



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

ADELAIDE, THURSDAY, 19 NOVEMBER 2020

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All instruments appearing in this gazette are to be considered official, and obeyed as such

GOVERNOR'S INSTRUMENTS

ACTS

Department of the Premier and Cabinet
Adelaide, 19 November 2020

His Excellency the Governor directs it to be notified for general information that he has in the name and on behalf of Her Majesty The Queen, this day assented to the undermentioned Acts passed by the Legislative Council and House of Assembly in Parliament assembled, viz.:

No. 39 of 2020—Health Care (Safe Access) Amendment Act 2020
An Act to amend the Health Care Act 2008

No. 40 of 2020—Training and Skills Development (Miscellaneous) Amendment Act 2020
An Act to amend the Training and Skills Development Act 2008 and to make related amendments to other Acts

By command,

STEVEN SPENCE MARSHALL
Premier

APPOINTMENTS

Department of the Premier and Cabinet
Adelaide, 19 November 2020

His Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Return to Work Minister's Advisory Committee, pursuant to the provisions of the Return to Work Act 2014:

Member: from 1 December 2020 until 30 November 2023

Samantha Mead
Roger Stewart Paterson
Edward Tuckseng Mah
Estha Marie van der Linden
Stephen Charles Knight
Elizabeth Macey
Donald Blairs
Elizabeth Dabars
Danny Connor

Presiding Member: from 1 December 2020 until 30 November 2023
Samantha Mead

By command,

STEVEN SPENCE MARSHALL
Premier

T&F20/094CS

Legislative Council Office
Adelaide, 19 November 2020

Forwarded to the Honourable the Premier, the following Resolution, passed by the Legislative Council on 11 November 2020.

That the General Regulations made under the Planning Development and Infrastructure Act 2016 concerning Planning and Development Fund, made on 24 September 2020 and laid on the Table of this Council on 13 October 2020, be disallowed.

CHRIS SCHWARZ
Clerk of Legislative Council

PROCLAMATION

South Australia

Statutes Amendment (Mineral Resources) Act (Commencement) Proclamation 2020

1—Short title

This proclamation may be cited as the *Statutes Amendment (Mineral Resources) Act (Commencement) Proclamation 2020*.

2—Commencement of Act

- (1) Subject to subclause (2), the *Statutes Amendment (Mineral Resources) Act 2019* (No 29 of 2019) comes into operation on 1 January 2021.
- (2) The operation of section 126 of the Act is suspended until a day or time or days or times to be fixed by subsequent proclamation or proclamations.

Made by the Governor

with the advice and consent of the Executive Council
on 19 November 2020

REGULATIONS

South Australia

Work Health and Safety (Mine Manager) Variation Regulations 2020

under the *Work Health and Safety Act 2012*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Work Health and Safety Regulations 2012*

- 4 Insertion of regulation 615A
615A Duty to appoint mine manager
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Work Health and Safety (Mine Manager) Variation Regulations 2020*.

2—Commencement

These regulations come into operation on 1 January 2021.

3—Variation provisions

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

Part 2—Variation of *Work Health and Safety Regulations 2012*

4—Insertion of regulation 615A

After regulation 615 insert:

615A—Duty to appoint mine manager

- (1) If—
 - (a) mining operations are carried out at a mine; and
 - (b) a person competent to be a mine manager in relation to the mine has not been appointed as mine manager for the mine,the mine operator is guilty of an offence.

Maximum penalty:

- (a) in the case of an individual—\$3 600;
- (b) in the case of a body corporate—\$18 000.

Expiation fee:

- (a) in the case of an individual—\$432;
- (b) in the case of a body corporate—\$2 160.

- (2) Subregulation (1) does not apply in respect of mining operations carried out at a tourist mine, an exploration site or a precious stones field under the *Opal Mining Act 1995*.
- (3) For the purposes of subregulation (1), a mine operator who is competent to be a mine manager in relation to the mine may be appointed as mine manager for the mine.
- (4) A mine operator must not, unless permitted to do so in accordance with a determination by the regulator under subregulation (5)(b), appoint a mine manager in relation to a mine if the mine manager is also a mine manager in relation to another mine.

Maximum penalty:

- (a) in the case of an individual—\$3 600;
- (b) in the case of a body corporate—\$18 000.

Expiation fee:

- (a) in the case of an individual—\$432;
- (b) in the case of a body corporate—\$2 160.

- (5) The regulator may, by notice in the Gazette—
 - (a) determine requirements that must be satisfied by a person before they will be considered competent to be a mine manager in relation to a mine; and
 - (b) determine that a mine operator is exempt from the prohibition in subregulation (4) in respect of a mine or mines specified in the notice.
- (6) A determination under subregulation (5) may be varied or revoked by subsequent notice in the Gazette.
- (7) A determination under subregulation (5)(a) may vary in its application to different mines, having regard to the number of workers and the type of operations carried out at a mine.
- (8) A mine operator must ensure that a record of—
 - (a) the appointment of each mine manager in relation to a mine; and
 - (b) any information provided to the mine operator by a mine manager in satisfaction of the requirements set out in subregulation (9),

is kept for the duration of the person's appointment as mine manager and for at least 2 years after the person ceases to be a mine manager in relation to the mine.

Maximum penalty:

- (a) in the case of an individual—\$1 250;
- (b) in the case of a body corporate—\$6 000.

Expiation fee:

- (a) in the case of an individual—\$144;
- (b) in the case of a body corporate—\$720.

- (9) A person is competent to be a mine manager in relation to a mine for the purposes of this regulation if the person has satisfied the mine operator—
 - (a) that the person—
 - (i) has the relevant training, qualifications, experience, knowledge and skills to manage and supervise the mining operations carried out at the mine; and
 - (ii) has knowledge of the requirements of the Act and these regulations (particularly this Chapter); and
 - (iii) is capable of managing hazards at the mine; and
 - (b) in relation to an underground mine with 20 or more workers—that the person—
 - (i) holds a degree or diploma in mining engineering from a university or tertiary institution in Australia, or an equivalent institution as determined by the regulator; and
 - (ii) satisfies the requirements of subregulation (10); and
 - (c) that the person has met the requirements specified by the regulator in any applicable determination made under subregulation (5)(a).
- (10) A person satisfies the requirements of this subregulation if—
 - (a) the person has at least 5 years' experience working at a mine; and
 - (b) at least 3 of those years were spent working at an underground mine during which the person had—
 - (i) 2 years' underground mining operational experience; and
 - (ii) experience supervising underground mining operations.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 19 November 2020

No 295 of 2020

South Australia

Victims of Crime (Fund and Levy) Variation Regulations 2020

under the *Victims of Crime Act 2001*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Victims of Crime (Fund and Levy) Regulations 2018*

- 4 Variation of Schedule 1—Victims of crime levy
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Victims of Crime (Fund and Levy) Variation Regulations 2020*.

2—Commencement

These regulations come into operation on 1 January 2021.

3—Variation provisions

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

Part 2—Variation of *Victims of Crime (Fund and Levy) Regulations 2018*

4—Variation of Schedule 1—Victims of crime levy

- (1) Schedule 1, clause 1(a)(i)—delete "\$60" and substitute:
\$90
- (2) Schedule 1, clause 1(a)(ii)—delete "\$160" and substitute:
\$240
- (3) Schedule 1, clause 1(b)—delete "\$260" and substitute:
\$390

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 19 November 2020

No 296 of 2020

South Australia

Summary Offences (Liquor Offences) Variation Regulations 2020

under the *Summary Offences Act 1953*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Summary Offences Regulations 2016*

- 4 Insertion of Part 2A
 - Part 2A—Liquor offences
 - 12A Interpretation
 - 12B Prescribed amounts
 - 12C Disapplication of sections 21OB and 21OC of Act—prescribed circumstances
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Summary Offences (Liquor Offences) Variation Regulations 2020*.

2—Commencement

These regulations come into operation on the day on which the *Summary Offences (Liquor Offences) Amendment Act 2018* comes into operation.

3—Variation provisions

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

Part 2—Variation of *Summary Offences Regulations 2016*

4—Insertion of Part 2A

After Part 2 insert:

Part 2A—Liquor offences

12A—Interpretation

In this Part—

beer, *liquor*, *spirits* and *wine* have the same respective meanings as they have in the *Liquor Licensing Act 1997*;

pre-mixed alcoholic beverage means a pre-mixed beverage that contains liquor and another beverage that is not liquor.

12B—Prescribed amounts

For the purposes of sections 21OB(6) and 21OC(2) of the Act, the prescribed amount of liquor is—

- (a) 750 millilitres of spirits; or
- (b) 4 litres of wine; or
- (c) 9 litres of beer; or
- (d) 4.5 litres of pre-mixed alcoholic beverage.

