

- (a) has a handle; and
- (b) has perforations of 8 mm in diameter; and
- (c) is not more than 400 mm long; and
- (d) is not more than 300 mm wide; and
- (e) is not more than 200 mm deep;

**drop line** means a device consisting of a length of line with hooks attached by snoods along its length and that is anchored by a weight, buoyed at the surface and deployed vertically through the water;

**drop net** means a net that consists of 2 hoops, the top hoop having a diameter not smaller than that of the bottom hoop, to which netting is attached so as to form a cylindrical bag or cone shaped bag;

**drum net** means a fish trap consisting of mesh supported by 3 large diameter bands to form a body or shape which is closed at 1 end and a cove at the other end;

**electro-fishing** means the taking of fish by using a device consisting of a power source anode or cathode designed and constructed to apply an electric field to water so as to attract or stun fish;

**fish net** means any net other than a hand net (including a dab net, dip net or shrimp net), hoop net, drop net or a prawn trawl net;

**fish trap** means a device that is designed and constructed to trap fish and has an entrance or cove;

**fyke net** means a fish trap consisting of a series of large diameter rings which support mesh on the exterior and a series of coves along the interior with a wing or wings at 1 end;

**gill net** means a length of mesh net supported along its length by a rope attached to the top and bottom of the mesh and designed and constructed to be used as a static device to enmesh fish;

**Golden Perch** means *Macquaria ambigua*;

**Greenlip Abalone** means *Haliotis laevigata*;



***Gulf St. Vincent, Investigator Strait and Backstairs Passage*** means the waters of Gulf St. Vincent, Investigator Strait and Backstairs Passage contained within and bounded by a line commencing at Mean High Water Springs closest to 35°17'59.60" South, 136°52'50.11" East (Cape Spencer, Yorke Peninsula), then beginning north-easterly following the line of Mean High Water Springs to the location closest to 35°38'33.80" South, 138°31'20.83" East (Newland Head, Fleurieu Peninsula), then south-westerly to the location on Mean High Water Springs closest to 35°50'32.70" South, 138°08'03.59" East (Cape Willoughby, Kangaroo Island), then beginning north-westerly following the line of Mean High Water Springs to the location closest to 35°44'55.88" South, 136°35'14.77" East (Cape Borda, Kangaroo Island), then north-easterly to the point of commencement;

***Gummy Shark*** means *Mustelus antarcticus*;

***hand fish spear*** means a fish spear propelled by human power without the use of any explosive, spring, elastic material or mechanism;

***hand line*** means fishing line used without a rod and to which not more than 3 fishing hooks are attached (for the purpose of this definition not more than 5 hooks joined by threading the point of 1 through the eye of another, or by fastening their shanks together will be taken to be 1 hook);

***hand net*** (including a dab net, dip net or shrimp net) means a net being conical in shape attached to a hoop or ring and extending not more than 1 m in depth from the hoop or ring, the hoop and ring being attached to a rigid handle and having a diameter that does not exceed 1 m;

***hauling net*** means a net hauled by a rope 1 end of which is securely anchored to the sea bed or attached to a securely anchored boat or securely attached to the shore;

***hoop net*** means a net consisting of 1 hoop of a diameter not exceeding 107 cm to which netting is attached in the form of a cone or bag that does not extend more than 92 cm from the hoop;

***in any 1 day*** means during the period commencing at midnight and ending at the midnight next following;

***inland waters*** means the River Murray and its tributaries, Lakes Albert and Alexandrina, Lake George, the Coorong above the Murray Mouth and all the waters of the State that are fresh waters;

***kg*** means kilogram;

***km*** means kilometre;

***kw*** means kilowatt;

***Lake Eyre Perch*** means *Macquaria* spp;

***Lakes Albert and Alexandrina*** means all of the waters of Lake Albert and Lake Alexandrina downstream from the punt that services the main road joining the township of Wellington to the township of Wellington East near 35°19'52.53" South, 139°23'04.30" East, and separated from the Coorong by land and by the Goolwa, Mundoo, Boundary Creek, Ewe Island and Tauwichee Barrages, and includes those waters of the Finnis River and Currency Creek situated upstream from Lake Alexandrina to the first road bridge by which they are crossed;

**Lakes and Coorong Fishery** means the fishery of that name constituted by the *Fisheries Management (Lakes and Coorong Fishery) Regulations 2006*;

**large catfish** means Catfish that exceeds 33 cm in length;

**large mesh monofilament net** means a monofilament mesh net that—

- (a) has a mesh size exceeding 115 mm; and
- (b) consists of line with a minimum breaking strain of not less than 7 kg;

**large mesh multifilament hauling net** means a multifilament hauling net that—

- (a) has a mesh size exceeding 95 mm; and
- (b) consists of line with a minimum ply of not less than 21;

**large mesh net** means a mesh net or gill net with a mesh size of not less than 150 mm;

**large mulloway** means Mulloway that exceeds 75 cm in length;

**large salmon** means Salmon that exceeds 35 cm in length;

**large snapper** means Snapper that exceeds 60 cm in length;

**length**—

- (a) in relation to a fish—means the distance from the foremost part of the head to the end of the tail;
- (b) in relation to a net—means the length of that part of the cork line, buoyant line or other line on which the net is slung;

**licensed person**, in relation to a fishing activity, means—

- (a) a person who, for a commercial purpose, is engaged in a fishing activity of a class that constitutes the fishery in respect of which the person holds a fishery licence or permit; or
- (b) a person acting as the agent of a holder of such a licence or permit;

**long line** means a length of line to which is attached 1 or more traces or hooks and which is anchored and buoyed at 1 or both ends;

**m** means metre;

**Mean High Water Springs** means the line representing the average of all high water observations at the time of spring tide over a period of 19 years;

**meat**, in relation to an abalone, means all the muscular foot from which the viscera have been detached by the usual shucking procedure;

**mesh net** means a net designed and constructed to enmesh fish;

**mm** means millimetre;

**Mulloway** means *Argyrosomus hololepidotus*;

**Murray Cod** means *Maccullochella peelii*;

**Murray Mouth** means the Coorong and coastal waters that are within 500 m of a line joining the locations on Mean High Water Springs closest to 35°33'18.69" South, 138°52'45.87" East (northern side of the headland of Sir Richard Peninsula) and 35°33'21.95" South, 138°52'53.34" East (northern side of the headland of Younghusband Peninsula);

***mussel dredge*** means a device that—

- (a) is designed and constructed to be held in the hand so as to facilitate the taking of fish by scraping the bed of any waters; and
- (b) is not more than 1 m wide; and
- (c) has attached to it a net not more than 1 m deep;

***non-commercial purpose*** means a purpose other than trade or business;

***Northern Zone*** has the same meaning as in the *Fisheries Management (Rock Lobster Fisheries) Regulations 2006*;

***Northern Zone Rock Lobster Fishery*** means the fishery of that name constituted by the *Fisheries Management (Rock Lobster Fisheries) Regulations 2006*;

***on the same day*** means during the period commencing at midnight and ending at the midnight next following;

***overall length***, in relation to a boat, means the horizontal distance between—

- (a) a perpendicular dropped from the extremity of the bow of the boat, or, if a fixture or structure attached to the bow projects beyond the bow, from the extremity of that fixture or structure; and
- (b) a perpendicular dropped from the extremity of the stern of the boat, or, if a fixture or structure attached to the stern projects beyond the stern, from the extremity of that fixture or structure;

***permitted device*** means a device specified in Schedule 1;

***power hauling method of fishing*** means a fishing activity involving the use of a fish net where—

- (a) the net is hauled through the water by means other than by hand; and
- (b) not more than 1 boat is used to haul the net; and
- (c) 1 end of the net is anchored so as to secure that end to the sea bed while—
  - (i) the net is shot out; or
  - (ii) 1 end of the net is being hauled back to the other end;

***prawn*** means King Prawn (*Melicertus latisulcatus*);

***prawn trawl net*** means a trawl net that is designed and constructed for the taking of prawn;

***purse seine net*** means a long winged hauling net with a bunt and a pursing line attached by rings to the bottom mesh or foot rope;

***revoked regulations*** means the *Fisheries (General) Regulations 2000*;

***ring net*** means a mesh net that has floats on the head line and leads on the bottom line and is designed and constructed to encircle a school of fish;

***River Fishery*** means the fishery of that name constituted by the *Fisheries Management (River Fishery) Regulations 2006*;

**River Murray proper** means all the waters of the River Murray and its anabranches, tributaries, lagoons and lakes situated upstream of the punt which services the main road joining the township of Wellington to the township of Wellington East;

**rock lobster** means Southern Rocklobster (*Jasus edwardsii*);

**rock lobster fishery** means—

- (a) the Northern Zone Rock Lobster Fishery; or
- (b) the Southern Zone Rock Lobster Fishery;

**rock lobster pot** means a fish trap that is designed and constructed for the purpose of taking rock lobster;

**rock lobster snare** means a device that—

- (a) consists of a noose attached to a length of tubing; and
- (b) is designed and constructed for the taking of rock lobster;

**rod and line** means a rod to which is attached a fishing line having not more than 3 fishing hooks attached to it (and, for the purpose of this definition, not more than 5 hooks joined by threading the point of 1 through the eye of another or by fastening their shanks to each other will be taken to be 1 hook);

**Salmon** means Western Australian Salmon (*Arripis truttaceus*);

**Sand Crab** means *Ovalipes* spp;

**sand crab pot** means a fish trap that—

- (a) is designed and constructed for the purpose of taking Sand Crabs; and
- (b) has a maximum height of 450 mm; and
- (c) has a maximum diameter of 1.5 m; and
- (d) is covered with a fish net that has—
  - (i) a minimum mesh size of 75 mm; or
  - (ii) an escape panel that has a minimum mesh size of 75 mm and is at least 700 mm by 300 mm;

**sardine net** means a purse seine net that—

- (a) is no more than 1000 m in length; and
- (b) is no more than 200 m in depth; and
- (c) has a minimum mesh size of 14 mm; and
- (d) has a maximum mesh size of 22 mm;

**scallop dredge** means a device consisting of mesh supported by framework that is designed and constructed to be pulled behind a boat so as to facilitate the taking of fish by scraping the bed of any waters;

**School Shark** means *Galeorhinus galeus*;

**set line** includes any device using hooks and known as a cross line, springer, side line, long line or buoyed line;

**set net** means a static mesh net;

***set-net method of fishing*** means a fishing activity involving the use of a fish net—

- (a) of up to 600 m in length; and
- (b) having a mesh size of at least 50 mm and less than 150 mm,

and in which the fish net is run out into the water and set, the ends of the fish net not meeting or being joined;

***shrimp trap*** means a fish trap that is designed and constructed for the purpose of taking shrimps (Suborder Natantia);

***small Catfish*** means Catfish that does not exceed 33 cm in length;

***small mesh monofilament net*** means a monofilament mesh net that—

- (a) has a mesh size exceeding 50 mm but not exceeding 64 mm; and
- (b) consists of line with a minimum breaking strain of not less than 5.5 kg;

***small mesh multifilament hauling net*** means a multifilament hauling net that—

- (a) has a mesh size exceeding 50 mm but not exceeding 64 mm; and
- (b) consists of line with a minimum ply of not less than 15;

***small Mulloway*** means Mulloway that is at least 46 cm in length but does not exceed 75 cm in length;

***small Salmon*** means Salmon that is at least 21 cm in length but does not exceed 35 cm in length;

***small Snapper*** means Snapper that is at least 38 cm in length but does not exceed 60 cm in length;

***Snapper*** means *Pagrus auratus*;

***Southern Bluefin Tuna*** means *Thunnus maccoyii*;

***Southern Zone*** has the same meaning as in the *Fisheries Management (Rock Lobster Fisheries) Regulations 2006*;

***Southern Zone Abalone Fishery*** means the fishery of that name constituted by the *Fisheries Management (Abalone Fisheries) Regulations 2006*;

***Southern Zone Rock Lobster Fishery*** means the fishery of that name constituted by the *Fisheries Management (Rock Lobster Fisheries) Regulations 2006*;

***spear gun*** means a device for spearing fish consisting of a spear and an apparatus for discharging the spear by means of explosive, spring or elastic material or other mechanical means;

***swinger net*** means a non-static gill net to which is attached a rope that is anchored to the shore so as to enable the net to drift with the aid of offshore and longshore currents;

***teaser line*** means a line (without an attached hook) used to lure or attract fish;

***trawl net*** includes a lampara net, Danish seine net, beam trawl net or otter trawl net and any net towed by a boat;

***trot line*** means a combination of—

- (a) buoyed lines anchored or weighted; and

- (b) a line or lines connecting the buoyed lines and supported under the surface of the waters by a line of floats; and
- (c) a line or lines attached to the connecting line and weighted to which are attached hooks or snoods with hooks;

**undersize fish** means fish that is undersize as determined in accordance with Schedule 2 but does not include—

- (a) scalefish of the family Bothidae or Pleuronectidae taken by an unlicensed person; or
- (b) aquaculture fish taken by the holder of an aquaculture licence from an area in which aquaculture is carried on;

**unlicensed person**, in relation to a fishing activity, means a person who is not a licensed person in relation to that activity;

**waters of the State** means all the waters to which the Act applies;

**Western Blue Groper** means *Achoerodus gouldii*;

**Western Zone Abalone Fishery** means the fishery of that name constituted by the *Fisheries Management (Abalone Fisheries) Regulations 2006*;

**Yabby** means Yabby (*Cherax* spp);

**yabby pot** means a fish trap designed and constructed for the purpose of taking Yabby;

**Yellowfin Tuna** means *Thunnus albacares*.

- (2) In these regulations—
  - (a) a reference to a person **carrying a device** includes a reference to—
    - (i) having the device on or about his or her person; or
    - (ii) having the device so near to his or her person that he or she is able to exercise physical control over the device;
  - (b) a reference to the **taking of aquatic resources** or a particular class or species of aquatic resources includes a reference to any act that is preparatory to or involved in the taking of those aquatic resources or class or species of aquatic resources, whether or not any such aquatic resources or class or species of aquatic resources have been taken;
  - (c) a reference to **using** or to the **use of a device** by a person engaged in a fishing activity includes a reference to using the device—
    - (i) to take aquatic resources; and
    - (ii) in or as part of any act preparatory to, or involved in, the taking of aquatic resources.
- (3) For the purposes of these regulations, the mesh size of a net is to be determined as follows:
  - (a) 10 meshes of the net are to be measured by the method referred to in paragraph (b) and the sum is to be divided by 10;

- (b) the distance between 1 corner of the mesh of the net and the corner of the same mesh diagonally opposite to that corner (with the corners extended so that as near as is practicable there is no space between adjacent threads of mesh) is to be measured by the following method:
  - (i) that part of the net containing the mesh to be measured must be soaked in water for at least 5 minutes; and
  - (ii) immediately after soaking, a weight of 1.5 kg must be attached or slung to 1 corner of the mesh to be measured (the *weighted corner*); and
  - (iii) while the weight is attached to or slung on the weighted corner, the distance between the weighted corner and the corner of the same mesh diagonally opposite to the weighted corner must be measured, the measurement being taken from the inside of each corner.
- (4) For the purposes of these regulations—
  - (a) a device registered for use for recreational fishing is attended only if it is at all times actually being attended by the person in whose name it is registered under regulation 10 and that person is at all times—
    - (i) while the device is in the waters of Lake George—no more than 50 m from the landward boundary of the Lake;
    - (ii) while the device is in any other waters of the State—no more than 50 m from any part of the device;
  - (b) a device registered for use under a fishery authority is attended only if it is at all times actually being attended by the person who holds the fishery authority, or a person acting as an agent of the holder of the fishery authority, and that person is at all times—
    - (i) while the device is in the waters of Lake George—no more than 50 m from the landward boundary of the Lake;
    - (ii) while the device is in any other waters of the State—no more than 50 m from any part of the device.

Notes—

- 1 Common and scientific fish names are given according to *AS: SSA-001 Australian Fish Names Standard* published by Seafood Services Australia in July 2007, as amended from time to time.
- 2 Unless the contrary intention appears, all lines in spatial descriptions are geodesics based on the Geocentric Datum of Australia 1994 (GDA94) as defined in the Commonwealth of Australia Gazette GN35 of 6 September 1995 and all co-ordinates are expressed in terms of GDA94.

#### 4—Commercial quantity

For the purposes of the definition of *commercial quantity* in section 3(1) of the Act, a quantity specified in Schedule 3 is declared to be a commercial quantity in relation to the class of aquatic resource specified alongside that quantity.

## 5—Corresponding laws

For the purposes of the definition of *corresponding law* in section 3(1) of the Act, the laws specified in Schedule 4 are declared to be corresponding laws.

## 6—Protected species

For the purposes of the definition of *protected species* in section 3(1) of the Act, the species specified in Schedule 5 are declared to be protected.

## 7—Classes of fishing activities prescribed for purposes of section 70 of Act

For the purposes of section 70 of the Act, the following classes of fishing activities are prescribed:

- (a) the classes of fishing activities specified in Schedule 6;
- (b) the taking of fish by a person—
  - (i) by using a fish net in any of the waters of the State specified in Schedule 7 Part 1; or
  - (ii) by 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.

## 8—Sale, purchase or possession of aquatic resources

- (1) For the purposes of section 72(2)(c) of the Act, the following classes of aquatic resources are prescribed:
  - (a) undersize fish;
  - (b) aquatic resources of a class specified in Schedule 3.
- (2) For the purposes of section 72(6) of the Act, a quantity specified in Schedule 3 alongside a class of aquatic resources is the prescribed quantity of aquatic resources of that class.

## 9—Aquatic or benthic animals

For the purposes of section 77(2) of the Act, the classes of aquatic or benthic animals specified in Schedule 8 are prescribed.

## 10—Registration of devices for non-commercial fishing

- (1) This regulation applies in relation to a mesh net or rock lobster pot to be used by a person (including the holder of a fishery authority) for non-commercial fishing.
- (2) An application for registration of a device to which this regulation applies must—
  - (a) be made to the Minister in a manner and form approved by the Minister; and
  - (b) be accompanied by the appropriate fee fixed by the *Fisheries Management (Fees) Regulations 2007*.
- (3) An application for registration of a mesh net cannot be made except by a person who, immediately before the commencement of this regulation, had the mesh net registered in his or her name under regulation 8 of the revoked regulations.



- (4) An application for registration of a rock lobster pot—
- (a) cannot be made earlier than 2 months before the commencement of the prescribed period during which the registration is to have effect;
  - (b) cannot be made at all if the applicant has by a separate application obtained the registration of another rock lobster pot for the same prescribed period.
- (5) Before registering a device under this regulation the Minister may require the applicant to produce the device for examination by a fisheries officer.
- (6) The Minister must refuse to register a device if—
- (a) it is not produced for examination pursuant to a requirement made under subregulation (5); or
  - (b) the applicant could not, on registration of the device, lawfully use it for the purpose of taking aquatic resources in the waters of the State; or
  - (c) registration would result in the number of devices registered in the applicant's name being in excess of the greatest number of devices that the applicant may lawfully use, at any 1 time, in the waters of the State.
- (7) If the Minister is satisfied that—
- (a) an application to register a device has been made in accordance with this regulation; and
  - (b) the applicant is a natural person of at least 15 years of age; and
  - (c) the device complies with these regulations,
- the Minister may register the device in the name of the applicant—
- (d) in the case of a rock lobster pot—
    - (i) if the application was made on or before the commencement of the registration period—for the whole of the registration period;
    - (ii) if the application was made after the commencement of the registration period—for a period commencing on the date of grant of the application and ending on the expiry of the last day of the registration period; or
  - (e) in any other case—for a period not exceeding 3 years.
- (8) The Minister must, on registering a device—
- (a) allot a registered number to the device; and
  - (b) issue to the person in whose name the pot is registered a tag bearing the registered number.
- (9) If the Minister is satisfied that a tag issued in respect of a rock lobster pot registered under this regulation has been lost, stolen, damaged or destroyed, the Minister must, on application made in a manner and form approved by the Minister and payment of the appropriate fee fixed by the *Fisheries Management (Fees) Regulations 2007*, issue a replacement tag.

(10) In this regulation—

*prescribed period*, in relation to a rock lobster pot, means the period beginning on 1 October in any year and ending on 31 May in the following year.

### **11—Duty to produce certificate of registration**

A person who is using a registered device for recreational fishing must, if requested by a fisheries officer to produce his or her certificate of registration of the device, produce the certificate within 48 hours after the making of the request.

Maximum penalty: \$2 500.

Expiation fee: \$210.

### **12—Section 53(2) of Act not to apply to rods and lines and hand lines used for commercial fishing**

Section 53(2) of the Act does not apply in relation to a rod and line or hand line used under a fishery authority.

### **13—Requirements relating to buoys and tags**

For the purposes of these regulations—

(a) a buoy must—

- (i) be made of material that is durable in water; and
- (ii) clearly display the marks required by these regulations in letters and figures of not less than 70 mm in height; and
- (iii) have a volume of not less than—
  - (A) in the case of a buoy attached to a drop net, drum net, hoop net, shrimp trap or yabby pot used by any person to take fish in the River Murray proper, Lakes Albert and Alexandrina or the Coorong—2 litres; or
  - (B) in any other case—4 litres; and
- (iv) float on the surface of water;

(b) a tag must—

- (i) be made of material that is durable and non-corrodible in water; and
- (ii) clearly display the marks required by these regulations in letters and figures of not less than 20 mm in height; and
- (iii) be not less than 100 mm long and 50 mm wide.

### **14—Carriage of explosive devices in specified areas**

(1) A person must not carry a hand fish spear, spear gun or device that operates by means of an explosive cartridge in the areas specified in Schedule 9.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (2) It is a defence to a charge of an offence against subregulation (1) to prove that the defendant was carrying the spear, spear gun or device only for the purpose of transporting it across the area.

### **15—Carriage of certain devices while using scuba etc**

- (1) Subject to subregulation (2), a person must not, while using a scuba, hookah or other apparatus for breathing underwater, carry a hand fish spear, spear gun or device that operates by means of an explosive cartridge.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (2) A person may, while using a scuba, hookah or other apparatus for breathing under water, carry a device that operates by means of an explosive cartridge if—
- (a) the device is not attached to a hand fish spear or spear gun; and
  - (b) the device is carried only for protection; and
  - (c) any fish that is injured or killed is left in the water.
- (3) Subregulation (2) does not permit the carrying of a device in an aquatic reserve or an area specified in Schedule 9.

### **16—Carriage of devices near lock and weirs of Murray River**

A person must not carry a device within 150 m of each side of each lock and weir of the River Murray proper.

Maximum penalty: \$2 500.

Expiation fee: \$210.

### **17—Distinguishing marks on boats**

- (1) The Minister must, on registering a boat under section 53 of the Act, allot to the boat a distinguishing mark consisting of 1 or more numbers or letters or a combination of numbers and letters.
- (2) The holder of a fishery authority must not use a registered boat for the purposes of engaging in a fishing activity of a class that constitutes the fishery in respect of which he or she holds a fishery authority unless the registered boat bears distinguishing marks that—
- (a) are painted or otherwise marked on each side of the registered boat; and
  - (b) are painted or otherwise marked in legible figures; and
  - (c) contain figures each of which—
    - (i) is not less than 150 mm high; and
    - (ii) is not less than 100 mm wide; and
    - (iii) contains no line that is less than 30 mm broad; and
  - (d) are clearly visible above the water line; and
  - (e) are painted in—
    - (i) black paint or otherwise marked in black if painted on a light coloured background; or

- (ii) white paint or otherwise marked in white if painted or marked on a dark coloured background.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (3) A person must not use a dinghy as a tender to a registered boat unless it bears the same distinguishing marks as the registered boat to which it is used as a tender with the addition of the letter "T" forming part of the distinguishing marks as a prefix to them.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (4) If a boat that has been a registered boat ceases to be a registered boat, the owner must, as soon as practicable after the boat ceases to be a registered boat, remove or cause to be removed any distinguishing mark that had been painted or otherwise marked on the boat.

