

South Australia

Fisheries Management (Demerit Points) (Lakes and Coorong Fishery) Amendment Regulations 2024

under the *Fisheries Management Act 2007*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fisheries Management (Demerit Points) (Lakes and Coorong Fishery) Amendment Regulations 2024*.

2—Commencement

These regulations come into operation on the day on which the *Fisheries Management (Lakes and Coorong Fishery) Regulations 2024* come into operation.

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

3—Substitution of Schedule 1 Part 2 clause 9

Schedule 1 Part 2 clause 9—delete clause 9 and substitute:

9—*Fisheries Management (Lakes and Coorong Fishery) Regulations 2024*

Regulation	Description of offence	Demerit points
11(2)	<i>Causing or permitting agents to be engaged in fishing activities on shore when licence holder or registered master is not so engaged at the same time and agents and licence holder or registered master do not remain within 700 m of each other—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50
11(3)	<i>Causing or permitting more than prescribed number of agents to be engaged in taking pipi on shore at the same time—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50
11(4)	<i>Causing or permitting more than prescribed number of agents to be engaged in fishing activities on shore at the same time—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50
11(5)	<i>Causing or permitting agents to be engaged in fishing activities on boat when licence holder or registered master is not so engaged at the same time and agents and licence holder or registered master do not remain within 500 m of each other—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50
11(6)	<i>Causing or permitting more than prescribed number of agents to be engaged in fishing activities on boat at the same time—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50

Fisheries Management (Demerit Points) (Lakes and Coorong Fishery) Amendment Regulations 2024
 Amendment of *Fisheries Management (Demerit Points) Regulations 2017*—Part 2

Regulation	Description of offence	Demerit points
12(2)	<i>Causing or permitting agents to be engaged in fishing activities on shore when licence holder or nominated agent is not so engaged at the same time and agents and licence holder or nominated agent do not remain within 700 m of each other—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50
12(3)	<i>Causing or permitting more than prescribed number of agents to be engaged in taking pipi on shore at the same time—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50
12(4)	<i>Causing or permitting agents to be engaged in fishing activities on shore when licence holder is not so engaged at the same time and agents and licence holder do not remain within 700 m of each other—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50
12(5)	<i>Causing or permitting more than prescribed number of agents to be engaged in fishing activities on shore at the same time—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50
12(9)	<i>Contravening or failing to comply with condition of approval—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50
14(1)	<i>Licence holder taking pipi for commercial purpose without quota entitlement—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
14(2)	<i>Licence holder (other than licence subject to pipi quota entitlement) taking pipi other than for purpose of bait or taking pipi in excess of daily limit—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60

Fisheries Management (Demerit Points) (Lakes and Coorong Fishery) Amendment Regulations 2024
 Part 2—Amendment of *Fisheries Management (Demerit Points) Regulations 2017*

Regulation	Description of offence	Demerit points
	(iii) third or subsequent offence	75
14(3)	<i>Licence holder taking vongole other than for purpose of bait or taking vongole in excess of daily limit—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
14(4)	<i>Licence holder taking cockles in excess of daily limit—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
15	<i>Using more than 6 cockle rakes at any 1 time for purpose of taking pipi under licence—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	50
16(2)	<i>Failing to comply with Minister's determination made for purposes of subregulation (1) as to provision of certain information to Department if fishing activities involving taking of pipi are, or are to be, engaged in—</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
17	<i>Failing to land pipi taken under licence subject to pipi quota entitlement within State—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
18	<i>Failing to ensure all pipi taken under licence subject to pipi quota entitlement are delivered or consigned to registered fish processor—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75

Fisheries Management (Demerit Points) (Lakes and Coorong Fishery) Amendment Regulations 2024
 Amendment of *Fisheries Management (Demerit Points) Regulations 2017*—Part 2

Regulation	Description of offence	Demerit points
19(2)	<i>Licence holder, nominated agent or registered master failing to comply with Minister's determination made for purposes of subregulation (1) by failing to record information in respect of catch and disposal of pipi taken under licence, failing to provide such information to Department, or failing to comply with Minister's requirements as to weighing, storing, placement, sealing, tagging, transport, delivery, consignment etc of pipi taken under licence—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
19(3)	<i>Failing to keep records as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
20(1)	<i>Failing to provide return to Department as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
20(2)	<i>Failing to keep copy of return provided to Department as determined by Minister—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
21	<i>Failing to keep records in good condition etc or failing to produce records for inspection by fisheries officer—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
 on 27 June 2024

No 56 of 2024