12C—Disapplication of sections 21OB and 21OC of Act—prescribed circumstances

- (1) Pursuant to section 21OF(a) of the Act, section 21OB(1) of the Act does not apply to a person who—
 - (a) has possession of liquor for the purpose of sale; or
 - (b) transports liquor for the purpose of sale; or
 - (c) transports liquor, for the purpose of sale, to a place other than a place at or on which liquor may lawfully be sold,in circumstances where that possession or transportation (as the case requires) is prohibited under another Act or law.
- (2) Pursuant to section 21OF(a) of the Act, section 21OC(1) of the Act does not apply to a person who—
 - (a) supplies liquor; or
 - (b) transports liquor with the intention to supply any of it, or believing that another person intends to supply any of it; or
 - (c) possesses liquor intending to supply any of it,to a third person in a prescribed area in circumstances where that supply, transportation or possession is prohibited under another Act or law.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 19 November 2020

No 297 of 2020

South Australia

Fisheries Management (General) (Expiation Fees) Variation Regulations 2020

under the *Fisheries Management Act 2007*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

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

- 4 Variation of regulation 32—Expiation of alleged offences
 - 5 Substitution of Schedule 11
- Schedule 11—Expiation fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fisheries Management (General) (Expiation Fees) Variation Regulations 2020*.

2—Commencement

These regulations come into operation 4 months after the day on which they are made (see *Subordinate Legislation Act 1978* section 10AA).

3—Variation provisions

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

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

4—Variation of regulation 32—Expiation of alleged offences

Regulation 32(2)—delete "\$200" and substitute:

\$500

5—Substitution of Schedule 11

Schedule 11—delete the Schedule and substitute:

Schedule 11—Expiation fees

(Regulation 32)

Clause of Schedule 6	Description of prescribed fishing activity constituting offence	Expiation fee
Part 1—Fishing activities not to be engaged in by licensed persons		
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>	\$500
2	<i>Taking fish in Coorong (area 1) or Coorong (area 2) using large mesh monofilament net other than as set net (commercial)</i>	\$500
3	<i>Taking fish in Coorong (area 1) using certain net during closed season (commercial)</i>	\$500
4	<i>Taking fish in coastal waters using hauling net during certain holiday periods (commercial)</i>	\$500
5	<i>Taking fish in certain coastal waters using swinger net (commercial)</i>	\$500
6	<i>Taking fish in River Murray proper using certain device (commercial)</i>	\$500
7	<i>Taking fish for purpose of bait using fish net other than bait net (commercial)</i>	\$500
8	<i>Taking Scallop using scallop dredge (commercial)</i>	\$500
9(1)	<i>Taking certain fish in Lakes and Coorong using more than permitted number of certain nets at same time (commercial)</i>	\$500
10	<i>Taking fish using drum net of unlawful specifications (commercial)</i>	\$250
11	<i>Taking fish in coastal waters using gill net or mesh net of unlawful specifications (commercial)</i>	\$500
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>	\$250
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>	\$250
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>	\$250
14	<i>Taking fish in Coorong coastal waters using large mesh monofilament net of unlawful specifications other than as set net (commercial)</i>	\$250
15	<i>Taking fish in Coorong (area 1), Coorong (area 2) or Coorong coastal waters using multifilament hauling net of unlawful specifications (commercial)</i>	\$250

Clause of Schedule 6	Description of prescribed fishing activity constituting offence	Expiation fee
16(1)	<i>Taking prawn in coastal waters using prawn trawl net of unlawful specifications (commercial)</i>	\$500
17	<i>Taking Blue Swimmer Crab using crab net of unlawful specifications (commercial)</i>	\$500
18(1)	<i>Taking Rock Lobster in Northern Zone using rock lobster pot of unlawful specifications (commercial)</i>	\$500
19	<i>Taking Rock Lobster in Southern Zone using rock lobster pot of unlawful specifications (commercial)</i>	\$500
20	<i>Taking Ocean Jacket in waters deeper than 60 metres using fish trap of unlawful specifications (commercial)</i>	\$250
21	<i>Taking fish using fish trap of unlawful specifications (commercial)</i>	\$250
22	<i>Taking Pipi in Coorong coastal waters using cockle rake of unlawful specifications (commercial)</i>	\$250
23	<i>Taking fish using certain device without buoy (commercial)</i>	\$250
24	<i>Taking fish using certain device without tag (commercial)</i>	\$250
25	Taking Razorfish (<i>bag limit</i>) (<i>commercial</i>)—exceeding daily limit: <ul style="list-style-type: none"> • by up to 5 razorfish • by more than 5 but not more than 10 razorfish • by more than 10 but not more than 15 razorfish • by more than 15 but not more than 20 razorfish • by more than 20 razorfish 	\$125 \$250 \$375 \$500 \$625
26	<i>Taking fish by licensed person using trawl nets and boats in Gulf St. Vincent Prawn Fishery</i>	\$625
27	<i>Taking fish by licensed person using trawl nets and boats in Spencer Gulf Prawn Fishery</i>	\$625
28	<i>Taking fish by licensed person using trawl nets and boats in West Coast Prawn Fishery</i>	\$625
29	<i>Taking fish using unattended long line (commercial)</i>	\$500
30	<i>Taking fish using set line with more than permitted number of hooks (commercial)</i>	\$500
31	<i>Taking certain fish in River Murray (commercial)</i>	\$500
32	<i>Taking Blue Swimmer Crab in certain Spencer Gulf waters (commercial)</i>	\$500
33	<i>Taking Blue Swimmer Crab in certain other waters (commercial)</i>	\$500
34	<i>Taking Sand Crab using sand crab pot in certain waters (commercial)</i>	\$500
35	<i>Taking Vongole in certain waters (commercial)</i>	\$500
36	<i>Taking Blue Swimmer Crab in certain waters during closed season (commercial)</i>	\$500
37	<i>Taking fish in River Murray using certain device without buoy or tag (commercial)</i>	\$250

Clause of Schedule 6	Description of prescribed fishing activity constituting offence	Expiation fee
38	<i>Taking fish in Lakes and Coorong by electrofishing (commercial)</i>	\$500
Part 2—Fishing activities not to be engaged in by unlicensed persons		
39	<i>Taking fish in coastal waters using fish net or long line (recreational)</i>	\$500
40	<i>Taking fish using fish net in River Murray proper (recreational)</i>	\$500
41	<i>Taking fish in Coorong (area 1) using fish net during certain period (recreational)</i>	\$250
42	<i>Taking fish using fish trap (recreational)</i>	\$250
43	<i>Taking fish in coastal waters using more than permitted number of certain devices (recreational)</i>	\$250
44	<i>Taking fish in River Murray proper using more than permitted number of certain devices (recreational)</i>	\$250
45	<i>Taking fish in Coorong (area 1) using more than permitted number of certain devices during certain period (recreational)</i>	\$250
46	<i>Taking fish in Coorong (area 2) using more than permitted number of certain devices (recreational)</i>	\$250
47	<i>Taking fish in Lakes Albert and Alexandrina using more than permitted number of certain devices (recreational)</i>	\$250
48	<i>Taking fish in Lake George using more than permitted number of certain devices (recreational)</i>	\$250
49	<i>Taking fish in Coorong (area 1) during certain period using mesh net of unlawful specifications (recreational)</i>	\$250
50	<i>Taking fish in Coorong (area 2) using mesh net of unlawful specifications (recreational)</i>	\$250
51	<i>Taking fish in Lakes Albert and Alexandrina using mesh net of unlawful specifications (recreational)</i>	\$250
52	<i>Taking fish in Lake George using mesh net of unlawful specifications (recreational)</i>	\$250
53	<i>Taking crabs using crab net or hand net of unlawful specifications (recreational)</i>	\$250
54	<i>Taking Rock Lobster in Northern Zone or Southern Zone using rock lobster pot of unlawful specifications (recreational)</i>	\$250
55	<i>Taking fish using device without tag (recreational)</i>	\$250
56	<i>Taking fish using mesh net without tag (recreational)</i>	\$250
57	<i>Taking fish in Lake George using mesh net without buoy or tag (recreational)</i>	\$250
58	<i>Taking fish using drop net without buoy or tag (recreational)</i>	\$250
59	<i>Taking fish using hoop net without buoy or tag (recreational)</i>	\$250
60	<i>Taking Rock Lobster using rock lobster pot without buoy or tag (recreational)</i>	\$250