Maximum penalty: \$2 500.

Expiation fee: \$210.

## 18—Mutilation of certain fish

- (1) This regulation applies to—
  - (a) shark of any species belonging to the Class Chondrichthyes; and
  - (b) fish of a class specified in Schedule 2.
- (2) If fish of a class to which this regulation applies are taken in the course of fishing from a boat, a person must not mutilate those fish before they are brought ashore or landed on a jetty or other landing place.

Maximum penalty: \$2 500.

Expiation fee: \$210.
- (3) In proceedings for an offence against subregulation (2), it will be presumed, in the absence of proof to the contrary, that any mutilated fish on a boat have been mutilated by the person in charge of the boat unless that person proves that some other person mutilated them and that he or she made reasonable efforts to prevent the mutilation.
- (4) This regulation does not apply in relation to fish on a boat that, within 24 hours of their mutilation, are to be—
  - (a) consumed as food on that boat; or
  - (b) used as bait in the course of a fishing activity in which persons on that boat intend, and are lawfully entitled, to engage in.

- (5) In this regulation—

*mutilate*, in relation to fish, means to divide, cut up, mangle or dismember fish in any way but does not include—

- (a) the removal of the guts or scales of fish; or
- (b) in the case of shark—
  - (i) the removal of pelvic fins and claspers; or

- (ii) the removal of the tail at the sub-terminal notch, leaving the caudal lobe attached to the body.

### 19—Provisions relating to abalone fishing

- (1) A person must not remove from the shell abalone taken under a licence in respect of the Southern Zone Abalone Fishery unless the abalone is removed on land at the premises of a registered fish processor in the course of the business of the fish processor.  
Maximum penalty: \$2 500.
- (2) An unlicensed person who takes abalone in the waters of the State must bring the abalone to a position above the water line before the abalone is removed from its shell.  
Maximum penalty: \$2 500.  
Expiation fee: \$210.
- (3) A person who takes abalone in the waters of the State must have attached to his or her person an effective and accurate measuring device suitable for measuring abalone.  
Maximum penalty: \$2 500.  
Expiation fee: \$210.
- (4) A person who takes abalone in the waters of the State must measure each abalone by using a device of a kind referred to in subregulation (3) immediately after detaching the abalone from the rock or other place to which it was attached and must immediately, with care, replace on that rock or other place to which the abalone had been attached any abalone that is undersize.  
Maximum penalty: \$2 500.  
Expiation fee: \$210.
- (5) Subject to subregulation (6), a person must not have possession, control or custody of abalone that has been removed from its shell.  
Maximum penalty: \$2 500.  
Expiation fee: \$210.
- (6) Subregulation (5) does not apply to a person who has in his or her possession, control or custody abalone that has been removed from its shell if—
  - (a) being an unlicensed person, the person has complied with subregulation (2);  
or
  - (b) the person is acting during the course of his or her work or employment at the premises of a registered fish processor that are situated on land; or
  - (c) the abalone has previously been delivered to and processed at the premises of a registered fish processor that are situated on land; or
  - (d) the abalone was taken under a licence in respect of the Central Zone Abalone Fishery or Western Zone Abalone Fishery.
- (7) In this regulation—  
*land* does not include land below waters.

## 20—Keeping of fish in corfs

A person must not store or confine fish in a corf unless—

- (a) a red buoy that—
  - (i) complies with regulation 13; and
  - (ii) is marked with the letter "C",is attached to the corf; and
- (b) the buoy—
  - (i) is marked with the owner's fishery licence number; or
  - (ii) if the owner does not hold a fishery licence—has attached to it a tag bearing the owner's name and address.

Maximum penalty: \$2 500.

Expiation fee: \$210.

## 21—Keeping of rock lobster

- (1) A person must not store or confine rock lobster in a corf unless he or she holds a licence in respect of a rock lobster fishery.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (2) During the period commencing at 1800 hours on 31 May in any year and ending at 1200 hours on the following 1 November, a person must not store or confine live rock lobster taken from the Northern Zone (regardless of when the rock lobster were actually taken).

Maximum penalty: \$5 000.

Expiation fee: \$315.

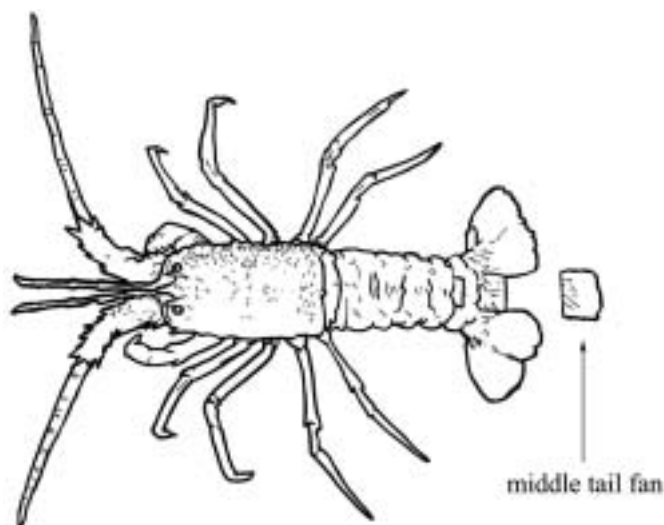
- (3) Subregulation (2) does not apply to a registered fish processor who stores or confines live rock lobster in a holding tank situated on land.

## 22—Duty to clip tail fan of rock lobster

A person who takes rock lobster in the waters of the State (other than under a licence in respect of a rock lobster fishery) must, before the rock lobster is brought ashore or landed, clip its middle tail fan in half horizontally across the tail and remove it.

Maximum penalty: \$5 000.

Expiation fee: \$315.



### **23—Berleying**

- (1) A person must not use blood, bone, meat, offal or skin of an animal as berley (otherwise than in a rock lobster pot or other fish trap) within 2 nautical miles of—
  - (a) the mainland of the State; or
  - (b) any island or reef that forms part of the State and is exposed at the low water mark.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (2) A person must not deposit or use in marine waters of the State the body, or part of the body, of a mammal or bird.

Maximum penalty: \$2 500.

Expiation fee: \$210.

### **24—Commercial bait nets not to be left unattended**

- (1) Subject to subregulation (2), a bait net that is registered for use under a fishery authority must not be left unattended after it has been set in waters from a registered boat.
- (2) A bait net that has a mesh size of not less than 50 mm may be left unattended for a continuous period not exceeding 12 hours.
- (3) If subregulation (1) is contravened, the registered owner and registered master of the registered boat are each guilty of an offence.

Maximum penalty: \$5 000.

Expiation fee: \$315.

## 25—Requirement to remove anchors etc from nets removed from Lakes and Coorong Fishery

- (1) A person who—
- (a) for a commercial purpose engages in a fishing activity of a class that constitutes the Lakes and Coorong Fishery; and
  - (b) for the purposes of engaging in that activity places a net in the Lakes and Coorong,

must, on removing the net from the Lakes and Coorong, immediately remove from the Lakes and Coorong any buoy, anchor or other device or thing to which the net was attached.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (2) In this regulation—

**Lakes and Coorong** means the waters of the Coorong, Lake Alexandrina, Lake Albert, and the coastal waters adjacent to South Australia between the location on Mean High Water Springs closest to 35°31'23.50" South, 138°46'23.83" East (Beach Road, Goolwa) and the location on Mean High Water Springs closest to 36°49'34.59" South, 139°50'55.95" East (Kingston SE Jetty).

## 26—Marking of receptacles in which aquatic resources are transported, consigned for sale etc

- (1) A person who is—
- (a) the holder of a fishery authority; or
  - (b) a registered fish processor; or
  - (c) otherwise involved in a business that involves the handling, storage, movement or dealing with aquatic resources,

must not transport, consign for or have on sale, in a receptacle any aquatic resources unless there is legibly marked on the outside of the receptacle or on a label attached to the outside of the receptacle—

- (d) the person's full name or initials and surname; and
- (e) if the person is the holder of a fishery licence or permit or an aquaculture licence—the person's licence or permit number.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (2) In this regulation—

**receptacle** includes any container, box or other package.

## 27—Notice of seizure of device

For the purposes of section 90(2)(d) of the Act, notice of the seizure of a device must be given by notice published in the Gazette within 28 days of the seizure of the device containing—

- (a) a description of the device; and



- (b) the place where, and the date on which, it was seized; and
- (c) the place where it may be inspected for a period of 1 month following the date of the notice.

### **28—Duty to notify Minister of change of address**

- (1) A natural person who holds an authority under the Act must, within 30 days of changing his or her residential or business address, give the Minister written notice of his or her new address.

Maximum penalty: \$1 250.

Expiation fee: \$105.

- (2) A body corporate that holds an authority under the Act must, within 30 days of changing its registered address, give the Minister written notice of the body corporate's new registered address.

Maximum penalty: \$1 250.

Expiation fee: \$105.

### **29—Evidentiary provision**

In proceedings for an offence against these regulations or any other regulations made under the Act, if it is proved that a person apparently over the age of 15 years was on board a registered boat on a particular day while the registered boat was being used for the purpose of engaging in a fishing activity of a class that constitutes a fishery, it will be presumed, in the absence of proof to the contrary, that the person was on that day engaged in the fishing activity for which purpose the registered boat was being used.

### **30—Expiation of alleged offences**

- (1) The expiation fees set out in Schedule 10 are fixed for alleged offences against section 70 of the Act (other than an offence referred to in subregulation (2)).
- (2) The expiation fee for an alleged offence against section 70 of the Act constituted of the taking of fish by a person—
  - (a) by using a fish net in any of the waters of the State specified in Schedule 7 Part 1; or
  - (b) by 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,is a fee of \$200.
- (3) Text set out in italic type in a column headed "Description of fishing activity constituting offence" in the Table in Schedule 10 is a description for convenience purposes only and is not to be taken to define the offence for which a particular amount is fixed as the expiation fee.

## **Schedule 1—Permitted devices**

(Regulation 3(1))

Bait fork

Bait pump

Bait spade  
Bow and arrow (other than a crossbow)  
Cockle rake  
Crab net  
Crab rake  
Dip tin  
Drop net  
Hand fish spear  
Hand net, including a dab net, dip net or shrimp net  
Hoop net  
Mesh net  
Mussel dredge  
Razorfish tongs  
Rock lobster pot  
Rock lobster snare  
Shrimp trap  
Spear gun  
Squid jig  
Yabby pot

## Schedule 2—Undersize fish

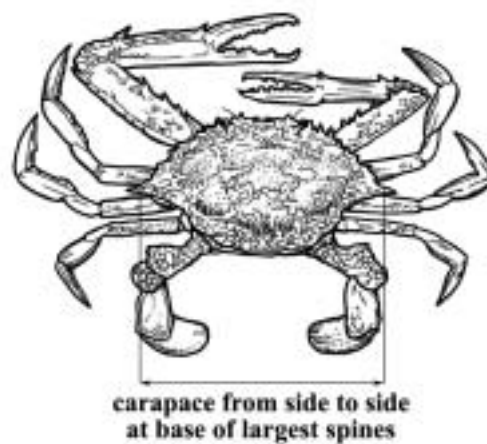
(Regulation 3(1))

### Part 1—Crustaceans

#### 1—Blue Swimmer Crab

Blue Swimmer Crab is undersize if the length of its carapace, as shown in diagram 1, is less than 11 cm when measured from side to side at the base of the largest spines.

**Diagram 1—Blue Swimmer Crab (*Portunus pelagicus*)**



#### 2—Giant Crab

Giant Crab is undersize if the length of its carapace, as shown in diagram 2, is less than 15 cm when measured from top to bottom.

**Diagram 2—Giant Crab (*Pseudocarcinus gigas*)**



### 3—Sand Crab

Sand Crab is undersize if the length of its carapace, as shown in diagram 3, is less than 10 cm when measured from side to side at its widest point.

**Diagram 3—Sand crab (*Ovalipes* spp)**

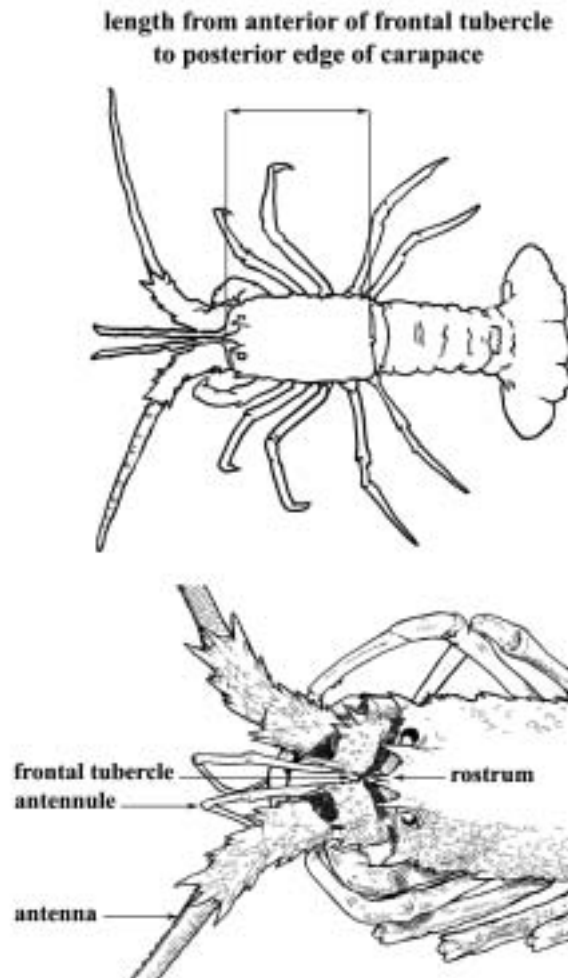


### 4—Rock lobster

- (1) Rock lobster is undersize if its length, as shown in diagram 4, is—
  - (a) in the case of rock lobster taken from the Northern Zone—less than 10.5 cm;  
or
  - (b) in any other case—less than 9.85 cm.
- (2) In subclause (1)—

**length**, in relation to rock lobster, means the length of the carapace measured in a direct medial line from the most forward part of the median suture marked on the frontal tubercle that is situated between the epimeral plates below and in front of the rostrum to the centre of the posterior edge of the carapace (but not including any hairs on the carapace).

**Diagram 4—Rock lobster (*Jasus edwardsii*)**



## Part 2—Molluscs

### 5—Abalone taken by licensed person

- (1) Abalone of all species (except Blacklip Abalone and Greenlip Abalone) is undersize if—
  - (a) it is less than 13 cm in length; or
  - (b) the meat, having been removed from the shell, weighs less than 113 gm.
- (2) Blacklip Abalone is undersize—
  - (a) if taken in the waters of the Southern Zone within Area S—
    - (i) it is less than 11 cm in width; or
    - (ii) the meat, having been removed from the shell, weighs less than 90 gm; or
  - (b) if taken in the waters of the Southern Zone outside Area S—
    - (i) it is less than 12.5 cm in length; or

- (ii) the meat, having been removed from the shell, weighs less than 106 gm; or
  - (c) if taken in the waters of the State outside the Southern Zone—
    - (i) it is less than 13 cm in length; or
    - (ii) the meat, having been removed from the shell, weighs less than 113 gm.
- (3) Greenlip Abalone is undersize—
  - (a) if taken in the waters of the Western Zone—
    - (i) it is less than 14.5 cm in length; or
    - (ii) the meat, having been removed from the shell, weighs less than 140 gm; or
  - (b) if taken in any other waters of the State—
    - (i) it is less than 13 cm in length; or
    - (ii) the meat, having been removed from the shell, weighs less than 113 gm.
- (4) Despite subclauses (1), (2) and (3), abalone of all species is not to be taken to be undersize if the meat when removed is below the minimum weight referred to in those subclauses provided that—
  - (a) the abalone is brought ashore and before shucking is delivered to a registered fish processor at premises at which that fish processor is registered to carry on business as a fish processor by virtue of the Act; and
  - (b) the length of the abalone is not below that required by this clause.
- (5) In this clause—

**Area S** has the same meaning as in the *Fisheries Management (Abalone Fisheries) Regulations 2006*;

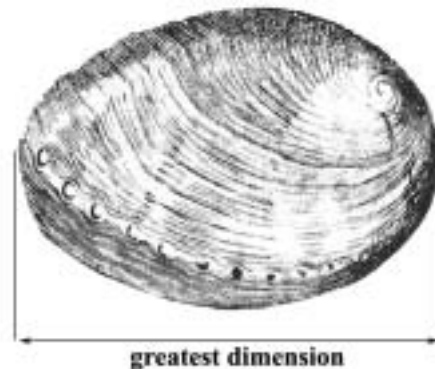
**length**, of an abalone, means the length of the abalone as measured at its greatest dimension as shown in diagram 5;

**Southern Zone** has the same meaning as in the *Fisheries Management (Abalone Fisheries) Regulations 2006*;

**Western Zone** has the same meaning as in the *Fisheries Management (Abalone Fisheries) Regulations 2006*.

- (6) This clause applies only in relation to abalone taken by a licensed person.

**Diagram 5—Abalone (*Haliotis* spp)**



**6—Abalone taken by unlicensed person**

- (1) Abalone of all species (except Greenlip Abalone) is undersize—
- (a) if it is less than 13 cm in length; or
  - (b) if the meat, having been removed from the shell, weighs less than 113 gm.
- (2) Greenlip Abalone is undersize—
- (a) if taken in the waters of the Western Zone—
    - (i) it is less than 14.5 cm in length; or
    - (ii) the meat, having been removed from the shell, weighs less than 140 gm; or
  - (b) if taken in any other waters of the State—
    - (i) it is less than 13 cm in length; or
    - (ii) the meat, having been removed from the shell, weighs less than 113 gm.

- (3) In this clause—

**length**, of an abalone, means the length of the abalone as measured at its greatest dimension as shown in diagram 5 of clause 5;

**Southern Zone** means all coastal waters east of the meridian of longitude 139° East such waters not including the waters of the Coorong or any other waters above the Murray Mouth;

**Western Zone** means all coastal waters west of the meridian of longitude 136°30'00" East.

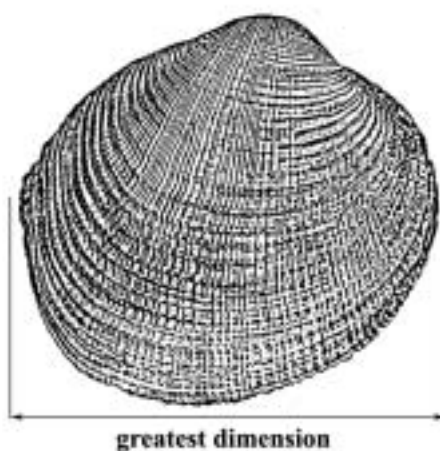
- (4) This clause applies only in relation to abalone taken by an unlicensed person.

## 7—Cockle

Cockle is undersize, if when measured at its greatest dimension as shown in diagram 6—

- (a) in the case of Cockle taken from the waters of Coffin Bay south of the geodesic from the location on Mean High Water Springs closest to 34°31'19.92" South, 135°21'12.12" East (Point Longnose) to the location on Mean High Water Springs closest to 34°31'19.92" South, 135°22'38.52" East—the Cockle is less than 3.8 cm; or
- (b) in any other case—the Cockle is less than 3 cm.

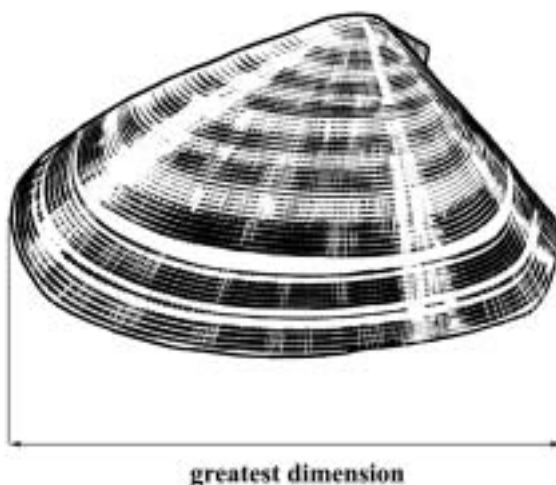
**Diagram 6—Cockle (*Katelysia* spp)**



## 8—Pipi

Pipi is undersize if, when measured at its greatest dimension as shown in diagram 7, it is less than 3.5 cm.

**Diagram 7—Pipi (*Donax* spp)**

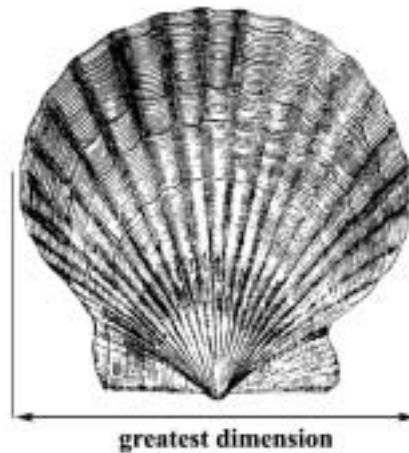




## 9—Scallop

Scallop is undersize if, when measured at its greatest dimension as shown in diagram 8, it is less than 6.5 cm.

**Diagram 8—Scallop (Family PECTINIDAE)**



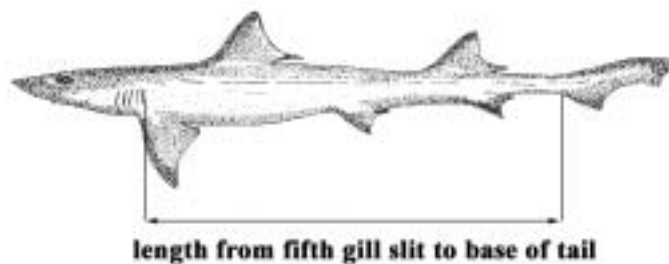
## Part 3—Other fish

### 10—Gummy Shark and School Shark

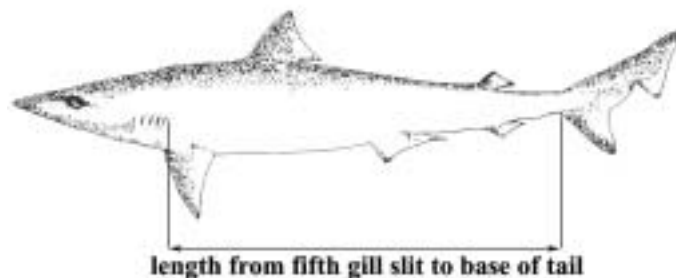
- (1) Gummy Shark or School Shark is undersize if its length is less than 45 cm.
- (2) In this clause—

*length*, in relation to a shark, means the partial length of the shark from the fifth gill slit to the base of the tail, measured in a straight line from the middle of the posterior edge of the gill slit nearest the tail to the ventral insertion of the caudal fin, as shown in diagram 9 or 10.

**Diagram 9—Gummy Shark (*Mustelus antarcticus*)**



**Diagram 10—School Shark (*Galeorhinus galeus*)**

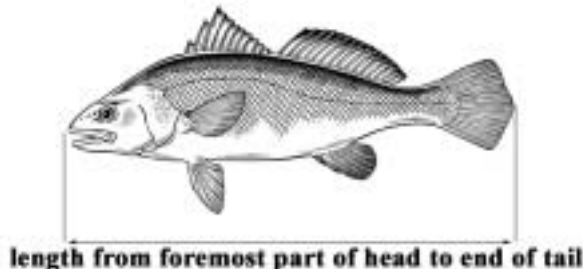


## 11—Mulloway

- (1) Mulloway is undersize if its length, when measured as shown in diagram 11, is—
  - (a) in the case of mulloway taken in Coorong (area 1) or Coorong (area 2)—less than 46 cm; or
  - (b) in any other case—less than 75 cm.
- (2) In subclause (1)—

*length*, in relation to mulloway, means the distance from the foremost part of the head to the end of the tail.

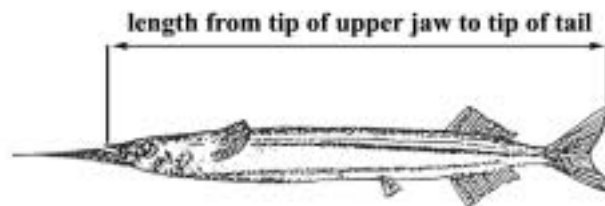
**Diagram 11—Mulloway (*Argyrosomus hololepidotus*)**



## 12—Southern Garfish

Southern Garfish (*Hyporhamphus melanochir*) is undersize if its length, when measured as shown in diagram 12, is less than 23 cm from the foremost part of the upper jaw to the end of the tail fin.

**Diagram 12—Southern Garfish (*Hyporhamphus melanochir*)**

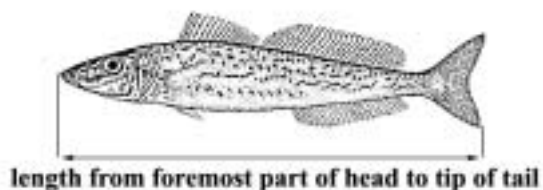


### 13—King George Whiting

- (1) King George Whiting (*Syllaginodes punctatus*) is undersize if—
- (a) in the case of King George Whiting taken in waters of the State east of the meridian of longitude 136° East, or in waters of Spencer Gulf west of that meridian—its length is less than 31 cm; or
  - (b) in any other case—its length is less than 30 cm.
- (2) In subclause (1)—

*length*, in relation to King George Whiting, means the distance measured, as shown in diagram 13, from the foremost part of the head to the end of the tail.

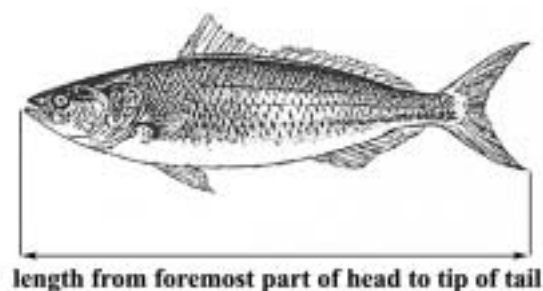
**Diagram 13—King George Whiting (*Syllaginodes punctatus*)**



### 14—Other classes of fish

A fish of a class specified in column 1 of the table below is undersize if that fish is, when measured from the foremost part of the head to the end of the tail as shown in diagram 14, is less than the length (in cm) shown in column 2 of the table immediately alongside of the class so specified.

**Diagram 14—Other fish**



Column 1 Class of fish	Column 2 Length (cm)
Bream ( <i>Acanthopagrus</i> spp)	28
Flathead ( <i>Platycephalus</i> spp.)	30
Flounder (Family Pleuronectidae)(Family Bothidae)	25
Western Blue Groper ( <i>Achoerodus gouldii</i> )	60
Yellowtail Kingfish ( <i>Seriola grandis</i> )	60
Blue Morwong ( <i>Nemadactylus valenciennesi</i> )	38
Mullet (Family Mugilidae)	21

<b>Column 1</b> <b>Class of fish</b>	<b>Column 2</b> <b>Length (cm)</b>
Murray Cod ( <i>Maccullochella peelii</i> )	60
Redfish ( <i>Centroberyx affinis</i> )	30
Bight Redfish ( <i>Centroberyx gerrardi</i> )	30
Golden Perch ( <i>Macquaria ambigua</i> )	33
Lake Eyre Perch ( <i>Macquaria</i> spp)	33
Silver Perch ( <i>Bidyanus bidyanus</i> )	33
Western Australian Salmon ( <i>Arripis truttaceus</i> )	21
Samsonfish ( <i>Seriola hippos</i> )	75
Snapper ( <i>Pagrus auratus</i> )	38
Snook ( <i>Sphyraena novaehollandiae</i> )	45
Swallowtail ( <i>Centroberyx lineatus</i> )	30
Sweep (Family Scorpididae)	24
Silver Trevally ( <i>Pseudocaranx dentex</i> )	24
Brown Trout ( <i>Salmo trutta</i> )	28
Rainbow Trout ( <i>Oncorhynchus mykiss</i> )	28
Yellowfin Whiting ( <i>Sillago schomburgkii</i> )	24

### **Schedule 3—Commercial quantities**

(Regulation 4)

<b>Column 1</b> <b>Class of fish</b>	<b>Column 2</b> <b>Quantity</b>
<b>Crustaceans</b>	
Blue Swimmer Crab ( <i>Portunus pelagicus</i> )	more than 100
Sand Crab ( <i>Ovalipes</i> spp)	more than 100
Southern Rocklobster ( <i>Jasus edwardsii</i> )	more than 15
<b>Molluscs</b>	
Abalone ( <i>Haliotis</i> spp.)	more than 25
Southern Calamari ( <i>Sepioteuthis australis</i> )	more than 40
Razorfish ( <i>Pinna bicolor</i> )	more than 125
<b>Scalefish</b>	
Flounder (Family Bothidae or Pleuronectidae)	more than 50
Southern Garfish ( <i>Hyporhamphus melanochir</i> )	more than 200
Western Blue Groper ( <i>Achoerodus gouldii</i> )	more than 5
Mulloway ( <i>Argyrosomus hololepidotus</i> )—	
(a) 75 cm or more in length	more than 10
(b) less than 75 cm in length	more than 25

<b>Column 1</b> <b>Class of fish</b>	<b>Column 2</b> <b>Quantity</b>
Western Australian Salmon ( <i>Arripis truttaceus</i> ) more than 35 cm in length	more than 40
Snapper ( <i>Pagrus auratus</i> )—	
(a) less than 60 cm in length	more than 40
(b) 60 cm or more in length	more than 5
Snook ( <i>Sphyraena novaehollandiae</i> )	more than 65
King George Whiting ( <i>Sillaginodes punctatus</i> )	more than 75
Yellowfin Whiting ( <i>Sillago schombbergkii</i> )	more than 65

## **Schedule 4—Corresponding laws**

(Regulation 5)

*Fisheries Act* of the Northern Territory

*Fisheries Act 1994* of Queensland

*Fisheries Act 1995* of Victoria

*Fisheries Act 2000* of the Australian Capital Territory

*Fisheries Management Act 1994* of New South Wales

*Fish Resources Management Act 1994* of Western Australia

*Living Marine Resources Management Act 1995* of Tasmania

## **Schedule 5—Protected species**

(Regulation 6)

Crustaceans of the following classes carrying external eggs:

Bug (*Ibacus* spp)

Blue Swimmer Crab (*Portunus pelagicus*)

Giant Crab (*Pseudocarcinus gigas*)

Slipper Lobster (*Scyllarides* spp)

Southern Rocklobster (*Jasus edwardsii*)

Yabby (*Cherax* spp)

Murray River Crayfish (*Euastacus armatus*)

Western Blue Groper (*Achoerodus gouldii*) in the waters of or near Spencer Gulf and Gulf St. Vincent contained within and bounded by a line commencing at Mean High Water Springs closest to 34°56'46.59" South, 135°37'33.92" East (Cape Carnot, Eyre Peninsula), then beginning north-easterly following the line of Mean High Water Springs to the location closest to 35°38'33.80" South, 138°31'20.83" East (Newland Head, Fleurieu Peninsula), then south-westerly to the location on Mean High Water Springs closest to 35°50'32.70" South, 138°08'03.59" East (Cape Willoughby, Kangaroo Island), then beginning north-easterly following the line of Mean High Water Springs to the location closest to 35°53'11.31" South, 136°32'03.88" East (Vennachar Point, Kangaroo Island), then north-westerly to the point of commencement.

Scalefish of the Family Syngnathidae

Scalefish of the Genus Ambassidae

Scalefish of any species of *Mogurnda*

Scalefish of any species of *Nannoperca*

Scalefish of the following species:

River Blackfish (*Gadopsis marmoratus*)

Freshwater Catfish (*Tandanus tandanus*)

Trout Cod (*Maccullochella macquariensis*)

Silver Perch (*Bidyanus bidyanus*)

White Shark (*Carcharodon carcharias*)

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

(Regulation 7(a))

### **Part 1—Fishing activities not to be engaged in by licensed persons**

#### **Division 1—Use of certain devices**

##### **1—Use of mesh nets in Coorong**

The taking of fish by a licensed person in Coorong (area 1), Coorong (area 2) or Coorong coastal waters by using a net other than—

- (a) a small mesh monofilament net; or
- (b) a large mesh monofilament net; or
- (c) a small mesh multifilament hauling net; or
- (d) a large mesh multifilament hauling net.

##### **2—Use of large mesh monofilament net in Coorong (area 1) or (area 2)**

The taking of fish by a licensed person in Coorong (area 1) or Coorong (area 2) by using a large mesh monofilament net otherwise than as a set net.

### **3—Use of certain nets in Coorong (area 1)**

The taking of fish by a licensed person in Coorong (area 1) by using—

- (a) a fish net during the period commencing on 25 December in any year and ending on the following 7 January; or
- (b) a small mesh monofilament net as a set net or a small mesh multifilament hauling net during the period commencing on 1 November in any year and ending on the following 31 March.

### **4—Use of hauling nets in coastal waters during certain holiday periods**

The taking of fish in coastal waters by a licensed person by using a hauling net during—

- (a) the period commencing at 0100 hours on 23 December in any year and ending at midnight on 1 January in the following year; or
- (b) the period commencing at 0100 hours on the Thursday preceding Easter Sunday in any year and ending at midnight on the following Monday; or
- (c) the period commencing at 0100 hours on a Thursday in any year and ending at midnight on the following Sunday if the Friday in that period is a public holiday; or
- (d) the period commencing at 0100 hours on a Friday in any year to midnight on the following Monday if that Monday is a public holiday.

### **5—Use of swinger net in coastal waters**

The taking of fish by a licensed person by using a swinger net in coastal waters other than coastal waters between the Goolwa Beach Road and Kingston Jetty.

### **6—Use of certain devices in River Murray**

The taking of fish by a licensed person in the waters of the River Murray proper by using a device other than a rod and line, hand line, shrimp trap, yabby pot, hoop net, drum net, set line or drop net.

### **7—Use of nets other than bait nets to take fish for bait**

The taking of fish by a licensed person for the purpose of bait in the waters of the State by using a fish net other than a bait net.

### **8—Use of scallop dredge**

The taking of Scallop (Family Pectinidae) by a licensed person in the waters of the State by using a scallop dredge.

## **Division 2—Use of more than permitted number of devices**

### **9—Use of more than permitted number of devices to take fish in Lakes and Coorong**

- (1) The taking of fish of a class referred to in Schedule 1 of the *Fisheries Management (Lakes and Coorong Fishery) Regulations 2006* by a licensed person for a commercial purpose—
  - (a) by using, in the Lakes and Coorong—
    - (i) 2 or more hauling nets at the same time; or
    - (ii) 2 or more swinger nets at the same time; or
  - (b) by using, in coastal marine waters of the Lakes and Coorong, 2 or more mesh nets at the same time.
- (2) In subclause (1)—

*Lakes and Coorong* means the waters of the Coorong, Lake Alexandrina, Lake Albert, and the coastal waters adjacent to South Australia between the location on Mean High Water Springs closest to 35°31'23.50" South, 138°46'23.83" East (Beach Road, Goolwa) and the location on Mean High Water Springs closest to 36°49'34.59" South, 139°50'55.95" East (Kingston SE Jetty).

## **Division 3—Use of devices of unlawful specifications**

### **10—Use of drum net of unlawful specifications**

The taking of fish by a licensed person in the waters of the State by using a drum net that—

- (a) is not made of cotton or synthetic twine; or
- (b) has more than 3 bands; or
- (c) has a band the outside diameter of which exceeds 115 cm; or
- (d) has a body that exceeds 2 m in length; or
- (e) has a wing that exceeds 3 m in length; or
- (f) has a body or wing not covered with cotton or synthetic mesh; or
- (g) has a body covered with a mesh of less than 7.5 cm; or
- (h) has a wing covered with cotton or synthetic mesh of less than 15 cm.

### **11—Use of gill net or mesh net of unlawful specifications in coastal waters**

The taking of fish by a licensed person in coastal waters by using a gill net or mesh net that—

- (a) exceeds 600 m in length; or
- (b) exceeds 5 m in depth; or
- (c) has a mesh of less than 5 cm; or
- (d) has attached to it 1 or more ropes other than floating ropes; or



- (e) has, except where used as a swinger net, attached to it 1 or more ropes the length or combined length of which exceeds 100 m.

## **12—Use of small multifilament mesh nets of unlawful specifications in Coorong**

The taking of fish by a licensed person in Coorong (area 1), Coorong (area 2) or Coorong coastal waters by using a small mesh monofilament net—

- (a) as a set net if—
  - (i) in the case of Coorong (area 1)—
    - (A) the length of the net, or, if the net is being used by the person together with other nets, the total length of the nets exceeds 500 m; or
    - (B) the depth of the net from the surface of the water exceeds 33 meshes of the net;
  - (ii) in the case of Coorong (area 2)—
    - (A) the length of the net exceeds 550 m; or
    - (B) the depth of the net from the surface of the water exceeds 50 meshes of the net;
  - (iii) in the case of Coorong coastal waters—
    - (A) the length of the net exceeds 600 m; or
    - (B) any part of the net extends more than 1 m below the surface of the water; or
- (b) otherwise than as a set net if—
  - (i) the depth of the net from the surface of the water exceeds 50 meshes of the net; or
  - (ii) the length of the net exceeds 100 m; or
  - (iii) the net is not, at least once in every hour, physically examined and cleared of any fish.

## **13—Use of large multifilament mesh net of unlawful specifications as set net in Coorong**

The taking of fish by a licensed person in Coorong (area 1), Coorong (area 2) or Coorong coastal waters by using a large mesh monofilament net as a set net if—

- (a) the depth of the net exceeds 2 m; or
- (b) in the case of—
  - (i) Coorong (area 1)—the length of the net, or, if the net is being used by the person together with other nets, the total length of the nets, exceeds 500 m;
  - (ii) Coorong (area 2)—the length of the net exceeds 550 m;
  - (iii) Coorong coastal waters—the length of the net exceeds 600 m.

#### **14—Use of large mesh monofilament mesh net of unlawful specifications other than as set net in Coorong**

The taking of fish by a licensed person in Coorong coastal waters by using a large mesh monofilament net other than as a set net if—

- (a) the net has a mesh that does not exceed 120 mm; or
- (b) the net consists of line with a minimum breaking strain of less than 9 kg; or
- (c) the net has attached to it a rope or ropes the length or total length of which exceeds 600 m; or
- (d) the length of the net exceeds 100 m.

#### **15—Use of multifilament hauling net of unlawful specifications in Coorong**

The taking of fish by a licensed person—

- (a) by using, in Coorong (area 1), Coorong (area 2) or Coorong coastal waters, a small mesh multifilament hauling net that exceeds 400 m in length;
- (b) by using, in Coorong (area 1), Coorong (area 2) or Coorong coastal waters, a small mesh multifilament hauling net to which is attached—
  - (i) a rope that exceeds 100 m in length; or
  - (ii) ropes the total length of which exceeds 100 m in length; or
- (c) by using, in Coorong (area 1), a large mesh multifilament hauling net that exceeds 240 m in length; or
- (d) by using, in Coorong (area 2), a large mesh multifilament hauling net that exceeds 400 m in length; or
- (e) by using, in Coorong coastal waters, a large mesh multifilament hauling net that exceeds 600 m in length; or
- (f) by using, in Coorong (area 1), Coorong (area 2) or Coorong coastal waters, a large mesh multifilament hauling net to which is attached—
  - (i) a rope which exceeds 50 m in length; or
  - (ii) ropes the total length of which exceeds 50 m in length; or
- (g) by using, in Coorong (area 1), Coorong (area 2) or Coorong coastal waters, a large mesh multifilament hauling net being hauled by use of mechanical power.

#### **16—Use of prawn trawl net of unlawful specifications in coastal waters**

- (1) The taking of prawn by a licensed person in coastal waters by using a prawn trawl net that—
  - (a) has a mesh size of less than 45 mm; or
  - (b) has a headline the length of which exceeds 40 m.
- (2) For the purposes of subclause (1)—
  - (a) the mesh must be measured from the middle of the knot; and

- (b) the length of the headline includes the length of the headline of any other net combined with it that is being used at the same time.

### **17—Use of crab net of unlawful specifications**

The taking of Blue Swimmer Crabs by a licensed person in the waters of the State by using a crab net consisting of a net—

- (a) attached at its opening to a hoop the diameter of which exceeds 150 cm; or
- (b) any part of which extends from the hoop at its opening for more than 30 per cent of the diameter of the hoop; or
- (c) having a mesh size at its base of less than 3 cm.

### **18—Use of rock lobster pot of unlawful specifications in Northern Zone**

- (1) The taking of Southern Rocklobster by a licensed person in the Northern Zone—
  - (a) by using a rock lobster pot that does not comply with subclause (2); or
  - (b) by using, at any 1 time, more than 3 rock lobster pots not fitted with 2 escape gaps that comply with subclause (3).
- (2) A rock lobster pot must—
  - (a) weigh not more than 40 kg; and
  - (b) be not more than 61 cm high; and
  - (c) be not more than 122 cm wide at its base; and
  - (d) have its cove mouth at the top; and
  - (e) be attached by a line to a buoy that complies with regulation 13.
- (3) 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 cm high and 28 cm wide; and
  - (d) be not more than 11 cm above the base of the pot at their highest point.

### **19—Use of rock lobster pot of unlawful specifications in Southern Zone**

The taking of rock lobster by a licensed person in the Southern Zone by using a rock lobster pot that—

- (a) exceeds 150 cm at its widest part; or
- (b) exceeds 120 cm in height; or
- (c) is not attached by a line to a buoy that complies with regulation 13; or
- (d) does not have its cove or mouth at the top; or
- (e) is not fitted with 2 rectangular escape gaps—
  - (i) that are on opposite sides; and
  - (ii) each of which is not less than 15 cm in length and 5.5 cm in depth; and

- (iii) the highest point of each is no more than 11 cm above the base,  
(provided that for the purposes of this paragraph, a rock lobster pot need not be fitted with escape gaps if its sides are covered with mesh of a size of not less than 5 cm which is such that a cylindrical rod 5 cm in diameter is able to be passed through it freely without distorting it).

#### **20—Using fish trap of unlawful specifications to take leather jacket**

The taking of Ocean Jacket (*Nelusetta ayraudi*) by a licensed person in the waters of the State deeper than 60 m by means of a fish trap unless the trap—

- (a) is cylindrical, rectangular or square in shape; and
- (b) is constructed of rigid steel rods not less than 8 mm in diameter; and
- (c) is not, when calculated by measuring its outside dimensions, greater than 1 cubic m in volume; and
- (d) does not have more than 2 openings each not exceeding 30 cm in length and 8 cm in width.

#### **21—Use of fish trap of unlawful specifications in other circumstances**

The taking of fish by a licensed person in the waters of the State by means of a fish trap (other than a crab pot or rock lobster pot) unless—

- (a) the trap does not exceed 2 m at its greatest dimension; and
- (b) each opening in the fish trap is either—
  - (i) rectangular; or
  - (ii) the shape of a funnel; and
- (c) in the case of an opening in the fish trap that is rectangular, the opening—
  - (i) is not greater in size than 20 cm by 6 cm; and
  - (ii) has a rigid frame of steel rod not less than 1.25 cm in diameter; and
- (d) in the case of an opening in a fish trap that is the shape of a funnel, the inner opening of the funnel is—
  - (i) rectangular; and
  - (ii) not greater in size than 20 cm by 6 cm; and
  - (iii) has a rigid frame of steel rod not less than 1.25 cm in diameter.

#### **21A—Use of cockle rake of unlawful specifications**

The taking of Pipi (*Donax* spp) by a licensed person in Coorong coastal waters by using a cockle rake that has a net with a mesh size of less than 43 mm.

### **Division 4—Use of devices with buoy or tag etc**

#### **22—Use of certain devices without buoy**

The taking of fish by a licensed person in the waters of the State by using—

- (a) a drop line that is not marked by a yellow buoy that complies with regulation 13; or

- (b) a trot line that is not marked—
  - (i) at 1 end by a yellow buoy that complies with regulation 13; and
  - (ii) at the other end by 2 black buoys both of which comply with regulation 13; or
- (c) a fish trap that does not have attached to it a buoy that—
  - (i) complies with regulation 13; and
  - (ii) is marked with a black stripe that is 5 cm wide and visible above the water.

### **23—Use of certain devices without tag**

- (1) The taking of fish by a licensed person in the waters of the State by using a device (other than a rod and line, hand line or other hand held device) that does not have—
  - (a) in the case of a device required by these regulations to have a buoy or buoys attached to it—the person's fishery licence or permit number marked on the buoy or buoys or on a tag that complies with regulation 13 and is attached to the device;
  - (b) in any other case—a tag attached to the device that complies with regulation 13 and bears the person's fishery licence or permit number.
- (2) In this regulation—

*licensed person* does not include the holder of a licence in respect of the River Fishery.

### **Division 5—Bag limits**

#### **24—Taking more than daily bag limit of Razorfish**

The taking in any 1 day by a licensed person of more than 50 Razorfish (*Pinna bicolor*) in the waters of the State.

### **Division 6—Miscellaneous**

#### **25—Use of trawl nets and boats in Gulf St. Vincent Prawn Fishery**

The taking of fish by a licensed person under a licence in respect of the Gulf St. Vincent Prawn Fishery in Gulf St. Vincent (as defined in the *Fisheries Management (Prawn Fisheries) Regulations 2006*)—

- (a) by use of a trawl net the length of the headline of which exceeds 29.26 m; or
- (b) by use of more than 1 trawl net at any 1 time where the combined length of the headlines of all the nets exceeds 29.26 m; or
- (c) by use of—
  - (i) a boat that has—
    - (A) an overall length exceeding 22 m; and
    - (B) a main engine the continuous brake power rating of which exceeds 272 kw; and

- (ii) a trawl net or trawl nets other than as a single or double rig; or
- (d) by use of—
  - (i) a boat that has—
    - (A) an overall length not exceeding 15.2 m; and
    - (B) a main engine the continuous brake horse power rating does not exceed 224 kw; and
  - (ii) —
    - (A) a trawl net the length of the headline of which exceeds 27.43 m; or
    - (B) more than 1 trawl net at any 1 time where the combined length of the headlines of all the nets exceeds 27.43 m; or
    - (C) a trawl net or trawl nets other than as a single, double or triple rig.

#### **26—Use of trawl nets and boats in Spencer Gulf Prawn Fishery**

The taking of fish by a licensed person under a licence in respect of the Spencer Gulf Prawn Fishery in Spencer Gulf (as defined in the *Fisheries Management (Prawn Fisheries) Regulations 2006*—

- (a) by use of a boat that has—
  - (i) an overall length exceeding 22 m; and
  - (ii) a main engine the continuous brake power of which exceeds 272 kw; or
- (b) by use of a trawl net the length of the headline of which exceeds 29.26 m; or
- (c) by use of more than 1 trawl net at any 1 time where the combined length of the headlines of all the nets exceeds 29.26 m; or
- (d) a trawl net or trawl nets other than as a single or double rig.