Clause of Schedule 6	Description of prescribed fishing activity constituting offence	Expiation fee
61	<i>Taking fish using shrimp trap or yabby pot without buoy or tag (recreational)</i>	\$250
62	<i>Taking fish using device with tag bearing registration information relating to device registered for commercial fishing (recreational)</i>	\$250
63(1) or (2)	Taking Albacore, Bronze Whaler Shark, Congolli, Dusky Shark, Gummy Shark, Harlequin Fish, Mulloway (outside Coorong), Samsonfish, School Shark, Snapper, Southern Bluefin Tuna, Western Blue Groper & Yellowtail Kingfish (<i>recreational non-charter boat fishing bag or boat limit</i>)—exceeding limit:	
	• by 1 fish	\$250
	• by 2 fish	\$375
	• by 3 fish	\$500
	• by more than 3 fish	\$625
63(1) or (2)	Taking Blue Morwong (Queen Snapper), Cuttlefish, Golden Perch, Grunter, King George Whiting, Lake Eyre Perch, small Mulloway (within Coorong), Southern Calamari & Wrasse (<i>recreational non-charter boat fishing bag or boat limit</i>)—exceeding limit:	
	• by up to 3 fish	\$250
	• by more than 3 but not more than 6 fish	\$375
	• by more than 6 but not more than 9 fish	\$500
	• by more than 9 fish	\$625
63(1) or (2)	Taking Bight Redfish, Blue Swimmer Crab, Bream, Flathead, Hyrtl's Tandan, Redfish, Swallowtail, Razorfish, large Salmon, Sand Crab, Southern Garfish, Spangled Perch & Yellowfin Whiting (<i>recreational non-charter boat fishing bag or boat limit</i>)—exceeding limit:	
	• by up to 5 fish	\$125
	• by more than 5 but not more than 10 fish	\$250
	• by more than 10 but not more than 15 fish	\$375
	• by more than 15 but not more than 20 fish	\$500
	• by more than 20 fish	\$625
63(1) or (2)	Taking Australian Herring, Flounder, small Salmon, Sea Urchin, Scallop, Snook, Sweep & Trevally (<i>recreational non-charter boat fishing bag or boat limit</i>)—exceeding limit:	
	• by up to 10 fish	\$125
	• by more than 10 but not more than 20 fish	\$250
	• by more than 20 but not more than 30 fish	\$375
	• by more than 30 but not more than 40 fish	\$500
	• by more than 40 fish	\$625
63(1) or (2)	Taking Mullet & Yabby (<i>recreational non-charter boat fishing bag or boat limit</i>)—exceeding limit:	

Clause of Schedule 6	Description of prescribed fishing activity constituting offence	Expiation fee
	<ul style="list-style-type: none"> by up to 15 fish 	\$125
	<ul style="list-style-type: none"> by more than 15 but not more than 30 fish 	\$250
	<ul style="list-style-type: none"> by more than 30 but not more than 45 fish 	\$375
	<ul style="list-style-type: none"> by more than 45 but not more than 60 fish 	\$500
	<ul style="list-style-type: none"> by more than 60 fish 	\$625
63(3)(a) or (4)(a)	Taking Southern Calamari and Cuttlefish (<i>recreational non-charter boat fishing bag or boat combination limit</i>)—exceeding combination limit:	
	<ul style="list-style-type: none"> by up to 3 fish 	\$250
	<ul style="list-style-type: none"> by more than 3 but not more than 6 fish 	\$375
	<ul style="list-style-type: none"> by more than 6 but not more than 9 fish 	\$500
	<ul style="list-style-type: none"> by more than 9 fish 	\$625
63(3)(b) or (4)(b)	Taking crab (being a combination of Blue Swimmer Crab and Sand Crab) (<i>recreational non-charter boat fishing bag or boat combination limit</i>)—exceeding combination limit:	
	<ul style="list-style-type: none"> by up to 5 crab 	\$125
	<ul style="list-style-type: none"> by more than 5 but not more than 10 crab 	\$250
	<ul style="list-style-type: none"> by more than 10 but not more than 15 crab 	\$375
	<ul style="list-style-type: none"> by more than 15 but not more than 20 crab 	\$500
	<ul style="list-style-type: none"> by more than 20 crab 	\$625
63(3)(c) or (4)(c)	Taking perch (being a combination of Golden Perch and Lake Eyre Perch) (<i>recreational non-charter boat fishing bag or boat combination limit</i>)—exceeding combination limit:	
	<ul style="list-style-type: none"> by up to 3 fish 	\$250
	<ul style="list-style-type: none"> by more than 3 but not more than 6 fish 	\$375
	<ul style="list-style-type: none"> by more than 6 but not more than 9 fish 	\$500
	<ul style="list-style-type: none"> by more than 9 fish 	\$625
63(3)(d) or (4)(d)	Taking shark (being a combination of Gummy Shark and School Shark) (<i>recreational non-charter boat fishing bag or boat combination limit</i>)—exceeding combination limit:	
	<ul style="list-style-type: none"> by 1 shark 	\$250
	<ul style="list-style-type: none"> by 2 shark 	\$375
	<ul style="list-style-type: none"> by 3 shark 	\$500
	<ul style="list-style-type: none"> by more than 3 shark 	\$625
63(3)(e) or (4)(e)	Taking shark (being a combination of Bronze Whaler Shark and Dusky Shark) (<i>recreational non-charter boat fishing bag or boat combination limit</i>)—exceeding combination limit:	
	<ul style="list-style-type: none"> by 1 shark 	\$250
	<ul style="list-style-type: none"> by 2 shark 	\$375
	<ul style="list-style-type: none"> by 3 shark 	\$500
	<ul style="list-style-type: none"> by more than 3 shark 	\$625

Clause of Schedule 6	Description of prescribed fishing activity constituting offence	Expiation fee
64	Taking rock lobster in the Northern Zone or Southern Zone (<i>recreational non-charter boat fishing bag or boat limit</i>)— exceeding limit: <ul style="list-style-type: none"> • by 1 rock lobster • by 2 rock lobster • by 3 rock lobster • by more than 3 rock lobster 	\$250 \$375 \$500 \$625
64	Taking abalone (<i>recreational non-charter boat fishing bag or boat limit</i>)—exceeding limit: <ul style="list-style-type: none"> • by 1 abalone • by 2 abalone • by 3 abalone • by more than 3 abalone 	\$250 \$375 \$500 \$625
64	Taking Murray Cod (<i>recreational non-charter boat fishing bag or boat limit</i>)—exceeding limit: <ul style="list-style-type: none"> • by 1 Murray Cod • by 2 Murray Cod • by more than 2 Murray Cod 	\$375 \$500 \$625
65(1)	Taking Cockle and Vongole (<i>recreational bag limit</i>)— exceeding limit: <ul style="list-style-type: none"> • by up to 25 cockles or vongole • by more than 25 but not more than 50 cockles or vongole • by more than 50 but not more than 75 cockles or vongole • by more than 75 but not more than 100 cockles or vongole • by more than 100 cockles or vongole 	\$125 \$250 \$375 \$500 \$625
65(1)	Taking Black Cowrie (<i>recreational bag limit</i>)—exceeding limit: <ul style="list-style-type: none"> • by 1 Black Cowrie • by 2 Black Cowrie • by 3 Black Cowrie • by more than 3 Black Cowrie 	\$250 \$375 \$500 \$625
65(1)	Taking Pipi (<i>recreational bag limit</i>)—exceeding limit: <ul style="list-style-type: none"> • by up to 25 Pipi • by more than 25 but not more than 50 Pipi • by more than 50 but not more than 75 Pipi • by more than 75 but not more than 100 Pipi • by more than 100 Pipi 	\$125 \$250 \$375 \$500 \$625