#### **27—Use of trawl nets and boats in West Coast Prawn Fishery**

The taking of fish by a licensed person under a licence in respect of the West Coast Prawn Fishery in West Coast waters (as defined in the *Fisheries Management (Prawn Fisheries) Regulations 2006*)—

- (a) by use of a boat that has—
  - (i) an overall length exceeding 22 m; and
  - (ii) a main engine the continuous brake power rating of which exceeds 272 kw; or
- (b) by use of a trawl net the length of the headline of which exceeds 29.26 m; or
- (c) by use of more than 1 trawl net at any 1 time where the combined length of the headlines of all the nets exceeds 29.26 m; or
- (d) by use of a trawl net or trawl nets other than as a single or double rig.

### **28—Use of unattended long line**

The taking of fish by a licensed person in the waters of the State by using a long line without attending the line.

### **29—Use of more than permitted number of hooks attached to line**

The taking of fish by a licensed person in the waters of the State by using more than 400 hooks attached to a set line or set lines.

### **30—Taking of certain fish in River Murray**

The taking by a licensed person in the waters of the River Murray of fish other than fish of a class prescribed by Schedule 1 of the *Fisheries Management (River Fishery) Regulations 2006*.

### **31—Taking of Blue Swimmer Crab in certain Spencer Gulf waters**

The taking of Blue Swimmer Crab by the holder of a licence in respect of the Blue Crab Fishery or Marine Scalefish Fishery—

- (a) in the waters of Spencer Gulf north of the geodesic from the location on Mean High Water Springs closest to 32°43'45.67" South, 137°47'41.28" East to the location on Mean High Water Springs closest to 32°43'45.67" South, 137°54'11.78" East; or
- (b) in the waters of or near False Bay contained within and bounded by a line commencing at Mean High Water Springs closest to 33°04'26.61" South, 137°32'58.50" East, then beginning north-easterly following the line of Mean High Water Springs to the location closest to 32°59'41.12" South, 137°45'31.96" East (Stony Point), then south-westerly to 33°05'12.75" South, 137°34'10.86" East (north-eastern corner of Whyalla-Cowled's Landing Aquatic Reserve), then north-westerly following the boundary of the Whyalla-Cowled's Landing Aquatic Reserve to the point of commencement; or
- (c) in the waters of or near Fisherman Bay contained within and bounded by a line commencing at Mean High Water Springs closest to 33°32'57.56" South, 137°56'27.59" East, then beginning south-easterly following the line of Mean High Water Springs to the location closest to 33°35'40.46" South, 137°55'20.82" East, then northerly to the location on Mean High Water Springs closest to 33°33'27.77" South, 137°55'24.65" East (Shag Island), then north-easterly to the point of commencement.

### **32—Taking of Blue Swimmer Crab in other waters**

The taking of Blue Swimmer Crab by a licensed person in the waters of the State east of longitude 135° East outside the waters in relation to which the Blue Crab Fishery is constituted.

### 33—Taking of Sand Crab in certain waters

The taking of Sand Crab by a licensed person by using a sand crab pot in—

- (a) the waters of or near Coffin Bay contained within and bounded by a line commencing at Mean High Water Springs closest to 34°25'44.84" South, 135°12'22.73" East (Point Sir Isaac), then easterly to the location on Mean High Water Springs closest to 34°25'06.25" South, 135°21'31.65" East (Frenchman Bluff), then beginning southerly following the line of Mean High Water Springs to the point of commencement; or
- (b) the waters of or near Nepean Bay contained within and bounded by a line commencing at Mean High Water Springs closest to 35°33'52.27" South, 137°38'00.63" East (Point Marsden), then south-easterly to the location on Mean High Water Springs closest to 35°43'05.31" South, 137°54'11.49" East (Kangaroo Head), then beginning south-westerly following the line of Mean High Water Springs to the point of commencement; or
- (c) the waters of or near Port Lincoln contained within and bounded by a line commencing at Mean High Water Springs closest to 34°32'37.85" South, 136°05'20.69" East (Point Bolingbroke), then south-westerly to the location on Mean High Water Springs closest to 34°43'31.35" South, 135°59'43.07" East (Cape Donington), then beginning westerly following the line of Mean High Water Springs to the point of commencement; or
- (d) the waters of or near Streaky Bay contained within and bounded by a line commencing at Mean High Water Springs closest to 32°32'30.54" South, 133°50'57.82" East (Point Brown), then beginning north-easterly following the line of Mean High Water Springs to the location closest to 32°43'21.31" South, 134°03'38.89" East (Cape Bauer), then north-westerly to the point of commencement.

### 34—Taking of Cockle in waters of Coffin Bay

The taking of Cockle (*Katelysia* spp.) by a licensed person for a commercial purpose from—

- (a) the waters of or near Coffin Bay within 50 m of Mean High Water Springs between a location on Mean High Water Springs closest to 34°36'59.79" South, 135°27'02.93" East and the intersection of the underground cable and Mean High Water Springs near 34°37'12.00" South, 135°28'38.61" East; or
- (b) the waters near Goat Island that lie within 50 m of the line of Mean High Water Springs of Goat Island.

### 35—Taking of Blue Swimmer Crab during closed season

The taking by a licensed person of Blue Swimmer Crab in the waters specified in column 1 of the table below during the period specified alongside in column 2.

Column 1	Column 2
Waters	Closed season
The waters of Gulf St. Vincent north of the geodesic from the location on Mean High Water Springs closest to 35°10'04.74" South, 137°40'38.64" East (Troubridge	The period commencing on 1 November in any year and ending on the following 31 December.



Column 1	Column 2
<b>Waters</b>	<b>Closed season</b>
Point, Yorke Peninsula) to the location on Mean High Water Springs closest to 35°36'48.51" South, 138°05'44.01" East (Cape Jervis, Fleurieu Peninsula).	The period commencing on 1 January in any year and ending on the following 15 January.
The waters of Spencer Gulf north of the geodesic from the location on Mean High Water Springs closest to 34°59'07.15" South, 136°00'11.06" East (Cape Catastrophe, Eyre Peninsula) to the location on Mean High Water Springs closest to 35°17'59.60" South, 136°52'50.11" East (Cape Spencer, Yorke Peninsula).	The period commencing on 21 December in any year and ending on the following 19 January.

### 36—Use of untagged device in River Fishery

The taking of fish by the holder of a licence in respect of the River Fishery or an agent of such a person in the River Murray by using a device (other than a rod and line or hand line) if the device does not have attached to it a tag or buoy that complies with regulation 13.

### 37—Taking of fish by electrofishing in Lakes and Coorong

- (1) The taking by a licensed person of a class of fish specified in Schedule 1 of the *Fisheries Management (Lakes and Coorong Fishery) Regulations 2006* in the Lakes and Coorong for a commercial purpose by electrofishing (other than the taking of Bony Bream (*Nematalosa erebi*) or European carp (*Cyprinus carpio*) in Lakes Albert and Alexandrina).

- (2) In subclause (1)—

*Lakes and Coorong* means the waters of the Coorong, Lake Alexandrina, Lake Albert, and the coastal waters adjacent to South Australia between the location on Mean High Water Springs closest to 35°31'23.50" South, 138°46'23.83" East (Beach Road, Goolwa) and the location on Mean High Water Springs closest to 36°49'34.59" South, 139°50'55.95" East (Kingston SE Jetty).

## Part 2—Fishing activities not to be engaged in by unlicensed persons

### Division 1—Use of prohibited devices

#### 38—Use of fish net or long line in coastal waters

The taking of fish by an unlicensed person in coastal waters by using—

- (a) a fish net; or
- (b) a long line.

#### 39—Use of fish net in River Murray

The taking of fish by an unlicensed person in the River Murray proper by using a fish net.

#### **40—Use of fish net in Coorong during certain periods**

The taking of fish by an unlicensed person in Coorong (area 1) by using a fish net during the period commencing on 1 November in any year and ending on the following 31 March.

#### **41—Use of certain fish traps**

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 yabby pot.

### **Division 2—Use of more than permitted number of devices**

#### **42—Use of more than permitted number of devices in coastal waters**

- (1) The taking of fish by an unlicensed person in coastal waters by using—
  - (a) 2 or more hand nets at the same time; or
  - (b) 2 or more mussel dredges at the same time; or
  - (c) 3 or more rock lobster pots at the same time; or
  - (d) 3 or more spear guns at the same time; or
  - (e) 4 or more drop nets at the same time; or
  - (f) 4 or more hoop nets at the same time.
- (2) The taking of fish by an unlicensed person in coastal waters by using, at any 1 time, a combination of the different kinds of devices referred to in the table below if the combination consists of or includes—
  - (a) more than 2 kinds of the different kinds of devices referred to in column 1 of the table; or
  - (b) more than 1 kind of the different kinds of devices referred to in column 2 of the table.

<b>Column 1</b>	<b>Column 2</b>
Hand net	Drop net
Mussel dredge	Hoop net
Spear gun	Rock lobster pot

- (3) This clause does not apply to the taking of fish (other than rock lobster) in coastal waters by an unlicensed person by using not more than 10 hoop nets and not less than 4 hoop nets.

#### **43—Use of more than permitted number of devices in River Murray**

The taking of fish by an unlicensed person in the River Murray proper by using—

- (a) 2 or more dip tins; or

- (b) 2 or more hand nets at the same time; or
- (c) 2 or more shrimp traps at the same time; or
- (d) 4 or more yabby pots at the same time; or
- (e) 4 or more drop nets at the same time; or
- (f) 11 or more hoop nets at the same time; or
- (g) a yabby pot and a drop net at the same time; or
- (h) a hand net, a shrimp trap and 4 hoop nets at the same time.

**44—Use of more than permitted number of devices in Coorong (area 1)**

The taking of fish by an unlicensed person in Coorong (area 1)—

- (a) during the period commencing on 1 April in any year and ending on the following 31 October, by using—
  - (i) 2 or more hand nets at the same time; or
  - (ii) 2 or more mesh nets at the same time; or
  - (iii) 11 or more hoop nets at the same time; or
  - (iv) 4 or more hoop nets and a hand net at the same time; or
  - (v) 4 or more hoop nets and a mesh net at the same time;
- (b) during the period commencing on 1 November in any year and ending on the following 31 March, by using—
  - (i) 2 or more hand nets at the same time; or
  - (ii) 11 or more hoop nets at the same time; or
  - (iii) 4 or more hoop nets and a hand net at the same time.

**45—Use of more than permitted number of devices in Coorong (area 2)**

The taking of fish by an unlicensed person in Coorong (area 2) by using—

- (a) 2 or more hand nets at the same time; or
- (b) 2 or more mesh nets at the same time; or
- (c) 11 or more hoop nets at the same time; or
- (d) 4 or more hoop nets and a hand net at the same time; or
- (e) 4 or more hoop nets and a mesh net at the same time.

**46—Using more than permitted number of devices in Lakes Albert and Alexandrina**

The taking of fish by an unlicensed person in Lakes Albert and Alexandrina by using—

- (a) 2 or more hand nets at the same time; or
- (b) 2 or more mesh nets at the same time; or
- (c) 2 or more shrimp traps at the same time; or

- (d) 4 or more yabby pots at the same time; or
- (e) 4 or more drop nets at the same time; or
- (f) 3 or more different kinds of the kinds of devices referred to paragraphs (a), (b) and (c); or
- (g) a yabby pot and a drop net at the same time; or
- (h) 4 or more hoop nets and 2 different kinds of the kinds of devices referred to in paragraphs (a), (b) and (c).

**47—Use of more than permitted number of devices in Lake George**

The taking of fish by an unlicensed person in Lake George by using—

- (a) 2 or more hand nets at the same time; or
- (b) 3 or more mesh nets at the same time.

**Division 3—Use of devices of unlawful specifications**

**48—Use of mesh net of unlawful specifications in Coorong (area 1)**

The taking of fish by an unlicensed person in Coorong (area 1), during the period commencing on 1 April in any year and ending on the following 31 October, by using a mesh net—

- (a) the length of which exceeds 75 m; or
- (b) the mesh of which does not exceed 50 mm or exceeds 64 mm.

**49—Use of mesh net of unlawful specifications in Coorong (area 2)**

The taking of fish by an unlicensed person in Coorong (area 2) by using a mesh net—

- (a) the length of which exceeds 75 m; or
- (b) the mesh of which does not exceed 50 mm or exceeds 64 mm.

**50—Use of mesh net of unlawful specifications in Lakes Albert and Alexandrina**

The taking of fish by an unlicensed person in Lakes Albert and Alexandrina by using a mesh net—

- (a) the length of which exceeds 75 m; or
- (b) the mesh of which does not exceed 110 mm or exceeds 150 mm.

**51—Use of mesh net of unlawful specifications in Lake George**

The taking of fish by an unlicensed person in Lake George by using a mesh net—

- (a) the length of which exceeds 75 mm; or
- (b) the mesh of which is less than 70 mm.

## **52—Use of crab net or hand net of unlawful specifications**

The taking of crabs of any species (Family Portunidae) by an unlicensed person in the waters of the State by using a crab net or hand net consisting of a net—

- (a) attached at its opening to a hoop the diameter of which exceeds 107 cm; or
- (b) any part of which extends from the hoop at its opening for more than 92 cm.

## **53—Use of rock lobster pot of unlawful specifications**

The taking of rock lobster by an unlicensed person in the Northern Zone or Southern Zone by using a rock lobster pot that—

- (a) exceeds 150 cm at its widest part; or
- (b) exceeds 120 cm in height; or
- (c) does not have its cove or mouth at the top; or
- (d) is not fitted with 2 rectangular escape gaps—
  - (i) that are on opposite sides; and
  - (ii) each of which is not less than 15 cm in length and 5.5 cm in depth; and
  - (iii) the highest point of each is no more than 11 cm above the base,(provided that for the purposes of this paragraph, a rock lobster pot need not be fitted with escape gaps if its sides are covered with mesh of not less than 5 cm which is such that a cylindrical rod 5 cm in diameter is able to be passed through it freely without distorting it).

## **Division 4—Use of devices without buoy or tag etc**

### **54—Use of certain devices without tag**

The taking of fish by an unlicensed person in the waters of the State by using a device (other than a device being held in the hand, a rod and line or hand line or a mesh net or rock lobster pot registered under these regulations) if the device does not have attached to it a tag that—

- (a) complies with regulation 13; and
- (b) bears the name and address of the person using it.

### **55—Use of mesh net without tag**

The taking of fish by an unlicensed person in the waters of the State by using a mesh net registered under these regulations that does not have attached to it a tag that—

- (a) complies with regulation 13; and
- (b) bears the name of the person in whose name the device is registered and the registration number.

**56—Use of drop net without buoy or tag**

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

- (a) a white buoy that complies with regulation 13; and
- (b) a line with a tag that—
  - (i) complies with regulation 13; and
  - (ii) bears the name and address of the person using the net.

**57—Use of hoop net without buoy or tag**

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

- (a) a white buoy that complies with regulation 13; and
- (b) a tag that—
  - (i) complies with regulation 13; and
  - (ii) bears the name and address of the person using the net.

**58—Use of rock lobster pot without buoy or tag etc**

The taking of rock lobster by an unlicensed person in the Northern Zone or Southern Zone by using a rock lobster pot—

- (a) that is not attached by a line to a red buoy—
  - (i) that complies with regulation 13; and
  - (ii) at the top of which is affixed a tag that—
    - (A) complies with regulation 13; and
    - (B) bears the number allotted to the pot on registration of the pot for recreational fishing; or
- (b) that is attached by a line to a buoy that bears a registration number allotted to the pot for use under a fishery licence.

**59—Use of shrimp trap or yabby pot 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 yabby pot 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 pot; and
- (b) when set away from the shore—a white buoy that complies with regulation 13.

## 60—Use of registered device with incorrect tag

The taking of fish by an unlicensed person in the waters of the State by using—

- (a) a mesh net registered for recreational fishing that has attached to it a tag bearing the number allotted to the device on registration of the device for use under a fishery licence; or
- (b) a rock lobster pot registered for recreational fishing that has a line to which is affixed a buoy bearing the number allotted to the device on the registration of the device for use under a fishery licence.

## Division 5—Boat and bag limits

### 61—Recreational non-charter boat fishing daily boat and bag limits

- (1) 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 which the quantity specified in column 3 has already been taken by unlicensed persons on the same day.
- (2) The taking by an unlicensed person in any 1 day, in the waters specified in column 1 of the table below, of more fish of the class specified in column 2 than the quantity specified in column 4.

**Table—Recreational non-charter boat fishing daily boat and bag limits**

Column 1 Waters	Column 2 Class of fish	Column 3 Maximum quantity per boat per day	Column 4 Maximum quantity per person per day
<b>Crustaceans</b>			
The waters of the State	Blue Swimmer Crab ( <i>Portunus pelagicus</i> )	120	40
The waters of the State	Sand Crab ( <i>Ovalipes</i> spp)	120	40
<b>Molluscs</b>			
The waters of the State	Southern Calamari ( <i>Sepioteuthis australis</i> )	45	15
The waters of the State	Cuttlefish ( <i>Sepia</i> spp)	45	15
The waters of the State	Razorfish ( <i>Pinna bicolor</i> )	75	25
The waters of the State	Scallop (Family Pectinidae)	300	100
<b>Scalefish</b>			
The waters of the State	Bream ( <i>Acanthopagrus</i> spp)	30	10
The waters of the Cooper Creek or the Diamantina Creek (including the anabranches and lakes of those creeks)	Large Catfish (Family Plotosidae)	6	2

**Fisheries Management (General) Regulations 2007—1.11.2008 to 16.12.2009**  
 Schedule 6—Classes of fishing activities prescribed for purposes of section 70 of Act

<b>Column 1 Waters</b>	<b>Column 2 Class of fish</b>	<b>Column 3 Maximum quantity per boat per day</b>	<b>Column 4 Maximum quantity per person per day</b>
The waters of the Cooper Creek or the Diamantina Creek (including the anabranches and lakes of those creeks)	Small Catfish (Family Plotosidae)	30	10
The waters of the State	Flathead ( <i>Platycephalus</i> spp)	30	10
The waters of the State	Flounder (Family Bothidae or Pleuronectidae)	60	20
The waters of the State	Southern Garfish ( <i>Hyporhamphus melanochir</i> )	180	60
The waters of the State (other than those waters specified in regulation 6(d))	Western Blue Groper ( <i>Achoerodus gouldii</i> )	6	2
The waters of the State other than the waters of the Cooper Creek or the Diamantina Creek (and the anabranches and lakes of those creeks)	Grunter (Family Teraponidae)	15	5
The waters of the State	Australian Herring ( <i>Arripis georgianus</i> )	180	60
The waters of the State	Blue Morwong ( <i>Nemadactylus valenciennesi</i> )	15	5
The waters of the State	Mullet (Family Mugilidae)	180	60
The waters of the State other than Coorong (area 1) or Coorong (area 2)	Mulloway ( <i>Argyrosomus hololepidotus</i> )	6	2
The waters of the State	Golden Perch ( <i>Macquaria ambigua</i> )	15	5
The waters of the State	Lake Eyre Perch ( <i>Macquaria n.sp</i> )	15	5
The waters of the State	Bight Redfish ( <i>Centroberyx gerrardi</i> )	30	10
The waters of the State	Redfish ( <i>Centroberyx affinis</i> )	30	10
The waters of the State	Large Salmon ( <i>Arripis truttaceus</i> )	30	10
The waters of the State	Small Salmon ( <i>Arripis truttaceus</i> )	60	20
The waters of the State	Samsonfish ( <i>Seriola hippos</i> )	6	2



Column 1 Waters	Column 2 Class of fish	Column 3 Maximum quantity per boat per day	Column 4 Maximum quantity per person per day
The waters of the State	Yellowtail Kingfish ( <i>Seriola grandis</i> )	6	2
The waters of the State	Large Snapper ( <i>Pagrus auratus</i> )	6	2
The waters of Gulf St. Vincent, Investigator Strait and Backstairs Passage	Small Snapper ( <i>Pagrus auratus</i> )	15	5
The waters of the State other than the waters of Gulf St. Vincent, Investigator Strait and Backstairs Passage	Small Snapper ( <i>Pagrus auratus</i> )	30	10
The waters of the State	Snook ( <i>Sphyraena novaehollandiae</i> )	60	20
The waters of the State	Swallowtail ( <i>Centroberyx lineatus</i> )	30	10
The waters of the State	Sweep (Genus Scorpis)	60	20
The waters of the State	Silver Trevally ( <i>Pseudocaranx dentex</i> )	60	20
The waters of the State	Southern Bluefin Tuna ( <i>Thunnus maccoyii</i> )	6	2
The waters of the State	Yellowfin Tuna ( <i>Thunnus albacares</i> )	6	2
The waters of the State	King George Whiting ( <i>Sillaginodes punctatus</i> )	36	12
The waters of the State	Yellowfin Whiting ( <i>Sillago schomburgkii</i> )	60	20
<b>Shark</b>			
The waters of the State	Gummy Shark ( <i>Mustelus antarcticus</i> )	6	2
The waters of the State	School Shark ( <i>Galeorhinus galeus</i> )	6	2

(3) The taking by an unlicensed person, in the waters of the State—

- (a) of Southern Calamari or Cuttlefish from a boat from which 45 Southern Calamari and Cuttlefish in combination have been taken by unlicensed persons on the same day; or
- (b) of crab (being Blue Swimmer Crab or Sand Crab) from a boat from which 120 crab (being a combination of Blue Swimmer Crab and Sand Crab) have already been taken by unlicensed persons on the same day; or
- (c) of perch (being Golden Perch or Lake Eyre Perch) from a boat from which 15 perch (being a combination of Golden Perch and Lake Eyre Perch) have already been taken by unlicensed persons on the same day; or

- (d) of shark (being Gummy Shark or School Shark) from a boat from which 6 shark (being a combination of Gummy Shark and School Shark) have already been taken by unlicensed persons on the same day; or
  - (e) of tuna (being Southern Bluefin Tuna or Yellowfin Tuna) from a boat from which 6 tuna (being a combination of Southern Bluefin Tuna and Yellowfin Tuna) have already been taken by unlicensed persons on the same day.
- (4) The taking by an unlicensed person, in the waters of the State—
- (a) of Southern Calamari or Cuttlefish if the person has already taken 15 Southern Calamari and Cuttlefish in combination on the same day; or
  - (b) of crab (being Blue Swimmer Crab or Sand Crab) if the person has already taken 40 crab (being a combination of Blue Swimmer Crab and Sand Crab) on the same day; or
  - (c) of perch (being Golden Perch or Lake Eyre Perch) if the person has already taken 5 perch (being a combination of Golden Perch and Lake Eyre Perch) on the same day; or
  - (d) of shark (being Gummy Shark or School Shark) if the person has already taken 1 Gummy Shark and 1 School Shark on the same day; or
  - (e) of tuna (being Southern Bluefin Tuna or Yellowfin Tuna) if the person has already taken 1 Southern Bluefin Tuna and 1 Yellowfin Tuna on the same day.
- (5) Subclauses (1) and (3) do not apply in relation to fish taken by unlicensed persons from a registered boat being used under a licence in respect of the Charter Boat Fishery.

## **62—Recreational non-charter boat fishing daily boat and bag limits**

- (1) 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 which the quantity specified in column 3 has already been taken by unlicensed persons on the same day.
- (2) The taking by an unlicensed person in any 1 day, in the waters specified in column 1 of the table below, of more fish of the class specified in column 2 than the quantity specified in column 4.