Clause of Schedule 6	Description of prescribed fishing activity constituting offence	Expiation fee
65(1)	Taking Large Mulloway within the Coorong (<i>recreational bag limit</i>)—exceeding limit:	
	• by 1 Large Mulloway	\$250
	• by 2 Large Mulloway	\$375
	• by 3 Large Mulloway	\$500
	• by more than 3 Large Mulloway	\$625
65(2)	Taking bloodworms(<i>recreational limit</i>)—exceeding limit:	
	• by up to 4 litres	\$250
	• by more than 4 litres	\$500
66	Taking Abalone, Albacore, Bronze Whaler Shark, Dusky Shark, Congolli, Giant Crab, Gummy Shark, Harlequin Fish, Mulloway (Outside Coorong), Samsonfish, School Shark, Snapper, Rock Lobster, Western Blue Groper & Yellowtail Kingfish (<i>recreational charter boat fishing bag or trip limit</i>)—exceeding limit:	
	• by 1 fish	\$250
	• by 2 fish	\$375
	• by 3 fish	\$500
	• by more than 3 fish	\$625
66	Taking Barracouta, Blue Morwong (Queen Snapper), Cuttlefish, Gemfish, Jackass Morwong, King George Whiting, Southern Calamari & Wrasse (<i>recreational charter boat fishing bag or trip limit</i>)—exceeding limit:	
	• by up to 3 fish	\$250
	• by more than 3 but not more than 6 fish	\$375
	• by more than 6 but not more than 9 fish	\$500
	• by more than 9 fish	\$625
66	Taking Bight Redfish, Blue Swimmer Crabs, Bream, Eastern School Whiting, Flathead, Razorfish, large Salmon, Sand Crabs, Southern Garfish, Swallowtail, Yelloweye Redfish & Yellowfin Whiting (<i>recreational charter boat fishing bag or trip limit</i>)—exceeding limit:	
	• by up to 5 fish	\$125
	• by more than 5 but not more than 10 fish	\$250
	• by more than 10 but not more than 15 fish	\$375
	• by more than 15 but not more than 20 fish	\$500
	• by more than 20 fish	\$625
66	Taking Australian Herring, Flounder, small Salmon, Sea Urchin, Scallop, Snook, Sweep & Trevally (<i>recreational charter boat fishing bag or trip limit</i>)—exceeding limit:	
	• by up to 10 fish	\$125
	• by more than 10 but not more than 20 fish	\$250
	• by more than 20 but not more than 30 fish	\$375

Clause of Schedule 6	Description of prescribed fishing activity constituting offence	Expiation fee
	<ul style="list-style-type: none"> by more than 30 but not more than 40 fish 	\$500
	<ul style="list-style-type: none"> by more than 40 fish 	\$625
66	Taking Mullet (<i>recreational charter boat fishing bag or trip limit</i>)—exceeding limit:	
	<ul style="list-style-type: none"> by up to 15 Mullet 	\$125
	<ul style="list-style-type: none"> by more than 15 but not more than 30 Mullet 	\$250
	<ul style="list-style-type: none"> by more than 30 but not more than 45 Mullet 	\$375
	<ul style="list-style-type: none"> by more than 45 but not more than 60 Mullet 	\$500
	<ul style="list-style-type: none"> by more than 60 Mullet 	\$625
66	Taking Cockle or Vongole (<i>recreational charter boat fishing bag or trip limit</i>)—exceeding limit:	
	<ul style="list-style-type: none"> by up to 25 cockles or vongole 	\$125
	<ul style="list-style-type: none"> by more than 25 but not more than 50 cockles or vongole 	\$250
	<ul style="list-style-type: none"> by more than 50 but not more than 75 cockles or vongole 	\$375
	<ul style="list-style-type: none"> by more than 75 but not more than 100 cockles or vongole 	\$500
	<ul style="list-style-type: none"> by more than 100 cockles or vongole 	\$625
66	Taking Pipi (<i>recreational charter boat fishing bag or trip limit</i>)—exceeding limit:	
	<ul style="list-style-type: none"> by up to 25 Pipi 	\$125
	<ul style="list-style-type: none"> by more than 25 but not more than 50 Pipi 	\$250
	<ul style="list-style-type: none"> by more than 50 but not more than 75 Pipi 	\$375
	<ul style="list-style-type: none"> by more than 75 but not more than 100 Pipi 	\$500
	<ul style="list-style-type: none"> by more than 100 Pipi 	\$625
67(a)	Taking Southern Calamari and Cuttlefish (<i>recreational charter boat fishing daily bag (combination) limit</i>)—exceeding combination limit:	
	<ul style="list-style-type: none"> by up to 3 fish 	\$250
	<ul style="list-style-type: none"> by more than 3 but not more than 6 fish 	\$375
	<ul style="list-style-type: none"> by more than 6 but not more than 9 fish 	\$500
	<ul style="list-style-type: none"> by more than 9 fish 	\$625
67(b)	Taking Cockle and Vongole (<i>recreational charter boat fishing daily bag (combination) limit</i>)—exceeding combination limit:	
	<ul style="list-style-type: none"> by up to 25 cockle and vongole 	\$125
	<ul style="list-style-type: none"> by more than 25 but not more than 50 cockle and vongole 	\$250
	<ul style="list-style-type: none"> by more than 50 but not more than 75 cockle and vongole 	\$375

Clause of Schedule 6	Description of prescribed fishing activity constituting offence	Expiation fee
	<ul style="list-style-type: none"> by more than 75 but not more than 100 cockle and vongole 	\$500
	<ul style="list-style-type: none"> by more than 100 cockle and vongole 	\$625
67(c)	Taking crab (being a combination of Blue Swimmer Crab and Sand Crab) (<i>recreational charter boat fishing daily bag (combination) limit</i>)— exceeding combination limit:	
	<ul style="list-style-type: none"> by up to 5 crab 	\$125
	<ul style="list-style-type: none"> by more than 5 but not more than 10 crab 	\$250
	<ul style="list-style-type: none"> by more than 10 but not more than 15 crab 	\$375
	<ul style="list-style-type: none"> by more than 15 but not more than 20 crab 	\$500
	<ul style="list-style-type: none"> by more than 20 crab 	\$625
67(d)	Taking redfish (being a combination of Yelloweye Redfish and Bight Redfish) (<i>recreational charter boat fishing daily bag (combination) limit</i>)— exceeding combination limit:	
	<ul style="list-style-type: none"> by up to 5 fish 	\$125
	<ul style="list-style-type: none"> by more than 5 but not more than 10 fish 	\$250
	<ul style="list-style-type: none"> by more than 10 but not more than 15 fish 	\$375
	<ul style="list-style-type: none"> by more than 15 but not more than 20 fish 	\$500
	<ul style="list-style-type: none"> by more than 20 fish 	\$625
67(e)	Taking shark (being Gummy Shark or School Shark) (<i>recreational charter boat fishing daily bag (combination) limit</i>)—exceeding combination limit:	
	<ul style="list-style-type: none"> by 1 shark 	\$250
	<ul style="list-style-type: none"> by 2 shark 	\$375
	<ul style="list-style-type: none"> by 3 shark 	\$500
	<ul style="list-style-type: none"> by more than 3 shark 	\$625
67(f)	Taking shark (being Bronze Whaler Shark or Dusky Shark) (<i>recreational charter boat fishing daily bag (combination) limit</i>)— exceeding combination limit	
	<ul style="list-style-type: none"> by 1 shark 	\$250
	<ul style="list-style-type: none"> by 2 shark 	\$375
	<ul style="list-style-type: none"> by 3 shark 	\$500
	<ul style="list-style-type: none"> by more than 3 shark 	\$625
68	Taking Blue Warehou (<i>recreational charter boat fishing bag, boat or trip limit</i>)—exceeding limit:	
	<ul style="list-style-type: none"> by up to 5 Blue Warehou 	\$125
	<ul style="list-style-type: none"> by more than 5 but not more than 10 Blue Warehou 	\$250
	<ul style="list-style-type: none"> by more than 10 but not more than 15 Blue Warehou 	\$375
	<ul style="list-style-type: none"> by more than 15 but not more than 20 Blue Warehou 	\$500
	<ul style="list-style-type: none"> by more than 20 Blue Warehou 	\$625

Clause of Schedule 6	Description of prescribed fishing activity constituting offence	Expiation fee
68	Taking Rock Ling (<i>recreational charter boat fishing bag, boat or trip limit</i>)—exceeding limit: <ul style="list-style-type: none"> • by 1 Rock Ling • by 2 Rock Ling • by 3 Rock Ling • by more than 3 Rock Ling 	\$250 \$375 \$500 \$625
68	Taking Silver Warehou (<i>recreational charter boat fishing bag, boat or trip limit</i>)—exceeding limit: <ul style="list-style-type: none"> • by up to 5 Silver Warehou • by more than 5 but not more than 10 Silver Warehou • by more than 10 but not more than 15 Silver Warehou • by more than 15 but not more than 20 Silver Warehou • by more than 20 Silver Warehou 	\$125 \$250 \$375 \$500 \$625
68	Taking Southern Bluefin Tuna (<i>recreational charter boat fishing bag, boat or trip limit</i>)—exceeding limit: <ul style="list-style-type: none"> • by 1 Southern Bluefin Tuna • by 2 Southern Bluefin Tuna • by 3 Southern Bluefin Tuna • by more than 3 Southern Bluefin Tuna 	\$250 \$375 \$500 \$625
70	<i>Taking fish in Coorong (area 1) during certain period using mesh net in unlawful manner or without attending net (recreational)</i>	\$250
71	<i>Taking fish in Coorong (area 2) using mesh net in unlawful manner or without attending net (recreational)</i>	\$250
72	<i>Taking fish in Lakes Albert and Alexandrina using mesh net in unlawful manner or without attending net (recreational)</i>	\$250
73	<i>Taking fish in Lake George using mesh net in unlawful manner or at certain times of day without attending net (recreational)</i>	\$250
Part 3—Fishing activities not to be engaged in by any person		
74	<i>Taking fish for non-commercial purpose using device other than permitted device etc</i>	\$500
75	<i>Taking fish for non-commercial purpose using mesh net or rock lobster pot not registered in user's name</i>	\$500
76	<i>Taking fish using bow and arrow</i>	\$250
77	<i>Taking rock lobster using fish spear etc</i>	\$500
78	<i>Taking fish using more than permitted number of rod and lines or hand lines etc</i>	\$125
79	<i>Taking fish using more than permitted number of large mesh nets</i>	\$500

Clause of Schedule 6	Description of prescribed fishing activity constituting offence	Expiation fee
80	<i>Taking fish using more than permitted number of teaser lines from jetty etc</i>	\$125
81	<i>Taking fish in inland waters using yabby pot of unlawful specifications</i>	\$250
82	<i>Taking fish in Lake George using fish net of unlawful specifications</i>	\$250
83	<i>Taking fish in coastal waters other than by power hauling method using hauling net of unlawful specifications</i>	\$500
84	<i>Taking fish by power hauling method using hauling net of unlawful specifications etc</i>	\$500
85	<i>Taking fish in certain Coorong waters using mesh net of unlawful specifications</i>	\$250
86	<i>Taking fish on week days in certain waters using mesh net of unlawful specifications</i>	\$250
87	<i>Taking fish in Lakes Albert and Alexandrina using mesh net of unlawful specifications</i>	\$250
88	<i>Taking fish using large mesh net of unlawful specifications</i>	\$500
89	<i>Taking Salmon using purse seine net of unlawful specifications</i>	\$500
90	<i>Taking fish using shrimp trap of unlawful specifications</i>	\$125
91	<i>Taking fish using mesh net or set line without buoys</i>	\$250
92	<i>Taking fish using fish net without buoys</i>	\$250
93	<i>Taking fish in Lakes Albert and Alexandrina, Murray mouth or Coorong using fish net within certain distance of another fish net</i>	\$250
94	<i>Taking fish in certain waters using device other than rod and line, hand line or hand net</i>	\$375
95(1)	<i>Taking fish in certain inland waters</i>	\$250
96	<i>Taking fish using a towed net in certain waters</i>	\$625
97	<i>Taking fish in certain waters deeper than 5 metres using fish net</i>	\$500
98	<i>Taking fish in certain waters of Spencer Gulf using fish net</i>	\$500
99	<i>Taking fish in certain waters of Coorong using fish net or set line</i>	\$500
100	<i>Taking fish in Murray mouth using long line</i>	\$500
101	<i>Taking fish in certain waters using mesh net as set net</i>	\$375
102	<i>Taking fish in certain waters of Coorong using mesh net as set net on weekend</i>	\$375
103	<i>Taking fish in certain waters of Coorong using hauling net on weekend</i>	\$500
104(1) or (2)	<i>Taking fish using certain device near artificial reef</i>	\$375
105	<i>Taking fish using large mesh net left in water more than 4 hours</i>	\$500

Clause of Schedule 6	Description of prescribed fishing activity constituting offence	Expiation fee
106	<i>Taking prawn by power hauling method</i>	\$500
107	<i>Taking fish in Gulf St. Vincent or Spencer Gulf using large mesh net shot out in straight line</i>	\$500
108	<i>Taking fish using fish net fixed etc across bay, inlet etc</i>	\$500
109	<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>	\$250
110	<i>Taking fish by unlicensed person using pipeline</i>	\$625
111	<i>Taking fish using explosives or certain substances</i>	\$625
112	Taking rock lobster by diving (<i>bag limit</i>)—exceeding limit: <ul style="list-style-type: none"> • by 1 rock lobster • by 2 rock lobster • by 3 rock lobster • by more than 3 rock lobster 	\$250 \$375 \$500 \$625
113(1)(a)	Taking undersize Abalone, Giant Crab, Gummy Shark, School Shark, Mulloway (Outside Coorong), Murray Cod, Rock Lobster, Samsonfish, Snapper, Southern Bluefin Tuna, Western Blue Groper & Yellowtail Kingfish— <ul style="list-style-type: none"> • 1 fish • 2 fish • 3 fish • more than 3 fish 	\$250 \$375 \$500 \$625
113(1)(a)	Taking undersize Blue Morwong (Queen Snapper), Brown Trout, Golden Perch, King George Whiting, Lake Eyre Perch, Mulloway (within Coorong), Rainbow Trout— <ul style="list-style-type: none"> • up to 3 fish • more than 3 but not more than 6 fish • more than 6 but not more than 9 fish • more than 9 fish 	\$250 \$375 \$500 \$625
113(1)(a)	Taking undersize Bight Redfish, Blue Swimmer Crab, Bream, Flathead, Redfish, Swallowtail, Sand Crab, Southern Garfish & Yellowfin Whiting— <ul style="list-style-type: none"> • up to 5 fish • more than 5 but not more than 10 fish • more than 10 but not more than 15 fish • more than 15 but not more than 20 fish • more than 20 fish 	\$125 \$250 \$375 \$500 \$625
113(1)(a)	Taking undersize Salmon, Scallop, Snook, Sweep & Trevally— <ul style="list-style-type: none"> • up to 10 fish • more than 10 but not more than 20 fish • more than 20 but not more than 30 fish 	\$125 \$250 \$375

Clause of Schedule 6	Description of prescribed fishing activity constituting offence	Expiation fee
	<ul style="list-style-type: none"> more than 30 but not more than 40 fish 	\$500
	<ul style="list-style-type: none"> more than 40 fish 	\$625
113(1)(a)	Taking undersize Mullet—	
	<ul style="list-style-type: none"> up to 15 Mullet 	\$125
	<ul style="list-style-type: none"> more than 15 but not more than 30 Mullet 	\$250
	<ul style="list-style-type: none"> more than 30 but not more than 45 Mullet 	\$375
	<ul style="list-style-type: none"> more than 45 but not more than 60 Mullet 	\$500
	<ul style="list-style-type: none"> more than 60 Mullet 	\$625
113(1)(a)	Taking undersize Cockle, Pipi & Vongole—	
	<ul style="list-style-type: none"> up to 25 cockles, pipi or vongole 	\$125
	<ul style="list-style-type: none"> more than 25 but not more than 50 cockles, pipi or vongole 	\$250
	<ul style="list-style-type: none"> more than 50 but not more than 75 cockles, pipi or vongole 	\$375
	<ul style="list-style-type: none"> more than 75 but not more than 100 cockles, pipi or vongole 	\$500
	<ul style="list-style-type: none"> more than 100 cockles, pipi or vongole 	\$625
113(1)(b)	Taking oversize Western Blue Groper or Murray Cod	\$500
113(2)	Taking undersize or oversize Wrasse (other than Blue Groper)—	
	<ul style="list-style-type: none"> up to 3 Wrasse 	\$250
	<ul style="list-style-type: none"> more than 3 but not more than 6 Wrasse 	\$375
	<ul style="list-style-type: none"> more than 6 but not more than 9 Wrasse 	\$500
	<ul style="list-style-type: none"> more than 9 Wrasse 	\$625
114	<i>Taking molluscs in waters of West Lakes etc</i>	\$375
115	<i>Taking filter-feeding marine molluscan shellfish in certain waters of Port Adelaide River</i>	\$375
116	<i>Taking benthic marine organisms in certain waters</i>	\$375
117	<i>Taking of prawn in certain waters less than 10 metres deep</i>	\$625
118	<i>Taking rock lobster in certain waters</i>	\$500
119	<i>Taking fish near locks and weir of River Murray</i>	\$375
120	<i>Taking fish during closed season in certain waters—</i>	
	<ul style="list-style-type: none"> taking Pipi 	\$250
	<ul style="list-style-type: none"> taking Bream 	\$375
	<ul style="list-style-type: none"> taking Razorfish 	\$375
	<ul style="list-style-type: none"> taking Murray Cod 	\$500
121	<i>Taking fish using 2 millimetres or greater trace wire with size 12/0 fishing hooks</i>	\$250
123	<i>Setting rock lobster pot containing rock lobster for purpose other than commercial purpose</i>	\$500

Clause of Schedule 6	Description of prescribed fishing activity constituting offence	Expiation fee
124	<i>Taking fish by using registered boat (other than taking under a fishery authority)</i>	\$500
125	<i>Taking cephalopod in False Bay, Spencer Gulf</i>	\$375
126	<i>Taking fish using certain traces or hooks in certain waters between 0500 and 2100 hours on any day</i>	\$375
127	<i>Taking fish near Horseshoe Reef</i>	\$375
128	<i>Taking fish in certain parts of Onkaparinga River</i>	\$375

Made by the Governor

with the advice and consent of the Executive Council
on 19 November 2020

No 298 of 2020

South Australia

Fisheries Management (Demerit Points) (Expiated Offences) Variation Regulations 2020

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) (Expiated Offences) Variation Regulations 2020*.