**Table—Recreational non-charter boat fishing daily boat and bag limits**

<b>Column 1 Waters</b>	<b>Column 2 Class of fish</b>	<b>Column 3 Maximum quantity per boat per day</b>	<b>Column 4 Maximum quantity per person per day</b>
	<b>Crustaceans</b>		
The Northern Zone or the Southern Zone	Southern Rocklobster ( <i>Jasus edwardsii</i> )	8	4
	<b>Molluscs</b>		
The waters of the State	Abalone ( <i>Haliotis</i> spp)	10	5

Column 1 Waters	Column 2 Class of fish	Column 3 Maximum quantity per boat per day	Column 4 Maximum quantity per person per day
	<b>Scalefish</b>		
The waters of the State	Murray Cod ( <i>Maccullochella peeli</i> )	3	1

- (3) Subclause (1) does not apply in relation to fish taken by unlicensed persons from a registered boat being used under a licence in respect of the Charter Boat Fishery.

### 63—Recreational bag limits

The taking by an unlicensed person in any 1 day, in the waters specified in column 1 of the table below, of more fish of the class specified in column 2 than the quantity specified in column 3.

**Table—Recreational fishing—daily bag limits**

Column 1 Waters	Column 2 Class of fish	Column 3 Maximum quantity per person per day
	<b>Crustaceans</b>	
The waters of the State	South-east Crayfish ( <i>Euastacus bispinosa</i> )	5
The waters of the State	Yabby ( <i>Cherax</i> spp)	200
	<b>Molluscs</b>	
The waters of the State	Mud Cockle ( <i>Katelysia</i> spp)	300
The waters of the State	Black Cowrie ( <i>Zoila friendii thersites</i> )	1
The waters of the State	Pipi ( <i>Donax</i> spp)	600
	<b>Scalefish</b>	
The waters of Coorong (area 1) or Coorong (area 2)	Large Mulloway ( <i>Argyrosomus hololepidotus</i> )	2
The waters of Coorong (area 1) or Coorong (area 2)	Small Mulloway ( <i>Argyrosomus hololepidotus</i> )	10

### 64—Recreational charter boat fishing daily bag limits

- (1) 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 carrying more than 3 but not more than 6 passengers from which the quantity specified in column 3 has already been taken by unlicensed persons on the same day.

- (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 carrying more than 3 but not more than 6 passengers 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**

<b>Column 1 Waters</b>	<b>Column 2 Class of fish</b>	<b>Column 3 Maximum quantity per boat per day (charter boat carrying more than 3 but not more than 6 passengers)</b>
<b>Crustaceans</b>		
The waters of the State	Blue Swimmer Crab ( <i>Portunus pelagicus</i> )	120
The waters of the State	Sand crab ( <i>Ovalipes</i> spp)	120
<b>Molluscs</b>		
The waters of the State	Southern Calamari ( <i>Sepioteuthis australis</i> )	45
The waters of the State	Cuttlefish ( <i>Sepia</i> spp)	45
The waters of the State	Razorfish ( <i>Pinna bicolor</i> )	75
The waters of the State	Scallop (Family Pectinidae)	300
<b>Scalefish</b>		
The waters of the State	Bream ( <i>Acanthopagrus</i> spp)	30
The waters of the State	Flathead ( <i>Platycephalus</i> spp)	30
The waters of the State	Flounder (Family Bothidae or Pleuronectidae)	60
The waters of the State	Southern Garfish ( <i>Hyporhamphus melanochir</i> )	180
The waters of the State (other than those waters specified in Schedule 5)	Blue Western Groper ( <i>Achoerodus gouldii</i> )	6
The waters of the State	Australian Herring ( <i>Arripis georgianus</i> )	180
The waters of the State	Yellowtail Kingfish ( <i>Seriola grandis</i> )	6
The waters of the State	Blue Morwong ( <i>Nemadactylus valenciennesi</i> )	15
The waters of the State	Mullet (Family Mugilidae)	180
The waters of the State other than Coorong (area 1) or Coorong (area 2)	Large Mulloway ( <i>Argyrosomus hololepidotus</i> )	6
The waters of the State	Yelloweye Redfish ( <i>Centroberyx australis</i> )	30

Column 1 Waters	Column 2 Class of fish	Column 3 Maximum quantity per boat per day (charter boat carrying more than 3 but not more than 6 passengers)
The waters of the State	Large Salmon ( <i>Arripis truttaceus</i> )	30
The waters of the State	Small Salmon ( <i>Arripis truttaceus</i> )	60
The waters of the State	Samsonfish ( <i>Seriola hippos</i> )	6
The waters of the State	Snook ( <i>Sphyraena novaehollandiae</i> )	60
The waters of the State	Swallowtail ( <i>Centroberyx lineatus</i> )	30
The waters of the State	Sweep (Genus Scorpis)	60
The waters of the State	Silver Trevally ( <i>Pseudocaranx dentex</i> )	60
The waters of the State	Eastern School Whiting ( <i>Sillago flindersi</i> )	60
The waters of the State	Yellowfin Whiting ( <i>Sillago schomburgkii</i> )	60
	<b>Shark</b>	
The waters of the State	Gummy Shark ( <i>Mustelus antarcticus</i> )	6
The waters of the State	School Shark ( <i>Galeorhinus galeus</i> )	6

- (3) This clause applies only in relation to fish taken by unlicensed persons from a registered boat being used under a licence in respect of the Charter Boat Fishery.

### **65—Recreational charter boat fishing daily 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 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 the waters specified in column 1 of the table below, of fish of the class specified in column 2, from a boat carrying not more than 3 passengers 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).
- (3) The taking by an unlicensed person in any 1 day, in the waters specified in column 1 of the table below, from a boat carrying more than 6 passengers, of more fish of the class specified in column 2 than the quantity specified in column 4.

- (4) 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 carrying more than 6 passengers 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**

<b>Column 1 Waters</b>	<b>Column 2 Species of fish</b>	<b>Column 3 Maximum quantity per person per boat per day (charter boat carrying not more than 3 passengers)</b>	<b>Column 4 Maximum quantity per person per boat per day (charter boat carrying more than 6 passengers)</b>
<b>Crustaceans</b>			
The waters of the State	Blue Swimmer Crab ( <i>Portunus pelagicus</i> )	40	20
The waters of the State	Sand Crab ( <i>Ovalipes</i> spp)	40	20
<b>Molluscs</b>			
The waters of the State	Southern Calamari ( <i>Sepioteuthis australis</i> )	15	8
The waters of the State	Mud Cockle ( <i>Anadara</i> & <i>Katylisia</i> spp)	300	150
The waters of the State	Cuttlefish ( <i>Sepia</i> spp.)	15	8
The waters of the State	Razorfish ( <i>Pinna</i> <i>bicolor</i> )	25	13
The waters of the State	Scallop (Family Pectinidae)	100	50
<b>Scalefish</b>			
The waters of the State	Bream ( <i>Acanthopagrus</i> spp.)	10	5
The waters of the State	Flathead ( <i>Platycephalus</i> spp.)	10	5
The waters of the State	Flounder (Family Bothidae or Pleuronectidae)	20	10
The waters of the State	Southern Garfish ( <i>Hyporhamphus</i> <i>melanochir</i> )	60	30
The waters of the State (other than those waters specified in Schedule 5)	Western Blue Groper ( <i>Achoerodus gouldii</i> )	2	1
The waters of the State	Australian Herring ( <i>Arripis georgianus</i> )	60	30

**1.11.2008 to 16.12.2009—Fisheries Management (General) Regulations 2007**  
Classes of fishing activities prescribed for purposes of section 70 of Act—Schedule 6

<b>Column 1 Waters</b>	<b>Column 2 Species of fish</b>	<b>Column 3 Maximum quantity per person per boat per day (charter boat carrying not more than 3 passengers)</b>	<b>Column 4 Maximum quantity per person per boat per day (charter boat carrying more than 6 passengers)</b>
The waters of the State	Blue Morwong ( <i>Nemadactylus valenciennesi</i> )	5	3
The waters of the State	Mullet (Family Mugilidae)	60	30
The waters of the State other than Coorong (area 1) or Coorong (area 2)	Large Mulloway ( <i>Argyrosomus hololepidotus</i> )	2	1
The waters of the State	Yelloweye Redfish ( <i>Centroberyx australis</i> )	10	5
The waters of the State	Swallowtail ( <i>Centroberyx lineatus</i> )	10	5
The waters of the State	Large Salmon ( <i>Arripis truttaceus</i> )	10	5
The waters of the State	Small Salmon ( <i>Arripis truttaceus</i> )	20	10
The waters of the State	Samsonfish ( <i>Seriola hippos</i> )	2	1
The waters of the State	Yellowtail Kingfish ( <i>Seriola grandis</i> )	2	1
The waters of Gulf St. Vincent, Investigator Strait and Backstairs Passage	Large Snapper ( <i>Pagrus auratus</i> )	2	1
The waters of Gulf St. Vincent, Investigator Strait and Backstairs Passage	Small Snapper ( <i>Pagrus auratus</i> )	5	3
The waters of the State other than the waters of Gulf St. Vincent, Investigator Strait and Backstairs Passage	Large Snapper ( <i>Pagrus auratus</i> )	2	1
The waters of the State other than the waters of Gulf St. Vincent, Investigator Strait and Backstairs Passage	Small Snapper ( <i>Pagrus auratus</i> )	10	5
The waters of the State	Snook ( <i>Sphyræna novaehollandiae</i> )	20	10
The waters of the State	Sweep (Genus Scorpis)	20	10

<b>Column 1</b> <b>Waters</b>	<b>Column 2</b> <b>Species of fish</b>	<b>Column 3</b> <b>Maximum quantity per person per boat per day (charter boat carrying not more than 3 passengers)</b>	<b>Column 4</b> <b>Maximum quantity per person per boat per day (charter boat carrying more than 6 passengers)</b>
The waters of the State	Silver Trevally ( <i>Pseudocaranx dentex</i> )	20	10
The waters of the State	Eastern School Whiting ( <i>Sillago flindersi</i> )	20	10
The waters of the State	Yellowfin Whiting ( <i>Sillago schomburgkii</i> )	20	10

- (5) The taking by an unlicensed person, in the waters of the State—
- (a) of Southern Calamari or Cuttlefish from a boat carrying not more than 3 passengers—
    - (i) from which the person has already taken 15 Southern Calamari and Cuttlefish in combination on the same day; or
    - (ii) from which 45 Southern Calamari and Cuttlefish in combination have already been taken by unlicensed persons during the same trip (being a trip lasting more than 3 days); or
  - (b) of Southern Calamari or Cuttlefish from a boat carrying more than 6 passengers—
    - (i) from which the person has already taken 8 Southern Calamari and Cuttlefish in combination on the same day; or
    - (ii) from which 24 Southern Calamari and Cuttlefish in combination have already been taken by unlicensed persons during the same trip (being a trip lasting more than 3 days).
- (6) The taking by an unlicensed person, in the waters of the State—
- (a) of crab (being Blue Swimmer Crab or Sand Crab) from a boat carrying not more than 3 passengers—
    - (i) from which the person has already taken 40 crab (being a combination of Blue Swimmer Crab and Sand Crab) on the same day; or
    - (ii) from which 120 crab (being a combination of Blue Swimmer Crab and Sand Crab) have already been taken by unlicensed persons during the same trip (being a trip lasting more than 3 days); or
  - (b) of crab (being Blue Swimmer Crab or Sand Crab) from a boat carrying more than 6 passengers—
    - (i) from which the person has already taken 20 crab (being a combination of Blue Swimmer Crab and Sand Crab) on the same day; or
    - (ii) from which 60 crab (being a combination of Blue Swimmer Crab and Sand Crab) have already been taken by unlicensed persons during the same trip (being a trip lasting more than 3 days).



- (7) This clause applies only in relation to fish taken by unlicensed persons from a registered boat being used under a licence in respect of the Charter Boat Fishery.

**66—Recreational charter boat fishing daily 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 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 the waters specified in column 1 of the table below, of fish of the class specified in column 2, from a boat carrying not more than 3 passengers 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).
- (3) The taking by an unlicensed person in any 1 day, in the waters specified in column 1 of the table below, from a boat carrying more than 3 passengers, of more fish of the class specified in column 2 than the quantity specified in column 4.
- (4) 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 carrying more than 3 passengers from which a quantity equal to 3 times 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 bag limits**

Column 1 Waters	Column 2 Species of fish	Column 3 Maximum quantity per person per boat per day (charter boat carrying not more than 3 passengers)	Column 4 Maximum quantity per person per boat per day (charter boat carrying more than 3 passengers)
<b>Crustaceans</b>			
The waters of the State	Giant Crab ( <i>Pseudocarcinus gigas</i> )	2	2
The waters of the State	Southern Rocklobster ( <i>Jasus edwardsii</i> )	4	2
<b>Molluscs</b>			
The waters of the State	Abalone ( <i>Haliotis</i> spp)	5	3
The waters of the State	Cockle ( <i>Anadara</i> & <i>Kataysia</i> spp)	300	150
The waters of the State	Pipi ( <i>Donax</i> spp)	600	300
<b>Scalefish</b>			
The waters of the State	King George Whiting ( <i>Sillaginodes punctatus</i> )	12	10

- (5) This clause applies only in relation to fish taken by unlicensed persons from a registered boat being used under a licence in respect of the Charter Boat Fishery.

**67—Recreational charter boat fishing daily bag limits**

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

**Table—Recreational charter boat fishing daily boat and bag limits**

<b>Column 1</b> Waters	<b>Column 2</b> Class of fish	<b>Column 3</b> Maximum quantity per boat per day (charter boat carrying more than 3 passengers)	<b>Column 4</b> Maximum quantity per person per boat per day (charter boat carrying not more than 3 passengers)
<b>Scalefish</b>			
The waters of the State	Barracouta ( <i>Thyrsites atun</i> )	30	10
The waters of the State	Gemfish ( <i>Rexea solandri</i> )	30	10
The waters of the State	Rock Ling ( <i>Genypterus tigerinus</i> )	18	3
The waters of the State	Jackass Morwong ( <i>Nemadactylus macropterus</i> )	30	10
The waters of the State	Bight Redfish ( <i>Centroberyx gerrardi</i> )	30	10
The waters of the State	Albacore ( <i>Thunnus alalunga</i> )	6	2
The waters of the State	Southern Bluefin Tuna ( <i>Thunnus maccoyii</i> )	6	2
The waters of the State	Yellowfin Tuna ( <i>Thunnus albacares</i> )	6	2
The waters of the State	Blue Warehou ( <i>Seriolella brama</i> )	30	10
The waters of the State	Silver Warehou ( <i>Seriolella punctata</i> )	30	10
<b>Shark</b>			
The waters of the State	Gummy Shark ( <i>Mustelus antarcticus</i> )	6	2

Column 1 Waters	Column 2 Class of fish	Column 3 Maximum quantity per boat per day (charter boat carrying more than 3 passengers)	Column 4 Maximum quantity per person per boat per day (charter boat carrying not more than 3 passengers)
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The waters of the State	School Shark ( <i>Galeorhinus galeus</i> )	6	2
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- (4) The taking by an unlicensed person, in the waters of the State—
- (a) of shark (being Gummy Shark or School Shark) from a boat carrying more than 3 passengers from which 6 shark (being a combination of Gummy Shark and School Shark) have already been taken by unlicensed persons on the same day; or
  - (b) of shark (being Gummy Shark or School Shark) from a boat from which 6 shark (being a combination of Gummy Shark and School Shark) have already been taken by unlicensed persons on the same trip (being a trip lasting more than 3 days); or
  - (c) of shark (being Gummy Shark or School Shark) from a boat carrying not more than 3 passengers from which the person has already taken 2 shark (being a combination of Gummy Shark and School Shark) on the same day.
- (5) The taking by an unlicensed person, in the waters of the State—
- (a) of tuna (being Southern Bluefin Tuna or Yellowfin Tuna) from a boat carrying more than 3 passengers from which 6 tuna (being a combination of Southern Bluefin Tuna and Yellowfin Tuna) have already been taken by unlicensed persons on the same day; or
  - (b) of tuna (being Southern Bluefin Tuna or Yellowfin Tuna) from a boat from which 6 tuna (being a combination of Southern Bluefin Tuna and Yellowfin Tuna) have already been taken by unlicensed persons on the same trip (being a trip lasting more than 3 days); or
  - (c) of tuna (being Southern Bluefin Tuna or Yellowfin Tuna) from a boat carrying not more than 3 passengers from which the person has already taken 2 tuna (being a combination of Southern Bluefin Tuna and Yellowfin Tuna) on the same day.
- (6) This clause applies only in relation to fish taken by unlicensed persons from a registered boat being used under a licence in respect of the Charter Boat Fishery.

## **Division 6—Miscellaneous**

### **68—Use of mesh net in Coorong (area 1)**

The taking of fish by an unlicensed person in Coorong (area 1), during the period commencing on 1 April in any year and ending on the following 31 October, by using a mesh net—

- (a) otherwise than by setting it so that it floats with no part of the net more than 1 m below the surface of the water; or

- (b) without attending the net.

### **69—Use of mesh net in Coorong (area 2)**

The taking of fish by an unlicensed person in Coorong (area 2) by using a mesh net—

- (a) otherwise than by setting it so that it floats with no part of the net more than 1 m below the surface of the water; or
- (b) without attending the net.

### **70—Use of mesh net in Lakes Albert and Alexandrina**

The taking of fish by an unlicensed person in Lakes Albert and Alexandrina by using a mesh net—

- (a) otherwise than by setting it so that it floats with no part of the net more than 2 m below the surface of the water; or
- (b) without attending the net.

### **71—Use of mesh net in Lake George**

The taking of fish by an unlicensed person in the waters of Lake George between one and a half hours after sunrise and one and a half hours before sunset on the same day by using a mesh net without attending the net.

## **Part 3—Fishing activities not to be engaged in by any person**

### **Division 1—Use of prohibited devices**

#### **72—Use of device other than permitted device etc**

The taking of fish in the waters of the State for any purpose other than a commercial purpose by using a device other than—

- (a) a permitted device; or
- (b) a rod and line; or
- (c) a hand line.

#### **73—Use of unregistered mesh net or rock lobster pot**

The taking of fish by a person in the waters of the State for a purpose other than a commercial purpose by use of a mesh net or rock lobster pot that is not registered under these regulations in that person's name.

#### **74—Use of bow and arrow**

The taking of fish by any person in the waters of the State by use of a bow and arrow other than the taking of Carp of any species (Family Cyprinidae)—

- (a) in the waters of the River Murray other than the main stream; and
- (b) during daylight hours; and
- (c) by use of a bow and arrow (not being a crossbow) where the person keeps, while using the bow and arrow, a distance of at least 50 m from all other persons not directly involved in that fishing activity.

### **75—Use of long line in Murray Mouth**

The taking of fish in the Murray Mouth by using a long line.

### **76—Use of pointed device to take rock lobster**

The taking of rock lobster in the waters of the State by using a fish spear, hand fish spear, spear gun or other pointed device.

## **Division 2—Use of more than permitted number of devices**

### **77—Use of more than permitted number of rods and lines or hand lines**

The taking of fish in the waters of the State—

- (a) by using 3 or more rods and lines at the same time; or
- (b) by using 3 or more hand lines at the same time; or
- (c) by using a rod and line if, at the same time, he or she is using 2 or more hand lines; or
- (d) by using a hand line if, at the same time, he or she is using 2 or more rods and lines.

### **78—Use of more than permitted number of large mesh nets**

The taking of fish in the waters of the State by using 6 or more large mesh nets at the same time.

### **79—Use of more than permitted number of teaser lines**

The taking of fish in the waters of the State by using, at the same time, 2 or more teaser lines from a jetty, pier, wharf or breakwater abutting land.

## **Division 3—Use of devices of unlawful specifications**

### **80—Use of yabby pot of unlawful specifications in inland waters**

The taking of fish in inland waters by using a yabby pot that—

- (a) is more than 1 m at its greatest dimension; or
- (b) has no more than 2 entrance funnels; or
- (c) has an entrance funnel that exceeds 7.5 cm at its narrowest part.

### **81—Use of fish net of unlawful specifications in Lake George**

The taking of fish by using a fish net having a mesh of less than 7 cm in the waters of Lake George, near Beachport.

### **82—Use of hauling net of unlawful specifications in Venus Bay**

The taking of fish by using a hauling net that exceeds 370 m in length in the waters of or near Venus Bay contained within and bounded by a line commencing at Mean High Water Springs closest to 33°09'38.83" South, 134°39'43.29" East, then beginning easterly following the line of Mean High Water Springs to the location closest to 33°13'19.57" South, 134°38'24.52" East, then north-easterly to the point of commencement.

### **83—Use of hauling net of unlawful specifications in coastal waters**

The taking of fish (other than by the power hauling method of fishing) in coastal waters by using a hauling net or seine net that—

- (a) exceeds 600 m in length; or
- (b) exceeds 10 m in depth; or
- (c) has a mesh size of less than 30 mm; or
- (d) has attached to it a rope or ropes the length or combined lengths of which exceed 100 m.

### **84—Use of hauling net of unlawful specifications for power hauling**

The taking of fish in the waters of the State by using the power hauling method of fishing if the hauling net used—

- (a) exceeds 600 m in length; or
- (b) has a depth exceeding 10 m; or
- (c) has more than 100 m of floating rope attached to it; or
- (d) does not have attached to the bunt end—
  - (i) a flag buoy that complies with regulation 13 and has a yellow flag not less than 30 cm by 30 cm displayed from the top so as to be visible at least 1 m above the water; and
  - (ii) if used between sunset and sunrise—a flashing white light visible all around the bunt end for at least 1 nautical mile.

### **85—Use of mesh net of unlawful specifications in certain Coorong waters**

The taking of fish by using a mesh net that exceeds 150 m in length in those waters of the Coorong within the geodesic from the location on Mean High Water Springs closest to 35°33'09.39" South, 138°54'01.91" East (Point Blenkinsop) to the location on Mean High Water Springs closest to 35°33'39.05" South, 138°54'01.15" East, and the geodesic from the location on Mean High Water Springs closest to 35°35'37.17" South, 139°01'26.49" East (Pelican Point) to the location on Mean High Water Springs closest to 35°35'40.60" South, 139°00'44.56" East (Gnurlung Point).

### **86—Use of mesh net of unlawful specifications in Goolwa waters**

The taking of fish by using a mesh net that exceeds 150 m in length, on any day of any week except Saturday and Sunday in those waters of the Coorong contained within and bounded by a line commencing at Mean High Water Springs closest to 35°31'23.42" South, 138°48'33.33" East (Point Luff), then beginning generally easterly following the line of Mean High Water Springs to the location closest to 35°32'58.82" South, 138°52'45.87" East, then southerly to northern side of the headland of Sir Richard Peninsula near 35°33'18.69" South, 138°52'45.87" East, then beginning north-westerly following the line of Mean High Water Springs to the location closest to 35°31'42.86" South, 138°48'29.08" East, then north-easterly to the point of commencement.

**87—Use of mesh net of unlawful specifications in Lakes Albert and Alexandrina**

The taking of fish in the waters of Lakes Albert and Alexandrina by using a mesh net that—

- (a) exceeds 550 m in length; or
- (b) exceeds 5 m in depth; or
- (c) has a mesh size of less than 50 mm.

**88—Use of large mesh net of unlawful specifications**

The taking of fish in the waters of the State by using a large mesh net that exceeds 600 m in length.

**89—Use of purse seine net of unlawful specifications to take salmon**

The taking of Salmon (*Arripis truttaceus*) in the waters of the State by using a purse seine net that—

- (a) exceeds 900 m in length; or
- (b) exceeds 13 m in depth; or
- (c) has a mesh size of less than 50 mm.

**90—Use of shrimp trap of unlawful specifications**

The taking of fish in the waters of the State by using a shrimp trap that—

- (a) exceeds 400 mm at its greatest dimension; or
- (b) exceeds 200 mm in height; or
- (c) has a net forming part of the trap which has a mesh of less than 5 mm; or
- (d) has an entrance or opening the diameter of which exceeds 30 mm.

**Division 4—Use of unbuoyed or untagged devices**

**91—Use of unbuoyed mesh net or set line**

The taking of fish—

- (a) in the waters of Lakes Albert and Alexandrina, the Coorong or in any contiguous waterway downstream of Wellington by using a mesh net or set line unless—
  - (i) 1 extremity of the net or line is marked by 2 black buoys that comply with regulation 13; and
  - (ii) the other extremity of the net or line is marked by a yellow buoy that complies with regulation 13; and
  - (iii) if the net or line exceeds 50 m in length, the net or line is marked with red buoys that comply with regulation 13 and are placed at intervals not exceeding 50 m; or
- (b) in any other waters of the State by using a mesh net or set line unless—

- (i) 1 extremity of the net or line is marked by a yellow buoy that complies with regulation 13; and
- (ii) the other extremity of the net or line is marked by 2 black buoys that comply with regulation 13.

## **92—Use of unbuoyed fish net**

The taking of fish in the waters of the State by using a fish net (other than a mesh net or drum net) unless—

- (a) 1 extremity of the net is marked by a yellow buoy that complies with regulation 13; and
- (b) the other extremity of the net is marked by 2 black buoys that comply with regulation 13.

## **Division 5—Use of devices near other devices**

### **93—Use of fish net near another fish net in Lakes Albert and Alexandrina, Murray Mouth or Coorong**

The taking of fish by using a fish net in the waters of Lakes Albert and Alexandrina, the Murray Mouth and Coorong within 200 m of any other fish net.

## **Division 6—Use of certain devices in certain waters**

### **94—Use of fish net in Bay of Shoals**

The taking of fish by using a fish net between 1 January and 31 March (both days inclusive) in any year in the waters of or near the Bay of Shoals contained within and bounded by a line commencing at Mean High Water Springs closest to 35°35'49.88" South, 137°37'35.55" East (Cape Rouge), then south-westerly to the location on Mean High Water Springs closest to 35°38'11.62" South, 137°37'10.06" East ('The Bluff'), then beginning north-westerly following the line of Mean High Water Springs to the point of commencement.

### **95—Use of device other than rod and line, handline or hand net in certain waters**

The taking of fish in any of the following waters by using a device other than a rod and line, hand line or hand net:

- (a) the waters of the River Onkaparinga;
- (b) the waters of Baird Bay north of the geodesic from the location on Mean High Water Springs closest to 33°10'33.74" South, 134°22'11.35" East to the location on Mean High Water Springs closest to 33°11'26.08" South, 134°21'04.65" East;
- (c) the waters of or near Antechamber Bay that are within 50 m of a line joining the locations on Mean High Water Springs closest to 35°47'18.16" South, 138°04'15.42" East and 35°47'22.98" South, 138°04'17.43" East (mouth of the Chapman River), together with the waters of Chapman River;



- (d) the waters of or near Vivonne Bay that are within 50 m of a line joining the locations on Mean High Water Springs closest to 35°58'28.32" South, 137°12'04.84" East and 35°58'28.18" South, 137°12'05.91" East (mouth of Eleanor River), together with the waters of Eleanor River;
- (e) the waters of or near Vivonne Bay that are within 50 m of a line joining the locations on Mean High Water Springs closest to 35°59'09.13" South, 137°10'45.34" East and 35°59'05.53" South, 137°10'47.66" East (mouth of the Harriet River), together with the waters of Harriet River;
- (f) the waters of or near Snelling Beach that are within 50 m of a line joining the locations on Mean High Water Springs closest to 35°39'55.39" South, 137°04'28.54" East and 35°39'54.93" South, 137°04'28.66" East (mouth of Middle River), together with the waters of Middle River;
- (g) the waters of or near Western River Cove that are within 50 m of a line joining the locations on Mean High Water Springs closest to 35°40'32.82" South, 136°58'18.68" East and 35°40'32.73" South, 136°58'19.04" East (mouth of Western River), together with the waters of Western River;
- (h) the waters of or near MacDonnell Bay contained within and bounded by a line commencing at Mean High Water Springs closest to 38°03'07.27" South, 140°42'43.43" East, then generally southerly following a line at a radius of 1020 m from the intersection of the Port MacDonnell jetty with Mean High Water Springs at the location closest to 38°03'16.40" South, 140°42'03.30" East to the location on Mean High Water Springs closest to 38°03'23.82" South, 140°41'22.60" East, then beginning south-easterly following the line of Mean High Water Springs to the point of commencement, but excluding the waters of or near MacDonnell Bay contained within and bounded by a line commencing at Mean High Water Springs closest to 38°03'11.78" South, 140°42'26.62" East, then generally north-easterly following the line of Mean High Water Springs to the location closest to 38°03'07.27" South, 140°42'43.43" East, then generally southerly following a line at a radius of 1020 m from the intersection of the Port MacDonnell jetty with Mean High Water Springs at the location closest to 38°03'16.40" South, 140°42'03.30" East to a line 300 m seaward of Mean High Water Springs closest to 38°03'16.88" South, 140°42'45.06" East, then generally south-westerly following a line 300 m seaward of Mean High Water Springs to the location closest to 38°03'1.38" South, 140°42'28.34" East, then north-westerly to the point of commencement.

## **96—Use of certain devices in inland waters**

- (1) The taking of fish in the waters to which this clause applies—
  - (a) other than the taking of short finned eel (*Anguilla australis occidentalis*) using a fyke net that complies with the following requirements:
    - (i) the net must not be more than 1.5 m in height, length and width; and
    - (ii) none of the entrance funnels of the net may exceed 6 cm at their narrowest part; and

- (iii) if made of mesh material (whether rigid or flexible), the mesh must be such as to allow a cylindrical rod 9 mm in diameter to be passed freely through it; and
    - (iv) if made of fish netting, the mesh of the netting must be of at least 3 cm; and
  - (b) other than the taking of fish (other than short finned eel) by a rod and line, hand line, hand net or yabby pot.
- (2) This clause applies to inland waters within the counties of MacDonnell, Robe and Grey, excluding the waters of Lake George.

### **97—Use of towed net in certain waters**

The taking of fish (other than prawn and other than by the power hauling method of fishing) in any of the following waters by the use of a net being towed behind a moving boat or by the hauling of a net through the water by means other than by hand from a boat:

- (a) the waters of Spencer Gulf less than 40 m in depth;
- (b) the waters of Gulf St. Vincent north of the geodesic from the location on Mean High Water Springs closest to 35°10'04.74" South, 137°40'38.64" East (Troubridge Point, Yorke Peninsula) to the location on Mean High Water Springs closest to 35°36'48.51" South, 138°05'44.01" East (Cape Jervis, Fleurieu Peninsula);
- (c) all the waters of the State less than 20 m in depth.

### **98—Use of fish net in certain waters**

The taking of fish by using a fish net in any of the waters of the ocean and bays and gulfs of the State between the meridians of longitude 129°E and 140°58'00"E at a depth exceeding 5 m other than—

- (a) the taking of fish by a large mesh net; or
- (b) the taking of salmon (*Arripis truttaceus*) by a licensed person by using a fish net; or
- (c) the taking of fish by a licensed person by using a bait net for the purpose of bait to be used for the taking of rock lobster in the waters of the fishery in respect of which he or she holds a licence.

### **99—Use of fish net in Spencer Gulf**

The taking of fish by using a fish net—

- (a) in the waters of Spencer Gulf north of the geodesic from the location on Mean High Water Springs closest to 32°48'30.34" South, 137°48'12.72" East to the location on Mean High Water Springs closest to 32°48'30.34" South, 137°54'11.78" East, passing through marine navigation mark 4510/800 near 32°48'30.34" South, 137°49'30.03" East; or
- (b) in the waters of Spencer Gulf commencing at the 5 m mark near Gibbon Point (longitude 136°47.00'E), then easterly along latitude 33°50.00'S to intersect longitude 137°14.00'E, then northerly to the 5 metre mark near Shoal Water Light; or

- (c) in the waters of Spencer Gulf deeper than 5 m and contained within and bounded by a line commencing at Mean High Water Springs closest to 33°37'59.93" South, 137°13'59.95" East, then southerly to 33°49'59.88" South, 137°13'59.96" East, then westerly to the location on Mean High Water Springs closest to 33°49'47.01" South, 136°46'44.74" East (Gibbon Point), then beginning north-easterly following the line of Mean High Water Springs to the point of commencement, other than—
- (i) the taking of fish by any person by using a large mesh net; or
  - (ii) the taking of salmon (*Arripis truttaceus*) by a licensed person by using a fish net; or
  - (iii) the taking of fish by a licensed person by using a fish net for the purpose of live bait to be used for tuna poling.

#### **100—Use of fish net or set line in certain waters**

The taking of fish by using a fish net or set line in those waters of the Coorong contained within and bounded by a line commencing at Mean High Water Springs closest to 35°32'58.82" South, 138°52'45.87" East, then generally easterly following the line of Mean High Water Springs to the location closest to 35°32'59.55" South, 138°53'52.27" East, then south-easterly to the location on Mean High Water Springs closest to 35°33'09.39" South, 138°54'01.91" East (Point Blenkinsop), then southerly to the location on Mean High Water Springs closest to 35°33'39.05" South, 138°54'01.91" East, then beginning north-easterly following the line of Mean High Water Springs to the mouth of the River Murray on the northern side of the headland of Younghusband Peninsula near 35°33'21.95" South, 138°52'53.34" East, then across the mouth of the River Murray to the northern side of the headland of Sir Richard Peninsula near 35°33'18.69" South, 138°52'45.87" East, then northerly to the point of commencement.

#### **101—Use of long line in Murray Mouth**

The taking of fish in the Murray Mouth by using a long line.

#### **102—Use of mesh net as set net in Murray Lakes, Murray Mouth and Coorong**

The taking of fish by using a mesh net as a set net in the waters within 150 m of each side of the Goolwa, Mundoo, Boundary Creek, Ewe Island and Tauwitchere Barrages.

#### **103—Use of mesh net as set net on weekends in certain waters**

The taking of fish by using a mesh net as a set net during the period commencing at midnight on Friday and ending at sunset on the following Sunday in those waters of the Coorong contained within and bounded by a line commencing at Mean High Water Springs closest to 35°31'23.42" South, 138°48'33.33" East (Point Luff), then beginning generally easterly following the line of Mean High Water Springs to the location closest to 35°32'58.82" South, 138°52'45.87" East, then southerly to northern side of the headland of Sir Richard Peninsula near 35°33'18.69" South, 138°52'45.87" East, then beginning north-westerly following the line of Mean High Water Springs to the location closest to 35°31'42.86" South, 138°48'29.08" East, then north-easterly to the point of commencement.

#### **104—Use of hauling net on weekends in certain waters**

The taking of fish by using a hauling net during the period commencing at midnight on Friday and ending at sunset on the following Sunday in that part of the waters described in clause 103 that is usually marked by beacons and commonly known as the "boating channel".

#### **105—Use of certain devices near artificial reefs**

- (1) The taking of fish using a fish net, fish trap, hand fish spear, speargun or long line within 0.5 of a nautical mile from any of the artificial reefs specified in the table below.

<b>Location</b>	<b>Artificial reef</b>	<b>Latitude (South)</b>	<b>Longitude (East)</b>
Ardrossan	Dredge	34°31'48.00"	138°03'35.99"
Giles Point	Tyre module	35°03'00.00"	137°47'23.98"
Glenelg	Dredge	34°58'48.00"	138°26'24.01"
Glenelg	Sunken barge	34°58'48.00"	138°26'24.01"
Glenelg	Tyre module	34°58'48.00"	138°26'24.01"
Grange	Tyre module	34°55'11.99"	138°23'59.98"
Kingscote, Kangaroo Island	Tyre module	35°41'24.00"	137°40'11.99"
Port Augusta	Tyre module	32°40'11.99"	137°45'35.98"
Port Broughton	Car bodies	33°33'00.00"	137°51'36.00"
Port Germein	Pipes	33°03'36.00"	138°00'00.00"
Port Lincoln	Sunken vessel	34°40'48.00"	135°52'11.98"
Port Neill	Sunken vessel	34°06'36.00"	136°22'48.02"
Port Noarlunga	Tyre module	35°09'00.01"	138°26'24.01"
Port Pirie	Tyre module	33°05'24.00"	137°54'36.01"
Streaky Bay	Tyre module		
Wallaroo	Tyre module	33°51'36.00"	137°34'12.03"
Whyalla	Tyre module	32°58'12.00"	137°46'48.00"
Whyalla	Tyre module	33°00'00.00"	137°47'23.98"
Whyalla	Tyre module	33°06'36.00"	137°36'36.00"

- (2) The taking of fish by any person within 930 m from the artificial reef known as Fleurieu Reef, 35°28'09.00" South, 138°09'05.00" East.

#### **106—Use of device for more than 4 hours**

The taking of fish in the waters of the State by using a large mesh net that has been left in the water for a period of more than 4 consecutive hours.

## **Division 7—Use of certain fishing methods**

### **107—Taking of prawn by power hauling method**

The taking of prawn in the waters of the State by using the power hauling method of fishing.

### **108—Taking fish in Gulf St. Vincent or Spencer Gulf using large mesh net**

The taking of fish in the waters of Gulf St. Vincent or Spencer Gulf by using a large mesh net that has not been shot out in a straight line.

### **109—Taking fish by using fish net fixed etc across bay**

The taking of fish by using a fish net that has been fixed, set or staked across any bay, inlet, river, creek or tidal water or the greater part of any bay, inlet, river, creek or tidal water.

### **110—Taking of fish by placing stake etc across mouth of waters**

The taking of fish by fixing or placing any stake, log, stone or other article or thing, other than a fish net, across—

- (a) the whole or any part of the mouth of any waters; or
- (b) the whole or any part of any channel, creek, stream, river or tidal waters, in such a manner as is likely to impair the free passage of fish in those waters.

### **111—Taking of fish using pipeline**

The taking of fish by using a pipeline through which water is pumped from any waters of the State.

### **112—Taking of fish using explosives or certain substances**

The taking of fish in the waters of the State by—

- (a) the explosion of any substance (other than by use of a spear gun); or
- (b) the use of any anaesthetic, narcotic or poisonous substance.

## **Division 8—Bag and boat limits**

### **113—Bag limit on rock lobster taken by diving**

The taking in any 1 day of more than 4 rock lobster by diving in the waters of the State.

## **Division 9—Miscellaneous**

### **114—Taking of undersize fish**

The taking of undersize fish in the waters of the State.

### **115—Taking of oversize fish**

The taking, in the waters of the State, of Western Blue Groper or Murray Cod that exceeds 100 cm in length

**116—Taking of molluscs in West Lakes and adjacent foreshore area**

The taking of molluscs in the waters of West Lakes, and foreshore areas adjacent to those waters, including reserves for public use.

**117—Taking of certain shellfish in Port Adelaide River**

The taking of filter-feeding marine molluscan shellfish in the waters of the Port Adelaide River between Bower Road, Semaphore Park and the junction of Lipson Reach and North Arm, Port Adelaide.

**118—Taking of benthic marine organisms in certain waters**

The taking of a benthic marine organism in waters seaward of the line of Mean High Water Springs to a depth of 2 m in the area of a rocky reef and its waters—

- (a) adjacent to the State; or
- (b) adjacent to an off-shore island forming part of the State.

**119—Taking of prawn in certain waters less than 10 m deep**

The taking of prawn in any waters of the ocean and the bays and gulfs of the State between meridians of longitude 129°E and 140°58'00"E less than 10 m in depth at the low water mark.

**120—Taking of rock lobster in certain waters**

The taking of rock lobster in any of the following waters:

- (a) the waters of or near Cape Jaffa contained within and bounded by a line commencing at the intersection of the jetty with Mean High Water Springs near 36°56'29.89" South, 139°41'17.68" East, then beginning westerly following the line of Mean High Water Springs to the location closest to 36°57'03.35" South, 139°40'22.40" East, then westerly to a line 1000 m seaward of Mean High Water Springs closest to 36°57'03.35" South, 139°39'36.32" East, then beginning north-easterly following a line 1000 m seaward of Mean High Water Springs to the location closest to 36°55'56.88" South, 139°41'17.77" East, then southerly to the northern end of the jetty near 36°56'23.88" South, 139°41'17.77" East, then south along the jetty to the point of commencement; or
- (b) the waters within 1000 m of marine navigation mark number 4860/100 (Margaret Brock Reef) at 36°57'06.54" South, 139°35'42.54" East; or

- (c) the waters of or near Rivoli Bay contained within and bounded by a line commencing at Mean High Water Springs closest to 37°29'32.57" South, 140°00'42.17" East, then north-easterly following the line of Mean High Water Springs to the location closest to 37°29'24.59" South, 140°00'57.58" East (Glen Point), then southerly to a line 100 m seaward of Mean High Water Springs (Penguin Island) closest to 37°29'56.26" South, 140°00'57.16" East, then beginning southerly following a line 100 m seaward of Mean High Water Springs (Penguin Island) to the location closest to 37°29'51.24" South, 140°00'42.22" East, then northerly to the location on Mean High Water Springs closest to 37°29'45.96" South, 140°00'42.22" East, then generally northerly following the line of Mean High Water Springs to the location closest to 37°29'37.46" South, 140°00'42.17" East, then northerly to the point of commencement; or
- (d) the waters of or near Point Annie contained within and bounded by a line commencing at Mean High Water Springs closest to 34°57'09.39" South, 136°58'23.56" East (Point Annie), then beginning south-easterly following the line of Mean High Water Springs to the location closest to 35°00'46.22" South, 136°56'38.30" East, then north-easterly to the location on Mean High Water Springs closest to 34°57'57.82" South, 136°57'21.70" East, then north-easterly to the point of commencement.

### **121—Taking of fish near locks and weir of River Murray proper**

The taking of fish in waters within 150 m of each side of each lock and weir of the River Murray proper.

### **122—Taking of certain fish during closed season**

The taking of fish of a class specified in column 1 of the table below in the waters specified alongside in column 2 during the period specified alongside in column 3.

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Class of fish</b>	<b>Waters</b>	<b>Closed season</b>
<b>Crustaceans</b>		
Southern Rocklobster	The Northern Zone	The period commencing at 1800 hours on 31 May in any year and ending at 1200 hours on the following 1 November.
Southern Rocklobster	The Southern Zone	The period commencing at 1800 hours on 31 May in any year and ending at 0600 hours on the following 1 October.
<b>Molluscs</b>		
Pipi ( <i>Donax</i> spp)	The waters of the State	The period commencing on 1 June in any year and ending on the following 31 October.
Razorfish ( <i>Pinna bicolor</i> )	The waters of Spencer Gulf contained within and bounded by a line commencing at Mean High Water Springs closest to 32°32'29.39" South, 137°45'10.62" East, then easterly to 32°32'29.39" South, 137°46'42.96" East	The period commencing on 1 January in any year and ending on the last day of the following February.

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Class of fish</b>	<b>Waters</b>	<b>Closed season</b>
	(marine navigation mark 4510/028), then south-westerly to 32°32'55.81" South, 137°46'36.13" East (marine navigation mark 4510/825), then south-westerly to 32°33'32.27" South, 137°46'12.88" East (marine navigation mark 4510/821), then south-westerly to 32°34'01.93" South, 137°45'54.43" East (marine navigation mark 4510/817), then south-easterly to 32°35'06.48" South, 137°46'07.59" East (marine navigation mark 4510/020), then south-easterly to 32°36'25.57" South, 137°46'23.68" East (marine navigation mark 4510/013), then south-westerly to 32°38'59.45" South, 137°46'13.77" East (marine navigation mark 4510/009), then south-easterly to 32°41'20.19" South, 137°46'46.26" East (marine navigation mark 4510/808), then westerly to the location on Mean High Water Springs closest to 32°41'20.19" South, 137°45'20.25" East, then generally northerly following the line of Mean High Water Springs to the point of commencement.	The period commencing on 1 October in any year and ending on the following 31 December.
<b>Scalefish</b>		
Bream ( <i>Acanthopagrus</i> spp)	The waters of Onkaparinga River upstream from the bridge on Main South Road at Noarlunga (D V Fleming Bridge) near 35°10'33.20" South, 138°29'55.31" East.	The period commencing on 1 September in any year and ending on the following 30 November.
Murray Cod ( <i>Maccullochella</i> <i>peelii</i> )	The waters of the State	The period commencing on 1 August in any year and ending on the following 31 December.

### **123—Taking fish using wire trace of unlawful gauge with certain hooks**

The taking of fish in the waters of the State by using wire trace of 2 mm or greater gauge in conjunction with fishing hooks size 12/0 or greater.

### **124—Setting of rock lobster pots during closed season**

The setting of a rock lobster pot—

- (a) in the Northern Zone during the period commencing at 1800 hours on 31 May in any year and ending at 1200 hours on the following 1 November; or
- (b) in the Southern Zone during the period commencing at 1800 hours on 31 May in any year and ending at 0600 hours on the following 1 October.

### **125—Setting of rock lobster pots containing rock lobster**

The setting in the waters of the State, for a purpose other than a commercial purpose, of a rock lobster pot that contains rock lobster.



## **126—Use of registered boat other than under fishery authority**

- (1) The taking of fish in the waters of the State by using a registered boat other than the taking of fish under a fishery authority.
- (2) Subclause (1) does not apply if—
  - (a) the Minister has been given prior notice by telephone of the intended use of a registered boat to take fish other than under a fishery authority; or
  - (b) the boat is registered for use under a licence in respect of the Charter Boat Fishery and the boat is to be used by unlicensed persons for recreational fishing.

## **Schedule 7—Areas in which use of fish nets is prohibited under section 70 of Act**

(Regulation 7(b))

### **Part 1—Areas in which use of fish nets is prohibited**

#### **Fowlers Bay**

The waters of or near Fowlers Bay contained within and bounded by a line commencing at Mean High Water Springs closest to 31°59'14.72" South, 132°26'19.75" East, then easterly to 31°59'15.17" South, 132°26'41.77" East, then south-easterly to the location on Mean High Water Springs closest to 32°00'38.82" South, 132°27'40.86" East, then beginning westerly following the line of Mean High Water Springs to the point of commencement.

#### **Denial Bay and Smoky Bay**

The waters of or near Denial Bay and Smoky Bay contained within and bounded by a line commencing at Mean High Water Springs closest to 32°12'29.45" South, 133°07'32.31" East (Point Bell), then beginning north-easterly following the line of Mean High Water Springs to the location closest to 32°32'33.78" South, 133°51'02.21" East (Point Brown), then north-westerly to 32°28'16.54" South, 133°37'55.25" East, then north-westerly to the point of commencement.

#### **Streaky Bay—Blanche Port**

The waters of or near Streaky Bay contained within and bounded by a line commencing at Mean High Water Springs closest to 32°30'16.97" South, 133°59'23.91" East, then beginning north-easterly following the line of Mean High Water Springs to the location closest to 32°43'23.22" South, 134°03'39.17" East, then north-westerly to the point of commencement.

#### **Baird Bay West Coast**

The waters of Baird Bay north of the geodesic from the location on Mean High Water Springs closest to 33°10'33.74" South, 134°22'11.35" East to the location on Mean High Water Springs closest to 33°11'26.08" South, 134°21'04.65" East.