2—Commencement

These regulations come into operation 4 months after the day on which they are made (see *Subordinate Legislation Act 1978* section 10AA).

3—Variation provisions

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

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

4—Variation of Schedule 1—Demerit point offences and demerit points

Schedule 1, Part 1, clause 2—delete the clause and substitute:

2—Section 70 (Prescribed fishing activities prohibited)—engaging in a fishing activity of class specified in Schedule 6 of *Fisheries Management (General) Regulations 2017*

Clause	Description of offence	Demerit points
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>	
	(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
2	<i>Taking fish in Coorong (area 1) or Coorong (area 2) using large mesh monofilament net other than as set net (commercial)—</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
3	<i>Taking fish in Coorong (area 1) using certain net during closed season (commercial)—</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
4	<i>Taking fish in coastal waters using hauling net during certain holiday periods (commercial)—</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

Clause	Description of offence	Demerit points
5	<i>Taking fish in certain coastal waters using swinger net (commercial)—</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
6	<i>Taking fish in River Murray proper using certain device (commercial)—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
7	<i>Taking fish for purpose of bait using fish net other than bait net (commercial)—</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
8	<i>Taking Scallop using scallop dredge (commercial)—</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
9(1)	<i>Taking certain fish in Lakes and Coorong using more than permitted number of certain nets at same time (commercial)—</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
10	<i>Taking fish using drum net of unlawful specifications (commercial)—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	60

Clause	Description of offence	Demerit points
	(ii) second offence	80
	(iii) third or subsequent offence	100
11	<i>Taking fish in coastal waters using gill net or mesh net of unlawful specifications (commercial)—</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
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>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	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>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
13	<i>Taking fish in Coorong (area 1), Coorong (area 2) or Coorong coastal waters using large monofilament mesh net of unlawful specifications (commercial)—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
14	<i>Taking fish in Coorong coastal waters using large mesh monofilament net of unlawful specifications other than as set net (commercial)—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80

Clause	Description of offence	Demerit points
	(iii) third or subsequent offence	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>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
16(1)	<i>Taking prawn in coastal waters using prawn trawl net of unlawful specifications (commercial)—</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
17	<i>Taking Blue Swimmer Crab using crab net of unlawful specifications (commercial)—</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(1)	<i>Taking rock lobster in Northern Zone using rock lobster pot of unlawful specifications (commercial)—</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
19	<i>Taking rock lobster in Southern Zone using rock lobster pot of unlawful specifications (commercial)—</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
20	<i>Taking Ocean Jacket in waters deeper than 60 m using fish trap of unlawful specifications (commercial)—</i>	
	(a) if the offence is expiated	10

Clause	Description of offence	Demerit points
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
21	<i>Taking fish using fish trap of unlawful specifications (commercial)—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
22	<i>Taking Pipi in Coorong coastal waters using cockle rake of unlawful specifications (commercial)—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
23	<i>Taking fish using certain device without buoy (commercial)—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	25
24	<i>Taking fish using certain device without tag (commercial)—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	25
25	<i>Taking Razorfish (bag limit) (commercial)—exceeding daily limit:</i>	
	(a) if the offence is expiated	
	(i) by up to 5 Razorfish	5
	(ii) by more than 5 but not more than 10 Razorfish	10
	(iii) by more than 10 but not more than 15 Razorfish	15
	(iv) by more than 15 but not more than 20 Razorfish	20
	(v) by more than 20 Razorfish	25
	(b) in any other case—	
	(i) first offence	30
	(ii) second offence	40
	(iii) third or subsequent offence	50

Clause	Description of offence	Demerit points
26	<i>Taking fish by licensed person using trawl nets and boats in Gulf St. Vincent Prawn Fishery—</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
27	<i>Taking fish by licensed person using trawl nets and boats in Spencer Gulf Prawn Fishery—</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
28	<i>Taking fish by licensed person using trawl nets and boats in West Coast Prawn Fishery—</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
29	<i>Taking fish using unattended long line (commercial)—</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
30	<i>Taking fish using set line with more than permitted number of hooks (commercial)—</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
31	<i>Taking certain fish in River Murray (commercial)—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60

Clause	Description of offence	Demerit points
	(iii) third or subsequent offence	75
32	<i>Taking Blue Swimmer Crab in certain Spencer Gulf waters (commercial)—</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
33	<i>Taking Blue Swimmer Crab in certain other waters (commercial)—</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
34	<i>Taking Sand Crab using sand crab pot in certain waters (commercial)—</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
35	<i>Taking Vongole in certain waters (commercial)—</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
36	<i>Taking Blue Swimmer Crab in certain waters during closed season (commercial)—</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
37	<i>Taking fish in River Murray using certain device without buoy or tag (commercial)—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	25

Clause	Description of offence	Demerit points
38	<i>Taking fish in Lakes and Coorong by electrofishing (commercial)—</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
39	<i>Taking fish in coastal waters using fish net or long line (recreational)—</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
40	<i>Taking fish using fish net in River Murray proper (recreational)—</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
41	<i>Taking fish in Coorong (area 1) using fish net during certain period (recreational)—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
42	<i>Taking fish using fish trap (recreational)—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
43	<i>Taking fish in coastal waters using more than permitted number of certain devices (recreational)—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60

Clause	Description of offence	Demerit points
	(iii) third or subsequent offence	75
44	<i>Taking fish in River Murray proper using more than permitted number of certain devices (recreational)—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
45	<i>Taking fish in Coorong (area 1) using more than permitted number of certain devices during certain period (recreational)—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
46	<i>Taking fish in Coorong (area 2) using more than permitted number of certain devices (recreational)—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
47	<i>Taking fish in Lakes Albert and Alexandrina using more than permitted number of certain devices (recreational)—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
48	<i>Taking fish in Lake George using more than permitted number of certain devices (recreational)—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75

Clause	Description of offence	Demerit points
49	<i>Taking fish in Coorong (area 1) during certain period using mesh net of unlawful specifications (recreational)—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
50	<i>Taking fish in Coorong (area 2) using mesh net of unlawful specifications (recreational)—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
51	<i>Taking fish in Lakes Albert and Alexandrina using mesh net of unlawful specifications (recreational)—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
52	<i>Taking fish in Lake George using mesh net of unlawful specifications (recreational)—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
53	<i>Taking crabs using crab net or hand net of unlawful specifications (recreational)—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
54	<i>Taking rock lobster in Northern Zone or Southern Zone using rock lobster pot of unlawful specifications (recreational)—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	

Clause	Description of offence	Demerit points
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
55	<i>Taking fish using device without tag (recreational)—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	15
	(ii) second offence	20
	(iii) third or subsequent offence	25
56	<i>Taking fish using mesh net without tag (recreational)—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	15
	(ii) second offence	20
	(iii) third or subsequent offence	25
57	<i>Taking fish in Lake George using mesh net without buoy or tag (recreational)—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	15
	(ii) second offence	20
	(iii) third or subsequent offence	25
58	<i>Taking fish using drop net without buoy or tag (recreational)—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	15
	(ii) second offence	20
	(iii) third or subsequent offence	25
59	<i>Taking fish using hoop net without buoy or tag (recreational)—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	15
	(ii) second offence	20
	(iii) third or subsequent offence	25
60	<i>Taking rock lobster using rock lobster pot without buoy or tag (recreational)—</i>	
	(a) if the offence is expiated	10

Clause	Description of offence	Demerit points
	(b) in any other case—	
	(i) first offence	15
	(ii) second offence	20
	(iii) third or subsequent offence	25
61	<i>Taking fish using shrimp trap or yabby pot without buoy or tag (recreational)—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	15
	(ii) second offence	20
	(iii) third or subsequent offence	25
62	<i>Taking fish using device with tag bearing registration information relating to device registered for commercial fishing (recreational)—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	15
	(ii) second offence	20
	(iii) third or subsequent offence	25
63(1) or (2)	Taking Albacore, Bronze Whaler Shark, Congolli, Dusky Shark, Gummy Shark, Harlequin Fish, Mulloway (outside Coorong), Samsonfish, School Shark, Snapper, Southern Bluefin Tuna, Western Blue Groper & Yellowtail Kingfish (<i>recreational non-charter boat fishing bag or boat limit</i>)—exceeding limit:	
	(a) if the offence is expiated—	
	(i) by 1 fish	10
	(ii) by 2 fish	15
	(iii) by 3 fish	20
	(iv) by more than 3 fish	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
63(1) or (2)	Taking Blue Morwong (Queen Snapper), Cuttlefish, Golden Perch, Grunter, King George Whiting, Lake Eyre Perch, small Mulloway (within Coorong), Southern Calamari & Wrasse (<i>recreational non-charter boat fishing bag or boat limit</i>)—exceeding limit:	
	(a) if the offence is expiated—	
	(i) by up to 3 fish	10

Clause	Description of offence	Demerit points
	(ii) by more than 3 but not more than 6 fish	15
	(iii) by more than 6 but not more than 9 fish	20
	(iv) by more than 9 fish	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
63(1) or (2)	Taking Bight Redfish, Blue Swimmer Crab, Bream, Flathead, Hyrtl's Tandan, Redfish, Swallowtail, Razorfish, large Salmon, Sand Crab, Southern Garfish, Spangled Perch & Yellowfin Whiting (<i>recreational non-charter boat fishing bag or boat limit</i>)—exceeding limit:	
	(a) if the offence is expiated—	
	(i) by up to 5 fish	5
	(ii) by more than 5 but not more than 10 fish	10
	(iii) by more than 10 but not more than 15 fish	15
	(iv) by more than 15 but not more than 20 fish	20
	(v) by more than 20 fish	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
63(1) or (2)	Taking Australian Herring, Flounder, small Salmon, Sea Urchin, Scallop, Snook, Sweep & Trevally (<i>recreational non-charter boat fishing bag or boat limit</i>)—exceeding limit:	
	(a) if the offence is expiated—	
	(i) by up to 10 fish	5
	(ii) by more than 10 but not more than 20 fish	10
	(iii) by more than 20 but not more than 30 fish	15
	(iv) by more than 30 but not more than 40 fish	20
	(v) by more than 40 fish	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80

Clause	Description of offence	Demerit points
	(iii) third or subsequent offence	100
63(1) or (2)	Taking Mullet & Yabby (<i>recreational non-charter boat fishing bag or boat limit</i>)—exceeding limit:	
	(a) if the offence is expiated—	
	(i) by up to 15 fish	5
	(ii) by more than 15 but not more than 30 fish	10
	(iii) by more than 30 but not more than 45 fish	15
	(iv) by more than 45 but not more than 60 fish	20
	(v) by more than 60 fish	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
63(3)(a) or (4)(a)	Taking Southern Calamari and Cuttlefish (<i>recreational non-charter boat fishing bag or boat combination limit</i>)—exceeding combination limit:	
	(a) if the offence is expiated—	
	(i) by up to 3 fish	10
	(ii) by more than 3 but not more than 6 fish	15
	(iii) by more than 6 but not more than 9 fish	20
	(iv) by more than 9 fish	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
63(3)(b) or (4)(b)	Taking crab (being a combination of Blue Swimmer Crab and Sand Crab) (<i>recreational non-charter boat fishing bag or boat combination limit</i>)—exceeding combination limit:	
	(a) if the offence is expiated—	
	(i) by up to 5 crab	5
	(ii) by more than 5 but not more than 10 crab	10
	(iii) by more than 10 but not more than 15 crab	15
	(iv) by more than 15 but not more than 20 crab	20
	(v) by more than 20 crab	25
	(b) in any other case—	
	(i) first offence	60

Clause	Description of offence	Demerit points
	(ii) second offence	80
	(iii) third or subsequent offence	100
63(3)(c) or (4)(c)	Taking perch (being a combination of Golden Perch and Lake Eyre Perch) (<i>recreational non-charter boat fishing bag or boat combination limit</i>)—exceeding combination limit:	
	(a) if the offence is expiated—	
	(i) by up to 3 fish	10
	(ii) by more than 3 but not more than 6 fish	15
	(iii) by more than 6 but not more than 9 fish	20
	(iv) by more than 9 fish	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
63(3)(d) or (4)(d)	Taking shark (being a combination of Gummy Shark and School Shark) (<i>recreational non-charter boat fishing bag or boat combination limit</i>)—exceeding combination limit:	
	(a) if the offence is expiated—	
	(i) by 1 shark	10
	(ii) by 2 shark	15
	(iii) by 3 shark	20
	(iv) by more than 3 shark	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
63(3)(e) or (4)(e)	Taking shark (being a combination of Bronze Whaler Shark and Dusky Shark) (<i>recreational non-charter boat fishing bag or boat combination limit</i>)—exceeding combination limit:	
	(a) if the offence is expiated—	
	(i) by 1 shark	10
	(ii) by 2 shark	15
	(iii) by 3 shark	20
	(iv) by more than 3 shark	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100

Clause	Description of offence	Demerit points
64	Taking rock lobster in the Northern Zone or Southern Zone (<i>recreational non-charter boat fishing bag or boat limit</i>)—exceeding limit:	
	(a) if the offence is expiated—	
	(i) by 1 rock lobster	10
	(ii) by 2 rock lobster	15
	(iii) by 3 rock lobster	20
	(iv) by more than 3 rock lobster	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
64	Taking abalone (<i>recreational non-charter boat fishing bag or boat limit</i>)—exceeding limit:	
	(a) if the offence is expiated—	
	(i) by 1 abalone	10
	(ii) by 2 abalone	15
	(iii) by 3 abalone	20
	(iv) by more than 3 abalone	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
64	Taking Murray Cod (<i>recreational non-charter boat fishing bag or boat limit</i>)—exceeding limit:	
	(a) if the offence is expiated—	
	(i) by 1 Murray Cod	15
	(ii) by 2 Murray Cod	20
	(iii) by more than 2 Murray Cod	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
65(1)	Taking Cockle and Vongole (<i>recreational bag limit</i>)—exceeding limit:	
	(a) if the offence is expiated—	
	(i) by up to 25 cockles or vongole	5
	(ii) by more than 25 but not more than 50 cockles or vongole	10

Clause	Description of offence	Demerit points
	(iii) by more than 50 but not more than 75 cockles or vongole	15
	(iv) by more than 75 but not more than 100 cockles or vongole	20
	(v) by more than 100 cockles or vongole	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
65(1)	Taking Black Cowrie (<i>recreational bag limit</i>)—exceeding limit:	
	(a) if the offence is expiated—	
	(i) by 1 Black Cowrie	10
	(ii) by 2 Black Cowrie	15
	(iii) by 3 Black Cowrie	20
	(iv) by more than 3 Black Cowrie	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
65(1)	Taking Pipi (<i>recreational bag limit</i>)—exceeding limit:	
	(a) if the offence is expiated—	
	(i) by up to 25 Pipi	5
	(ii) by more than 25 but not more than 50 Pipi	10
	(iii) by more than 50 but not more than 75 Pipi	15
	(iv) by more than 75 but not more than 100 Pipi	20
	(v) by more than 100 Pipi	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
65(1)	Taking Large Mulloway within the Coorong (<i>recreational bag limit</i>)—exceeding limit:	
	(a) if the offence is expiated—	
	(i) by 1 Large Mulloway	10
	(ii) by 2 Large Mulloway	15
	(iii) by 3 Large Mulloway	20

Clause	Description of offence	Demerit points
	(iv) by more than 3 Large Mulloway	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
65(2)	Taking bloodworms(<i>recreational limit</i>)—exceeding limit:	
	(a) if the offence is expiated	
	(i) by up to 4 litres	10
	(ii) by more than 4 litres	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
66	Taking Abalone, Albacore, Bronze Whaler Shark, Dusky Shark, Congolli, Giant Crab, Gummy Shark, Harlequin Fish, Mulloway (Outside Coorong), Samsonfish, School Shark, Snapper, Rock Lobster, Western Blue Groper & Yellowtail Kingfish (<i>recreational charter boat fishing bag or trip limit</i>)—exceeding limit:	
	(a) if the offence is expiated—	
	(i) by 1 fish	10
	(ii) by 2 fish	15
	(iii) by 3 fish	20
	(iv) by more than 3 fish	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
66	Taking Barracouta, Blue Morwong (Queen Snapper), Cuttlefish, Gemfish, Jackass Morwong, King George Whiting, Southern Calamari & Wrasse (<i>recreational charter boat fishing bag or trip limit</i>)—exceeding limit:	
	(a) if the offence is expiated—	
	(i) by up to 3 fish	10
	(ii) by more than 3 but not more than 6 fish	15
	(iii) by more than 6 but not more than 9 fish	20
	(iv) by more than 9 fish	25
	(b) in any other case—	
	(i) first offence	60