### **Waterloo Bay**

The waters of or near Waterloo Bay contained within and bounded by a line commencing at Mean High Water Springs closest to 33°38'38.41" South, 134°51'40.08" East (Salmon Point), then beginning north-easterly following the line of Mean High Water Springs to the location closest to 33°39'09.14" South, 134°52'42.26" East (Wellington Point), then north westerly to the point of commencement

### **Venus Bay (West Coast)**

The waters of or near Venus Bay contained within and bounded by a line commencing at Mean High Water Springs closest to 33°09'38.83" South, 134°39'43.29" East, then beginning easterly following the line of Mean High Water Springs to the location closest to 33°13'19.57" South, 134°38'24.52" East, then north easterly to the point of commencement.

### **Coffin Bay**

The waters of or near Coffin Bay contained within and bounded by a line commencing at Mean High Water Springs closest to 34°25'44.84" South, 135°12'22.73" East (Point Sir Isaac), then easterly to the location on Mean High Water Springs closest to 34°25'06.25" South, 135°21'31.65" East (Frenchman Bluff), then beginning southerly following the line of Mean High Water Springs to the point of commencement.

### **Port Lincoln**

The waters of or near Port Lincoln contained within and bounded by a line commencing at Mean High Water Springs closest to 34°32'37.85" South, 136°05'20.69" East (Point Bolingbroke), then south-westerly to the location on Mean High Water Springs closest to 34°43'31.35" South, 135°59'43.07" East (Cape Donington), then beginning westerly following the line of Mean High Water Springs to the point of commencement.

### **Tod River**

The waters near Tod River contained within and bounded by a line at a radius of 200 m from the intersection of the outlet of the Tod River and Mean High Water Springs at the location closest to 34°35'31.19" South, 135°54'08.32" East, together with the waters of the Tod River.

### **Tumby Bay**

The waters of or near Tumby Bay contained within and bounded by a line commencing at Mean High Water Springs closest to 34°21'23.30" South, 136°06'53.04" East, then south-easterly to the location on Mean High Water Springs (Tumby Island) closest to 34°24'27.09" South, 136°08'32.13" East, then beginning westerly following the line of Mean High Water Springs to the location closest to 34°24'44.25" South, 136°08'26.07" East, then north-westerly to the location on Mean High Water Springs closest to 34°24'28.47" South, 136°07'45.86" East, then beginning easterly following the line of Mean High Water Springs to the point of commencement.

The waters of or near Tumby Bay contained within and bounded by a line at a radius of 500 m from the mouth of Second Creek near 34°25'25.76" South, 136°06'24.22" East.

### **Port Neill**

The waters near Port Neill contained within and bounded by a line commencing at Mean High Water Springs closest to 34°06'17.69" South, 136°21'02.71" East, then south-easterly to the location on Mean High Water Springs closest to 34°07'16.48" South, 136°21'22.78" East (Cape Burr), then beginning north-westerly following the line of Mean High Water Springs to the point of commencement.

### **Arno Bay**

The waters of or near Arno Bay contained within and bounded by a line commencing at Mean High Water Springs closest to 33°54'55.27" South, 136°34'37.07" East, then southerly to the location on Mean High Water Springs closest to 33°55'54.77" South, 136°34'41.90" East (Cape Driver), then beginning north-westerly following the line of Mean High Water Springs to the point of commencement.

### **Cowell: Franklin Harbour**

The waters of or near Franklin Harbour contained within and bounded by a line commencing at Mean High Water Springs closest to 33°43'33.93" South, 136°59'24.61" East (Victoria Point), then south-westerly to the location on Mean High Water Springs closest to 33°44'30.71" South, 136°58'09.97" East (Germein Point), then beginning northerly following the line of Mean High Water Springs to the point of commencement.

### **Germein Bay**

The waters of or near Germein Bay contained within and bounded by a line commencing at Mean High Water Springs closest to 32°59'51.51" South, 137°57'19.78" East (Ward Point), then beginning south-easterly following the line of Mean High Water Springs to the location closest to 33°09'39.78" South, 137°56'30.51" East, then northerly to 33°06'50.44" South, 137°56'24.86" East (marine navigation mark 4410/703), then north-westerly to 33°02'41.90" South, 137°49'33.09" East (marine navigation mark 4410/100), then north-easterly to the point of commencement.

### **Port Broughton—Fisherman Bay**

The waters of or near Fisherman Bay contained within and bounded by a line commencing at Mean High Water Springs closest to 33°32'57.56" South, 137°56'27.59" East, then beginning south-easterly following the line of Mean High Water Springs to the location closest to 33°35'40.46" South, 137°55'20.82" East, then northerly to the location on Mean High Water Springs closest to 33°33'27.77" South, 137°55'24.65" East (Shag Island), then north-easterly to the point of commencement.

### **Port Victoria**

The waters of or near Port Victoria greater than 5 m in depth and contained within and bounded by a line commencing at Mean High Water Springs closest to 34°23'51.80" South, 137°26'48.28" East (Reef Point), then beginning south-westerly following the line of Mean High Water Springs to the location closest to 34°30'32.13" South, 137°28'26.40" East (Point Gawler), then north-westerly to the location on Mean High Water Springs closest to 34°29'09.20" South, 137°25'26.11" East (Rocky Island), then beginning north-easterly following the line of Mean High Water Springs to the location closest to 34°29'09.10" South, 137°25'25.85" East (Rocky Island), then north-westerly to the location on Mean High Water Springs closest to 34°27'26.21" South, 137°21'56.29" East (Goose Island), then beginning north-easterly following the line of Mean High Water Springs to the location closest to 34°27'17.30" South, 137°21'50.51" East (Goose Island), then north-easterly to the location on Mean High Water Springs closest to 34°27'12.96" South, 137°21'56.82" East (Little Goose Island), then beginning south-easterly following the line of Mean High Water Springs to the location closest to 34°27'11.22" South, 137°21'59.32" East (Little Goose Island), then north-easterly to the point of commencement.

### **Pondalowie Bay**

The waters of or near Pondalowie Bay contained within and bounded by a line commencing at Mean High Water Springs closest to 35°11'25.53" South, 136°50'46.19" East (Royston Head), then generally southerly following the line of Mean High Water Springs to the location closest to 35°13'57.74" South, 136°49'52.47" East, then northerly to the location on Mean High Water Springs (South Island) closest to 35°13'54.60" South, 136°49'52.74" East, then generally north-easterly following the line of Mean High Water Springs (South Island) to the location closest to 35°13'48.01" South, 136°49'59.86" East, then north-easterly to the location on Mean High Water Springs (Middle Island) closest to 35°12'57.07" South, 136°50'07.18" East, then north-easterly to the location on Mean High Water Springs (Royston Island) closest to 35°11'48.70" South, 136°50'25.95" East, then north-easterly to the point of commencement.

### **Wedge Island**

The waters near Wedge Island contained within and bounded by a line commencing at Mean High Water Springs closest to 35°07'02.10" South, 136°27'49.91" East (North Island), then beginning southerly following the line of Mean High Water Springs (North Island) to the location closest to 35°07'15.69" South, 136°28'43.69" East, then south-easterly to the location on Mean High Water Springs (Wedge Island) closest to 35°09'40.27" South, 136°29'38.68" East, then beginning north-westerly following the line of Mean High Water Springs (Wedge Island) to the location closest to 35°08'04.24" South, 136°27'05.19" East, then north-easterly to the point of commencement.

The waters near Wedge Island contained within and bounded by a line commencing at Mean High Water Springs closest to 35°08'04.24" South, 136°27'05.19" East (Wedge Island), then beginning south-easterly following the line of Mean High Water Springs (Wedge Island) to the location closest to 35°08'54.21" South, 136°26'30.33" East, then north-easterly to the point of commencement.

### **Brown's Beach—Yorke Peninsula**

The waters of or near Browns Beach contained within and bounded by a line commencing at Mean High Water Springs closest to 35°09'39.08" South, 136°53'38.16" East, then beginning south-easterly following the line of Mean High Water Springs to the location closest to 35°11'05.05" South, 136°53'02.46" East, then north-easterly to the point of commencement.

### **Stansbury**

The waters of or near Oyster Bay contained within and bounded by a line commencing at Mean High Water Springs closest to 34°54'06.55" South, 137°47'47.65" East, then north-easterly to a point 200 m north of the Stansbury jetty near 34°54'00.03" South, 137°47'58.18" East, then south-easterly to the location on Mean High Water Springs closest to 34°54'42.50" South, 137°48'19.63" East (Oyster Point), then beginning westerly following the line of Mean High Water Springs to the point of commencement.

### **Coobowie**

The waters of or near Salt Creek Bay contained within and bounded by a line commencing at Mean High Water Springs closest to 35°02'38.21" South, 137°45'00.39<sup>2</sup> East (Hickies Point), then south-westerly to the end of the old Coobowie jetty structure (as defined by a "H" shaped pylon) near 35°02'46.38" South, 137°44'20.80" East, then south-westerly to the intersection of the causeway and Mean High Water Springs at the location closest to 35°03'15.22" South, 137°43'40.37" East, then generally easterly following the line of Mean High Water Springs to the point of commencement.

### **Edithburgh**

The waters of or near Sultana Bay contained within and bounded by a line commencing at Mean High Water Springs closest to 35°06'10.31" South, 137°44'36.48" East, then south-easterly to the location on Mean High Water Springs closest to 35°06'43.01" South, 137°45'32.80" East, then north-westerly following the line of Mean High Water Springs to the point of commencement.

The waters of or near Edithburgh greater than 5 m in depth and contained within and bounded by a line commencing at Mean High Water Springs closest to 35°02'40.94" South, 137°45'27.81" East, then south-easterly to the location on Mean High Water Springs closest to 35°07'04.65" South, 137°49'24.49" East (Troubridge Island), then southerly to 35°09'12.66" South, 137°49'16.98" East (marine navigation mark 4630/100), then north-westerly to the location on Mean High Water Springs closest to 35°06'43.01" South, 137°45'32.80" East, then beginning north-westerly following the line of Mean High Water Springs to the point of commencement.

### **Price**

The waters near Price contained within and bounded by a line at a radius of 2040 m from marine navigation mark 4680/000 near 34°16'23.76" South, 138°01'21.91" East (Mangrove Point).

### **Port Wakefield**

The waters of or near the Mouth of Wakefield River contained within and bounded by a line commencing at Mean High Water Springs closest to 34°11'14.63" South, 138°08'39.43" East, then beginning south-easterly following the line of Mean High Water Springs to the location closest to 34°11'26.74" South, 138°08'40.00" East (Port Wakefield wharf), then south-westerly to 34°11'30.24" South, 138°08'37.74" East (marine navigation beacon 4710/811), then south-westerly to 34°11'34.38" South, 138°08'35.76" East (marine navigation beacon 4710/809), then south-westerly to 34°11'38.58" South, 138°08'32.16" East (marine navigation beacon 4710/804), then south-westerly to 34°11'43.32" South, 138°08'28.38" East (marine navigation beacon 4710/807), then north-westerly to 34°11'39.76" South, 138°08'21.24" East, then north-easterly to the location on Mean High Water Springs closest to 34°11'18.86" South, 138°08'37.36" East, then generally north-easterly following the line of Mean High Water Springs to the location closest to 34°11'16.63" South, 138°08'37.94" East, then north-easterly to the point of commencement.

### **Port Adelaide River**

The waters of or near Outer Harbor and the Port Adelaide River contained within and bounded by a line commencing at the location closest to 34°44'03.57" South, 138°27'55.27" East (Black Pole, marine navigation mark 3193/000), then south-easterly to 34°45'08.08" South, 138°30'57.74" East (marine navigation mark 3193/001), then south-westerly contiguous with the northern extremity of the mangroves to the location closest to 34°45'25.78" South, 138°30'33.12" East (Point Grey), then generally south-easterly contiguous with the western extremity of the mangroves to the location on Mean High Water Springs closest to 34°46'13.68" South, 138°31'21.37" East, then beginning south-westerly following the line of Mean High Water Springs to the intersection of Mean High Water Springs with the Grand Trunkway Road Bridge near 34°48'32.52" South, 138°31'25.04" East, then southerly following the Grand Trunkway Road Bridge to the location on Mean High Water Springs closest to 34°48'45.14" South, 138°31'31.04" East, then beginning westerly following the line of Mean High Water Springs to the intersection of the southernmost Outer Harbor breakwater with Mean High Water Springs near 34°46'59.03" South, 138°28'40.48" East, then south-westerly following the breakwater to its seaward end near 34°47'19.97" South, 138°28'00.71" East, then north-easterly to the seaward end of the northernmost Outer Harbor breakwater near 34°47'02.51" South, 138°28'12.11" East, then generally north-easterly following the breakwater to the location on Mean High Water Springs closest to 34°45'56.18" South, 138°28'57.03" East, then north-westerly following the line of Mean High Water Springs to the location closest to 34°45'55.98" South, 138°28'56.69" East, then north-westerly to the point of commencement.

### **Outer Harbor to Aldinga**

The waters of Gulf St. Vincent contained within and bounded by a line commencing at the intersection of the southernmost breakwater at Outer Harbor with Mean High Water Springs closest to 34°46'59.03" South, 138°28'40.48" East, then beginning south-easterly following the line of Mean High Water Springs to the location closest to 35°17'00.75" South, 138°26'33.51" East, then north-westerly following the southern boundary of the Aldinga Reef Aquatic Reserve to a line 600 m seaward of Mean High Water Springs closest to 35°17'00.76" South, 138°26'09.77" East, then beginning north-easterly following a line 600 m seaward of Mean High Water Springs to the southernmost breakwater at Outer Harbor closest to 34°47'10.42" South, 138°28'21.35" East, then north-easterly following the breakwater to the point of commencement.

### **Patawalonga Lake**

The waters of the Patawalonga Lake together with the waters of Holdfast Bay contained within and bounded by a line at a radius of 500 m from the intersection of the northernmost part of the sluice gates at the mouth of the Patawalonga Lake with Mean High Water Springs at the location closest to 34°58'29.32" South, 138°30'42.40" East.

### **Kangaroo Island—Kingscote Spit**

The waters of or near Kingscote Harbor contained within and bounded by a line commencing at Mean High Water Springs closest to 35°33'55.75" South, 137°38'02.97" East (Point Marsden), then south-easterly to 35°38'34.01" South, 137°42'17.06" East, then south-westerly to 35°40'21.65" South, 137°40'56.46" East, then north-westerly to the intersection of the Kingscote jetty with Mean High Water Springs near 35°39'18.34" South, 137°38'36.55" East, then beginning north-easterly following the line of Mean High Water Springs to the location closest to 35°38'09.97" South, 137°37'01.34" East (The Bluff), then north-easterly to the location on Mean High Water Springs closest to 35°35'49.88" South, 137°37'35.55" East (Cape Rouge), then generally north-easterly following the line of Mean High Water Springs to the point of commencement.

### **American River—Eastern Cove**

The waters of or near Ballast Head Harbor and American River contained within and bounded by a line commencing at Mean High Water Springs closest to 35°46'07.70" South, 137°47'10.53" East, then easterly to the location on Mean High Water Springs closest to 35°45'56.37" South, 137°52'53.45" East, then beginning south-westerly following the line of Mean High Water Springs to the location closest to 35°47'52.88" South, 137°45'46.07" East (Picnic Point), then north-westerly to the location on Mean High Water Springs closest to 35°47'33.30" South, 137°45'28.61" East, then beginning northerly following the line of Mean High Water Springs to the point of commencement.

### **Parson's Beach—Fleurieu Peninsula**

The waters of or near Parsons Beach contained within and bounded by a line commencing at Mean High Water Springs closest to 35°37'55.46" South, 138°27'29.14" East, then beginning north-easterly following the line of Mean High Water Springs to the location closest to 35°38'02.25" South, 138°28'30.11" East, then westerly to the point of commencement.

### **Waitpinga Beach—Fleurieu Peninsula**

The waters of or near Waitpinga Beach contained within and bounded by a line commencing at Mean High Water Springs closest to 35°38'04.11" South, 138°28'46.83" East, then beginning north-easterly following the line of Mean High Water Springs to the location closest to 35°38'33.82" South, 138°31'20.77" East, then north-westerly to the point of commencement.

### **Encounter Bay**

The waters of or near Encounter Bay contained within and bounded by a line commencing at Mean High Water Springs closest to 35°32'38.42" South, 138°37'51.83" East, then south-easterly to 35°33'45.62" South, 138°38'18.12" East (end of breakwater on Granite Island), then south-westerly to the location on Mean High Water Springs closest to 35°35'31.46" South, 138°36'21.21" East, then beginning northerly following the line of Mean High Water Springs to the point of commencement.

### **Murray Mouth**

The Coorong and coastal waters that are within 500 m of a line joining the locations on Mean High Water Springs closest to 35°33'18.69" South, 138°52'45.87" East (northern side of the headland of Sir Richard Peninsula) and 35°33'21.95" South, 138°52'53.34" East (northern side of the headland of Younghusband Peninsula).

### **Guichen Bay, Robe**

The waters of or near Guichen Bay contained within and bounded by a line commencing at Mean High Water Springs closest to 37°09'21.43" South, 139°44'51.14" East, then south-easterly to the location on Mean High Water Springs closest to 37°09'49.64" South, 139°46'55.37" East, then beginning south-westerly following the line of Mean High Water Springs to the point of commencement.

### **Robe Lakes**

The inland waters within the Hundred of Waterhouse.

### **Rivoli Bay, Beachport**

The waters of or near Rivoli Bay contained within and bounded by a line commencing at Mean High Water Springs closest to 37°28'28.77" South, 140°02'06.55" East, then south-westerly to the location on Mean High Water Springs closest to 37°28'54.50" South, 140°00'54.31" East (approximate intersection of Beachport jetty and Mean High Water Springs), then generally north-easterly following the line of Mean High Water Springs to the location closest to 37°28'37.59" South, 140°01'10.27" East (Lake George Outlet Drain), then generally north-westerly following the Lake George Outlet Drain to the location on Mean High Water Springs closest to 37°28'25.80" South, 140°00'58.93" East, then easterly across the Lake George Outlet Drain to the location closest to 37°28'25.67" South, 140°01'00.67" East (Lake George Outlet Drain), then generally south-easterly following the Lake George Outlet Drain to the location on Mean High Water Springs closest to 37°28'36.67" South, 140°01'11.84" East, then generally north-easterly following the line of Mean High Water Springs to the point of commencement.

### **Admella Dunes**

The waters of or near The Admella Dunes contained within and bounded by a line commencing at Mean High Water Springs closest to 37°52'00.03" South, 140°21'44.14" East, then generally south-easterly following the line of Mean High Water Springs to the location closest to 37°53'55.30" South, 140°22'31.76" East then south-westerly to a line 300 m seaward of Mean High Water Springs closest to 37°53'57.34" South, 140°22'19.64" East, then generally north-westerly following a line 300 m seaward of Mean High Water Springs to the location closest to 37°51'59.98" South, 140°21'31.86" East, then easterly to the point of commencement.



### **Brown Bay**

The waters of or near Brown Bay contained within and bounded by a line commencing at Mean High Water Springs closest to 38°03'01.21" South, 140°52'20.75" East (Green Point), then southerly to a line 300 m seaward of Mean High Water Springs closest to 38°03'12.23" South, 140°52'20.73" East, then beginning north-westerly following a line 300 m seaward of Mean High Water Springs to the location closest to 38°03'04.96" South, 140°48'26.66" East, then northerly to the location on Mean High Water Springs closest to 38°02'55.24" South, 140°48'26.69" East (Danger Point), then beginning easterly following the line of Mean High Water Springs to the point of commencement.

### **Cooper Creek**

The waters of Cooper Creek, its anabranches and lakes.

### **Other waters**

All the inland waters of the State other than the inland waters specified in these regulations and the waters of the River Murray, the Coorong, Lakes Albert and Alexandrina and Lake George.

### **Jetties, Piers and Wharves**

The waters within—

- (a) a distance of 500 m from any portion of the jetty at Brighton, Glenelg, Henley Beach, Grange, Semaphore or Largs Bay; and
- (b) a distance of 100 m of any pier, wharf or other jetty.

### **Salmon Hole—Beachport**

The waters of or near Salmon Hole contained within and bounded by a line commencing at Mean High Water Springs closest to 37°29'07.45" South, 139°59'39.11" East, then beginning north-easterly following the line of Mean High Water Springs to the location closest to 37°29'00.98" South, 139°59'44.87" East, then north-easterly to the location on Mean High Water Springs closest to 37°28'59.29" South, 139°59'47.71" East, then beginning south-easterly following the line of Mean High Water Springs to the location closest to 37°29'32.98" South, 140°00'41.14" East (Cape Martin lighthouse), then southerly to the location on Mean High Water Springs closest to 37°29'36.74" South, 140°00'40.78" East (Penguin Island), then beginning south-westerly following the line of Mean High Water Springs to the location closest to 37°29'45.80" South, 140°00'36.43" East (Cape Martin), then north-westerly to the point of commencement.

## **Part 2—Areas in which use of nets other than large mesh nets and sardine nets is prohibited**

### **West Coast**

The waters and bays of the West Coast contained within and bounded by a line commencing at 33°00'00.00" South, 134°00'00.00" East, then easterly to the location on Mean High Water Springs closest to 33°00'00.00" South, 134°12'12.56" East, then beginning south-westerly following the line of Mean High Water Springs to the location closest to 33°43'35.58" South, 135°00'00.00" East, then southerly to 33°50'00.00" South, 135°00'00.00" East, then north-westerly to the point of commencement.

### **Tumby Bay to Dutton Bay**

The waters of or near Tumby Bay and Dutton Bay contained within and bounded by a line commencing at Mean High Water Springs closest to 33°59'29.52" South, 136°30'00.00" East, then southerly to 34°05'00.00" South, 136°30'00.00" East, then south-westerly to 34°30'00.00" South, 136°10'00.00" East, then westerly to the location on Mean High Water Springs closest to 34°30'00.00" South, 136°06'47.28" East, then beginning generally northerly following the line of Mean High Water Springs to the point of commencement.

### **Yorke Peninsula**

The waters of or near Spencer Gulf, Investigator Strait and Gulf St. Vincent contained within and bounded by a line commencing at Mean High Water Springs closest to 34°30'00.00" South, 137°53'33.98" East (Rogues Point), then easterly to 34°30'15.00" South, 138°00'00.00" East, then southerly to 35°00'00.00" South, 138°00'00.00" East, then south-westerly to 35°15'00.00" South, 137°45'00.00" East, then south-westerly to 35°25'00.00" South, 136°45'00.00" East, then northerly to 34°45'00.00" South, 136°45'00.00" East, then easterly to 34°45'00.00" South, 137°15'00.00" East, then northerly to 34°00'00.00" South, 137°15'00.00" East, then easterly to the location on Mean High Water Springs closest to 34°00'00.00" South, 137°32'04.12" East (Warburton Point), then beginning south-westerly following the line of Mean High Water Springs to point of commencement.

## **Schedule 8—Classes of aquatic resources prescribed for purposes of section 77(2) of Act**

(Regulation 9)

### **Annelids**

Beach Worm (Class POLYCHAETA)

Blood Worm (Class POLYCHAETA)

Tube Worm (Class POLYCHAETA)

### **Coelenterata**

Jellyfish

### **Crustaceans**

Bug (*Ibacus & Thenus* spp)

Blue Swimmer Crab (*Portunus pelagicus*)

Giant Crab (*Psuedocarcinus gigas*)

Sand Crab (*Ovalipes* spp)

Velvet Crab (*Nectocarcinus tuperculosus*)

Freshwater Prawn (*Macrobrachium australiensis*)

King Prawn (*Penaeus latisulcatus*)

Southern Rocklobster (*Jasus edwardsii*)

Yabby (*Cherax* spp)

### **Echinoderms**

Sea Urchin (*Heliocidaris erythrogramma*)

**Molluscs**

Abalone of the species *Haliotis laevis*, *Haliotis rubra* and *Haliotis roei*

Air Breathing Limpet (Family Siphonariidae)

Cowrie (Family Cypraeidae)

Allied Cowrie (*Triviida*)

Bean Cowrie (*Triviida*)

Black Cowrie (*Zoila friendii thersites*)

Southern Calamari (*Sepioteuthis australis*)

Cardita (Family Carditidae)

Chiton (Family Chitonidae)

Cockle (*Anadara* & *Katylisia* spp)

Pipi (*Donax* spp)

Heart Cockle (Family Cardiidae)

Mactra Cockle (Family Mactridae)

Venus Cockle (Family Veneridae)

Cuttlefish (*Sepia* spp.)

Eulima (Family Eulimidae)

Fingernail (Family Solenidae)

Jackknife (Family Solenidae)

Ladder (Family Epitoniidae)

Limpet (Family Patellidae)

Keyhole Limpet and Shield (Family Fissurellidae)

Mussel (*Mytilus* spp.)

Octopus (Family Octopodidae)

Oyster (Family Ostreidae)

Thorny Oyster (*Spondylidae* spp)

Black Crow Periwinkle (Family Neritidae)

Razorfish (*Pinna bicolor*)

Scallop (Family Pectinidae)

Cone Shell (Family Conidae)

Dove Shell (Family Calumbellidae)

Harp Shell (Family Harpidae)

Helmet Shell (Family Cassidae)

Margin Shell (Family Marginellidae)

Mitre Shell (Family Mitridae)

Moon Shell (Family Nacticidae)

Murex, droop, purple/rock shell (Family Muricidae)

Nutmeg Shell (Family Cancellaridae)  
Olive Shell (Family Olividae)  
Painted Lady (Family Phasianellidae)  
Pheasant Shell (Family Phasianellidae)  
Ring Mouth Shell (Family Liotiidae)  
Spindle Shell (Family Faxialariidae)  
Sunset Shell or Tellin (Family Tellinidae)  
Thai, Droop (Family Thaididae)  
Gould's Squid (*Nototodarus gouldi*)  
Triton (Family Cymatiidae)  
Trochus (Family Trochidae)  
Top Shell (Family Trochidae)  
Weed Shell (Family Trochidae)  
Star Shell (Family Turbinidae)  
Turban (Family Turbinidae)  
Turbo Shell (*Turbo torquatus* and *Turbo undulatus*)  
Turid (Family Turridae)  
Chank Shell Vase (Family Vasidae)  
Baler Volute (Family Volutidae)  
Watering Pot Shell (Family Clavagellidae)  
Welk (Family Buccinidae)  
Dog Welk (Family Nassaridae)  
**Scalefish**  
Scalefish (Class TELEOSTOMI)  
**Sharks**  
Shark (Class ELASMOBRANCHII)

## **Schedule 9—Areas in which explosive devices must not be carried while diving**

(Regulation 14)

- 1 The waters of the River Murray and all other fresh water streams of the State, and the area of land within 100 m of those waters.
- 2 The waters near Hindmarsh River contained within and bounded by a line at a radius of 200 m from the intersection of the outlet of the Hindmarsh River and Mean High Water Springs at the location closest to 35°32'36.97" South, 138°37'53.56" East, together with the waters of the Hindmarsh River.
- 3 The waters near Inman River contained within and bounded by a line at a radius of 200 m from the intersection of the outlet of the Inman River and Mean High Water Springs at the location closest to 35°33'42.43" South, 138°36'46.35" East, together with the waters of the Inman River.

- 4 The waters of Gulf St. Vincent contained within and bounded by a line commencing at the intersection of the southernmost breakwater at Outer Harbor with Mean High Water Springs at the location closest to 34°46'59.00" South, 138°28'40.45" East, then beginning south-easterly following the line of Mean High Water Springs to the location closest to 35°07'52.63" South, 138°28'11.09" East, then south-westerly, following the boundary of the Port Noarlunga Reef Aquatic Reserve, to a line 600 m seaward of Mean High Water Springs closest to 35°07'56.15" South, 138°27'47.30" East, then beginning northerly following a line 600 m seaward of Mean High Water Springs to the southernmost breakwater at Outer Harbor closest to 34°47'10.42" South, 138°28'21.35" East, then north-easterly following the breakwater to the point of commencement.
- 5 The waters and adjacent foreshore areas within a distance of 100 m from any part of any jetty, landing or wharf which is not within any of the areas defined in clauses 1, 2 or 4 of this Schedule.
- 6 The waters known as West Lakes and foreshore areas (including reserves for public use) adjacent to those waters.
- 7 The waters of or near Boat Harbor, Second Valley, contained within and bounded by a line commencing at Mean High Water Springs closest to 35°30'34.72" South, 138°12'54.84" East, then south-easterly to the location on Mean High Water Springs closest to 35°30'38.38" South, 138°13'11.30" East, then beginning south-westerly following the line of Mean High Water Springs to the point of commencement.

## Schedule 10—Expiation fees

(Regulation 30)

Clause of Schedule 6	Description of prescribed fishing activity constituting offence	Expiation fee
<b>Part 1—Fishing activities not to be engaged in by licensed persons</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>	\$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>	\$100
3	<i>Taking fish in Coorong (area 1) using certain net during closed season (commercial)</i>	\$200
4	<i>Taking fish in coastal waters using hauling net during certain holiday periods (commercial)</i>	\$100
5	<i>Taking fish in certain coastal waters using swinger net (commercial)</i>	\$100
6	<i>Taking fish in River Murray proper using certain device (commercial)</i>	\$100
7	<i>Taking fish for purpose of bait using fish net other than bait net (commercial)</i>	\$300
8	<i>Taking Scallop using scallop dredge (commercial)</i>	\$200
9(1)	<i>Taking certain fish in Lakes and Coorong using more than permitted number of certain nets at same time (commercial)</i>	\$100
10	<i>Taking fish using drum net of unlawful specifications (commercial)</i>	\$50
11	<i>Taking fish in coastal waters using gill net or mesh net of unlawful specifications (commercial)</i>	\$200

<b>Clause of Schedule 6</b>	<b>Description of prescribed fishing activity constituting offence</b>	<b>Expiation fee</b>
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>	\$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>	\$100
13	<i>Taking fish in Coorong (area 1), Coorong (area 2) or Coorong coastal waters using large multifilament mesh net of unlawful specifications (commercial)</i>	\$100
14	<i>Taking fish in Coorong coastal waters using large mesh monofilament net of unlawful specifications other than as set net (commercial)</i>	\$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>	\$100
16(1)	<i>Taking prawn in coastal waters using prawn trawl net of unlawful specifications (commercial)</i>	\$200
17	<i>Taking Blue Swimmer Crab using crab net of unlawful specifications (commercial)</i>	\$100
18(1)	<i>Taking Southern Rocklobster in Northern Zone using rock lobster pot of unlawful specifications (commercial)</i>	\$100
19	<i>Taking Southern Rocklobster in Southern Zone using rock lobster pot of unlawful specifications (commercial)</i>	\$50
20	<i>Taking Ocean Jacket in waters deeper than 60 m using fish trap of unlawful specifications (commercial)</i>	\$50
21	<i>Taking fish using fish trap of unlawful specifications (commercial)</i>	\$50
21A	<i>Taking Pipi in Coorong coastal waters using cockle rake of unlawful specifications (commercial)</i>	\$100
22	<i>Taking fish using certain device without buoy (commercial)</i>	\$50
23	<i>Taking fish using certain device without tag (commercial)</i>	\$50
24	Taking razorfish ( <i>bag limit</i> ) ( <i>commercial</i> )—exceeding daily limit: <ul style="list-style-type: none"> <li>• by up to 20 razorfish</li> <li>• by more than 20 but not more than 40 razorfish</li> <li>• by more than 40 razorfish</li> </ul>	\$50 \$100 \$200
28	<i>Taking fish using unattended long line (commercial)</i>	\$100
29	<i>Taking fish using set line with more than permitted number of hooks (commercial)</i>	\$200
30	<i>Taking certain fish in River Murray (commercial)</i>	\$100
31	<i>Taking Blue Swimmer Crab in certain Spencer Gulf waters (commercial)</i>	\$300
32	<i>Taking Blue Swimmer Crab in certain other waters (commercial)</i>	\$300
33	<i>Taking Sand Crab using sand crab pot in certain waters (commercial)</i>	\$300
34	<i>Taking Cockle in certain waters (commercial)</i>	\$100
35	<i>Taking Blue Crab in certain waters during closed season (commercial)</i>	\$200

Clause of Schedule 6	Description of prescribed fishing activity constituting offence	Expiation fee
36	<i>Taking fish in River Murray using certain device without buoy or tag (commercial)</i>	\$50
37	<i>Taking fish in Lakes and Coorong by electrofishing (commercial)</i>	\$100
<b>Part 2—Fishing activities not to be engaged in by unlicensed persons</b>		
38	<i>Taking of fish in coastal waters using fish net or long line (recreational)</i>	\$100
39	<i>Taking fish using fish net in River Murray proper (recreational)</i>	\$100
40	<i>Taking fish in Coorong (area 1) using fish net during certain period (recreational)</i>	\$100
41	<i>Taking fish using fish trap (recreational)</i>	\$100
42	<i>Taking fish in coastal waters using more than permitted number of certain devices (recreational)</i>	\$100
43	<i>Taking fish in River Murray proper using more than permitted number of certain devices (recreational)</i>	\$100
44	<i>Taking fish in Coorong (area 1) using more than permitted number of certain devices during certain period (recreational)</i>	\$100
45	<i>Taking fish in Coorong (area 2) using more than permitted number of certain devices (recreational)</i>	\$100
46	<i>Taking fish in Lakes Albert and Alexandrina using more than permitted number of certain devices (recreational)</i>	\$100
47	<i>Taking fish in Lake George using more than permitted number of certain devices (recreational)</i>	\$100
48	<i>Taking fish in Coorong (area 1) during certain period using mesh net of unlawful specifications (recreational)</i>	\$100
49	<i>Taking fish in Coorong (area 2) using mesh net of unlawful specifications (recreational)</i>	\$100
50	<i>Taking fish in Lakes Albert and Alexandrina using mesh net of unlawful specifications (recreational)</i>	\$100
51	<i>Taking fish in Lake George using mesh net of unlawful specifications (recreational)</i>	\$100
52	<i>Taking crabs using crab net or hand net of unlawful specifications (recreational)</i>	\$100
53	<i>Taking Southern Rocklobster in Northern Zone or Southern Zone using rock lobster pot of unlawful specifications (recreational)</i>	\$50
54	<i>Taking fish using device without tag (recreational)</i>	\$50
55	<i>Taking fish using mesh net without tag (recreational)</i>	\$50
56	<i>Taking fish using drop net without buoy or tag (recreational)</i>	\$50
57	<i>Taking fish using hoop net without buoy or tag (recreational)</i>	\$50
58	<i>Taking fish using rock lobster pot without buoy or tag (recreational)</i>	\$50
59	<i>Taking fish using shrimp trap or yabby pot without buoy or tag (recreational)</i>	\$50
60	<i>Taking fish using device with tag bearing registration information relating to device registered for commercial fishing (recreational)</i>	\$100

Clause of Schedule 6	Description of prescribed fishing activity constituting offence	Expiation fee
61	Taking fish ( <i>recreational non-charter boat fishing bag or boat limit</i> )— exceeding limit: <ul style="list-style-type: none"> <li>• by up to 10 fish</li> <li>• by more than 10 but not more than 20 fish</li> <li>• by more than 20 fish</li> </ul>	\$50 \$100 \$200
62	Taking rock lobster ( <i>recreational non-charter boat fishing bag or boat limit</i> ) in the Northern Zone or Southern Zone—exceeding limit	\$300
62	Taking abalone ( <i>recreational non-charter boat fishing bag or boat limit</i> )— exceeding limit: <ul style="list-style-type: none"> <li>• by up to 5 abalone</li> <li>• by more than 5 but not more than 10 abalone</li> <li>• by more than 10 abalone</li> </ul>	\$50 \$100 \$200
62	Taking Murray Cod ( <i>recreational non-charter boat fishing bag or boat limit</i> )—exceeding limit: <ul style="list-style-type: none"> <li>• by up to 5 Murray Cod</li> <li>• by more than 5 Murray Cod</li> </ul>	\$100 \$200
63	Taking South-east Crayfish ( <i>recreational bag limit</i> )—exceeding limit: <ul style="list-style-type: none"> <li>• by up to 5 crayfish</li> <li>• by more than 5 crayfish</li> </ul>	\$100 \$200
63	Taking Yabby ( <i>recreational bag limit</i> )—exceeding limit	\$300
63	Taking Cockle ( <i>recreational bag limit</i> )—exceeding limit: <ul style="list-style-type: none"> <li>• by up to 50 cockles</li> <li>• by more than 50 but not more than 100 cockles</li> <li>• by more than 100 cockles</li> </ul>	\$50 \$100 \$200
63	Taking Black Cowrie ( <i>recreational bag limit</i> )—exceeding limit: <ul style="list-style-type: none"> <li>• by up to 5 Black Cowrie</li> <li>• by more than 5 Black Cowrie</li> </ul>	\$200 \$300
63	Taking Pipi ( <i>recreational bag limit</i> )—exceeding limit: <ul style="list-style-type: none"> <li>• by up to 100 Pipi</li> <li>• by more than 100 but not more than 200 Pipi</li> <li>• by more than 200 Pipi</li> </ul>	\$50 \$100 \$200
63	Taking Mulloway ( <i>recreational bag limit</i> )—exceeding limit: <ul style="list-style-type: none"> <li>• by up to 10 Mulloway</li> <li>• by more than 10 but not more than 20 Mulloway</li> <li>• by more than 20 Mulloway</li> </ul>	\$50 \$100 \$200
64	Taking fish ( <i>recreational charter boat fishing boat or trip limit</i> )—exceeding limit: <ul style="list-style-type: none"> <li>• by up to 10 fish</li> </ul>	\$50



Clause of Schedule 6	Description of prescribed fishing activity constituting offence	Expiation fee
	<ul style="list-style-type: none"> <li>• by more than 10 but not more than 20 fish</li> </ul>	\$100
	<ul style="list-style-type: none"> <li>• by more than 20 fish</li> </ul>	\$200
65	Taking fish ( <i>recreational charter boat fishing boat or trip limit</i> )—exceeding limit:	
	<ul style="list-style-type: none"> <li>• by up to 10 fish</li> </ul>	\$50
	<ul style="list-style-type: none"> <li>• by more than 10 but not more than 20 fish</li> </ul>	\$100
	<ul style="list-style-type: none"> <li>• by more than 20 fish</li> </ul>	\$200
66	Taking rock lobster ( <i>recreational charter boat fishing bag or trip limit</i> )—exceeding limit:	
	<ul style="list-style-type: none"> <li>• by up to 5 rock lobster</li> </ul>	\$50
	<ul style="list-style-type: none"> <li>• by more than 5 but not more than 10 rock lobster</li> </ul>	\$100
	<ul style="list-style-type: none"> <li>• by more than 10 rock lobster</li> </ul>	\$200
66	Taking Abalone ( <i>recreational charter boat fishing bag or trip limit</i> )—exceeding limit:	
	<ul style="list-style-type: none"> <li>• by up to 5 Abalone</li> </ul>	\$50
	<ul style="list-style-type: none"> <li>• by more than 5 but not more than 10 Abalone</li> </ul>	\$100
	<ul style="list-style-type: none"> <li>• by more than 10 Abalone</li> </ul>	\$200
66	Taking Cockle ( <i>recreational charter boat fishing bag or trip limit</i> )—exceeding limit:	
	<ul style="list-style-type: none"> <li>• by up to 100 Cockles</li> </ul>	\$50
	<ul style="list-style-type: none"> <li>• by more than 100 but not more than 200 Cockles</li> </ul>	\$100
	<ul style="list-style-type: none"> <li>• by more than 200 Cockles</li> </ul>	\$200
66	Taking Pipi ( <i>recreational charter boat fishing bag or trip limit</i> )—exceeding limit:	
	<ul style="list-style-type: none"> <li>• by up to 100 Pipi</li> </ul>	\$50
	<ul style="list-style-type: none"> <li>• by more than 100 but not more than 200 Pipi</li> </ul>	\$100
	<ul style="list-style-type: none"> <li>• by more than 200 Pipi</li> </ul>	\$200
66	Taking King George Whiting ( <i>recreational charter boat fishing bag or trip limit</i> )—exceeding limit:	
	<ul style="list-style-type: none"> <li>• by up to 10 Whiting</li> </ul>	\$50
	<ul style="list-style-type: none"> <li>• by more than 10 but not more than 20 Whiting</li> </ul>	\$100
	<ul style="list-style-type: none"> <li>• by more than 20 Whiting</li> </ul>	\$200
67	Taking fish ( <i>recreational charter boat fishing bag, boat or trip limit</i> )—exceeding limit:	
	<ul style="list-style-type: none"> <li>• by up to 10 fish</li> </ul>	\$50
	<ul style="list-style-type: none"> <li>• by more than 10 but not more than 20 fish</li> </ul>	\$100
	<ul style="list-style-type: none"> <li>• by more than 20 fish</li> </ul>	\$200
68	<i>Taking fish in Coorong (area 1) during certain period using mesh net in unlawful manner or without attending net (recreational)</i>	\$100

<b>Clause of Schedule 6</b>	<b>Description of prescribed fishing activity constituting offence</b>	<b>Expiation fee</b>
69	<i>Taking fish in Coorong (area 2) using mesh net in unlawful manner or without attending net (recreational)</i>	\$100
70	<i>Taking fish in Lakes Albert and Alexandrina using mesh net in unlawful manner or without attending net (recreational)</i>	\$100
71	<i>Taking fish in Lake George at certain times of day using mesh net without attending net (recreational)</i>	\$100
<b>Part 3—Fishing activities not to be engaged in by any person</b>		
72	<i>Taking fish for non-commercial purpose using device other than permitted device etc</i>	\$100
73	<i>Taking fish for non-commercial purpose using mesh net or rock lobster pot not registered in user's name</i>	\$100
75	<i>Taking fish in Murray mouth using long line</i>	\$100
76	<i>Taking rock lobster using fish spear etc</i>	\$200
77	<i>Taking fish using more than permitted number of rod and lines or hand lines etc</i>	\$50
78	<i>Taking fish using more than permitted number of large mesh nets</i>	\$200
79	<i>Taking fish using more than permitted number of teaser lines from jetty etc</i>	\$50
80	<i>Taking fish in inland waters using yabby pot of unlawful specifications</i>	\$50
82	<i>Taking fish in Venus Bay using hauling net of unlawful specifications</i>	\$200
83	<i>Taking fish in coastal waters other than by power hauling method using hauling net or seine net of unlawful specifications</i>	\$200
84	<i>Taking fish by power hauling method using hauling net of unlawful specifications etc</i>	\$100
85	<i>Taking fish in certain Coorong waters using mesh net of unlawful specifications</i>	\$100
86	<i>Taking fish on week days in certain waters using mesh net of unlawful specifications</i>	\$100
87	<i>Taking fish in Lakes Albert and Alexandrina using mesh net of unlawful specifications</i>	\$100
88	<i>Taking fish using large mesh net of unlawful specifications</i>	\$200
89	<i>Taking Salmon using purse seine net of unlawful specifications</i>	\$200
90	<i>Taking fish using shrimp trap of unlawful specifications</i>	\$50
91	<i>Taking fish using mesh net or set line without buoys</i>	\$50
92	<i>Taking fish using fish net without buoys</i>	\$50
93	<i>Taking fish in Lakes Albert and Alexandrina, Murray mouth or Coorong using fish net within certain distance of another fish net</i>	\$50
95	<i>Taking fish in certain waters using device other than rod and line, hand line or hand net</i>	\$200
96(1)	<i>Taking of fish in certain inland waters</i>	\$200
98	<i>Taking fish in certain waters deeper than 5 m using fish net</i>	\$200
99	<i>Taking fish in certain waters of Spencer Gulf using fish net</i>	\$200

<b>Clause of Schedule 6</b>	<b>Description of prescribed fishing activity constituting offence</b>	<b>Expiation fee</b>
100	<i>Taking fish in certain waters of Coorong using fish net or set line</i>	\$100
101	<i>Taking fish in Murray mouth using long line</i>	\$100
102	<i>Taking fish in certain waters using mesh net as set net</i>	\$100
103	<i>Taking fish in certain waters of Coorong using mesh net as set net on weekend</i>	\$100
104	<i>Taking fish in certain waters of Coorong using hauling net on weekend</i>	\$100
105(1) or (2)	<i>Taking fish using certain device near artificial reef</i>	\$100
106	<i>Taking fish using large mesh net left in water more than 4 hours</i>	\$100
107	<i>Taking prawn by power hauling method</i>	\$200
108	<i>Taking fish in Gulf St. Vincent or Spencer Gulf using large mesh net shot out in straight line</i>	\$50
109	<i>Taking fish using fish net fixed etc across bay, inlet etc</i>	\$200
110	<i>Taking fish by fixing or placing stake, log etc across mouth of waters, channel etc so as to impair free passage of fish</i>	\$100
113	Taking rock lobster by diving ( <i>bag limit</i> )—exceeding limit: <ul style="list-style-type: none"> <li>• by up to 5 rock lobster</li> <li>• by more than 5 but not more than 10 rock lobster</li> <li>• by more than 10 rock lobster</li> </ul>	 \$50 \$100 \$200
114	Taking undersize fish <ul style="list-style-type: none"> <li>• up to 10 fish</li> <li>• more than 10 fish</li> </ul>	 \$50 \$100
116	<i>Taking molluscs in waters of West Lakes etc</i>	\$100
117	<i>Taking filter-feeding marine molluscan shellfish in certain waters of Port Adelaide River</i>	\$315
118	<i>Taking benthic marine organisms in certain waters</i>	\$300
120	<i>Taking rock lobster in certain waters</i>	\$200
121	<i>Taking fish near locks and weir of River Murray</i>	\$100
122	<i>Taking fish during closed season in certain waters—</i> <ul style="list-style-type: none"> <li>• taking rock lobster</li> <li>• taking Pipi</li> <li>• taking Bream</li> <li>• taking Murray Cod</li> </ul>	 \$200 \$50 \$100 \$200
123	<i>Taking fish using 2mm or greater trace wire with size 12/0 fishing hooks</i>	\$100

## Legislative history

### Notes

- Please note—References in the legislation to other legislation or instruments or to titles of bodies or offices are not automatically updated as part of the program for the revision and publication of legislation and therefore may be obsolete.
- Earlier versions of these regulations (historical versions) are listed at the end of the legislative history.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or [www.legislation.sa.gov.au](http://www.legislation.sa.gov.au).

### Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
2007	289	<i>Gazette 29.11.2007 p4546</i>	1.12.2007: r 2
<b>2007</b>	<b>311</b>	<b><i>Gazette 13.12.2007 p4878</i></b>	<b>1.11.2008: r 2</b>
2008	177	<i>Gazette 26.6.2008 p2640</i>	26.6.2008: r 2

### Provisions varied

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
<i>r 2</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	26.6.2008
Sch 6		
<b>cl 21A</b>	<b>inserted by 311/2007 r 4</b>	<b>1.11.2008</b>
cl 24	varied by 177/2008 r 4(1)	26.6.2008
cl 65		
cl 64(4)	varied by 177/2008 r 4(2), (3)	26.6.2008
cl 120	varied by 177/2008 r 4(4)	26.6.2008
Sch 7		
Pt 2		
heading	substituted by 177/2008 r 5	26.6.2008
Sch 10		
	varied by 177/2008 r 6(1), (2)	26.6.2008
	<b>varied by 311/2007 r 5</b>	<b>1.11.2008</b>

### Historical versions

26.6.2008