Clause	Description of offence	Demerit points
	(ii) second offence	80
	(iii) third or subsequent offence	100
66	Taking Bight Redfish, Blue Swimmer Crabs, Bream, Eastern School Whiting, Flathead, Razorfish, large Salmon, Sand Crabs, Southern Garfish, Swallowtail, Yelloweye Redfish & Yellowfin Whiting (<i>recreational charter boat fishing bag or trip limit</i>)—exceeding limit:	
	(a) if the offence is expiated—	
	(i) by up to 5 fish	5
	(ii) by more than 5 but not more than 10 fish	10
	(iii) by more than 10 but not more than 15 fish	15
	(iv) by more than 15 but not more than 20 fish	20
	(v) by more than 20 fish	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
66	Taking Australian Herring, Flounder, small Salmon, Sea Urchin, Scallop, Snook, Sweep & Trevally (<i>recreational charter boat fishing bag or trip limit</i>)—exceeding limit:	
	(a) if the offence is expiated—	
	(i) by up to 10 fish	5
	(ii) by more than 10 but not more than 20 fish	10
	(iii) by more than 20 but not more than 30 fish	15
	(iv) by more than 30 but not more than 40 fish	20
	(v) by more than 40 fish	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
66	Taking Mullet (<i>recreational charter boat fishing bag or trip limit</i>)—exceeding limit:	
	(a) if the offence is expiated—	
	(i) by up to 15 Mullet	5
	(ii) by more than 15 but not more than 30 Mullet	10

Clause	Description of offence	Demerit points
	(iii) by more than 30 but not more than 45 Mullet	15
	(iv) by more than 45 but not more than 60 Mullet	20
	(v) by more than 60 Mullet	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
66	Taking Cockle or Vongole (<i>recreational charter boat fishing bag or trip limit</i>)—exceeding limit:	
	(a) if the offence is expiated—	
	(i) by up to 25 cockles or vongole	5
	(ii) by more than 25 but not more than 50 cockles or vongole	10
	(iii) by more than 50 but not more than 75 cockles or vongole	15
	(iv) by more than 75 but not more than 100 cockles or vongole	20
	(v) by more than 100 cockles or vongole	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
66	Taking Pipi (<i>recreational charter boat fishing bag or trip limit</i>)—exceeding limit:	
	(a) if the offence is expiated—	
	(i) by up to 25 Pipi	5
	(ii) by more than 25 but not more than 50 Pipi	10
	(iii) by more than 50 but not more than 75 Pipi	15
	(iv) by more than 75 but not more than 100 Pipi	20
	(v) by more than 100 Pipi	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100

Clause	Description of offence	Demerit points
67(a)	Taking Southern Calamari and Cuttlefish (<i>recreational charter boat fishing daily bag (combination) limit</i>)—exceeding combination limit:	
	(a) if the offence is expiated—	
	(i) by up to 3 fish	10
	(ii) by more than 3 but not more than 6 fish	15
	(iii) by more than 6 but not more than 9 fish	20
	(iv) by more than 9 fish	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
67(b)	Taking Cockle and Vongole (<i>recreational charter boat fishing daily bag (combination) limit</i>)—exceeding combination limit:	
	(a) if the offence is expiated—	
	(i) by up to 25 cockle and vongole	5
	(ii) by more than 25 but not more than 50 cockle and vongole	10
	(iii) by more than 50 but not more than 75 cockle and vongole	15
	(iv) by more than 75 but not more than 100 cockle and vongole	20
	(v) by more than 100 cockle and vongole	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
67(c)	Taking crab (being a combination of Blue Swimmer Crab and Sand Crab) (<i>recreational charter boat fishing daily bag (combination) limit</i>)—exceeding combination limit:	
	(a) if the offence is expiated—	
	(i) by up to 5 crab	5
	(ii) by more than 5 but not more than 10 crab	10
	(iii) by more than 10 but not more than 15 crab	15
	(iv) by more than 15 but not more than 20 crab	20
	(v) by more than 20 crab	25
	(b) in any other case—	
	(i) first offence	60

Clause	Description of offence	Demerit points
	(ii) second offence	80
	(iii) third or subsequent offence	100
67(d)	Taking redfish (being a combination of Yelloweye Redfish and Bight Redfish) (<i>recreational charter boat fishing daily bag (combination) limit</i>)— exceeding combination limit:	
	(a) if the offence is expiated—	
	(i) by up to 5 fish	5
	(ii) by more than 5 but not more than 10 fish	10
	(iii) by more than 10 but not more than 15 fish	15
	(iv) by more than 15 but not more than 20 fish	20
	(v) by more than 20 fish	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
67(e)	Taking shark (being Gummy Shark or School Shark) (<i>recreational charter boat fishing daily bag (combination) limit</i>)—exceeding combination limit:	
	(a) if the offence is expiated—	
	(i) by 1 shark	10
	(ii) by 2 shark	15
	(iii) by 3 shark	20
	(iv) by more than 3 shark	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
67(f)	Taking shark (being Bronze Whaler Shark or Dusky Shark) (<i>recreational charter boat fishing daily bag (combination) limit</i>)— exceeding combination limit	
	(a) if the offence is expiated—	
	(i) by 1 shark	10
	(ii) by 2 shark	15
	(iii) by 3 shark	20
	(iv) by more than 3 shark	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80

Clause	Description of offence	Demerit points
	(iii) third or subsequent offence	100
68	Taking Blue Warehou (<i>recreational charter boat fishing bag, boat or trip limit</i>)—exceeding limit:	
	(a) if the offence is expiated—	
	(i) by up to 5 Blue Warehou	5
	(ii) by more than 5 but not more than 10 Blue Warehou	10
	(iii) by more than 10 but not more than 15 Blue Warehou	15
	(iv) by more than 15 but not more than 20 Blue Warehou	20
	(v) by more than 20 Blue Warehou	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
68	Taking Rock Ling (<i>recreational charter boat fishing bag, boat or trip limit</i>)—exceeding limit:	
	(a) if the offence is expiated—	
	(i) by 1 Rock Ling	10
	(ii) by 2 Rock Ling	15
	(iii) by 3 Rock Ling	20
	(iv) by more than 3 Rock Ling	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
68	Taking Silver Warehou (<i>recreational charter boat fishing bag, boat or trip limit</i>)—exceeding limit:	
	(a) if the offence is expiated—	
	(i) by up to 5 Silver Warehou	5
	(ii) by more than 5 but not more than 10 Silver Warehou	10
	(iii) by more than 10 but not more than 15 Silver Warehou	15
	(iv) by more than 15 but not more than 20 Silver Warehou	20
	(v) by more than 20 Silver Warehou	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80

Clause	Description of offence	Demerit points
	(iii) third or subsequent offence	100
68	Taking Southern Bluefin Tuna (<i>recreational charter boat fishing bag, boat or trip limit</i>)—exceeding limit:	
	(a) if the offence is expiated—	
	(i) by 1 Southern Bluefin Tuna	10
	(ii) by 2 Southern Bluefin Tuna	15
	(iii) by 3 Southern Bluefin Tuna	20
	(iv) by more than 3 Southern Bluefin Tuna	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
70	Taking fish in Coorong (<i>area 1</i>) during certain period using mesh net in unlawful manner or without attending net (<i>recreational</i>)—	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
71	Taking fish in Coorong (<i>area 2</i>) using mesh net in unlawful manner or without attending net (<i>recreational</i>)—	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
72	Taking fish in Lakes Albert and Alexandrina using mesh net in unlawful manner or without attending net (<i>recreational</i>)—	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
73	Taking fish in Lake George using mesh net in unlawful manner or at certain times of day without attending net (<i>recreational</i>)—	
	(a) if the offence is expiated	10
	(b) in any other case—	

Clause	Description of offence	Demerit points
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
74	<i>Taking fish for non-commercial purpose using device other than permitted device etc—</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
75	<i>Taking fish for non-commercial purpose using mesh net or rock lobster pot not registered in user's name—</i>	
	(a) if the offence is expiated	20
	(b) in any other case	100
76	<i>Taking fish using bow and arrow—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
77	<i>Taking rock lobster using fish spear etc—</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
78	<i>Taking fish using more than permitted number of rod and lines or hand lines etc—</i>	
	(a) if the offence is expiated	5
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
79	<i>Taking fish using more than permitted number of large mesh nets—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80

Clause	Description of offence	Demerit points
	(iii) third or subsequent offence	100
80	<i>Taking fish using more than permitted number of teaser lines from jetty etc—</i>	
	(a) if the offence is expiated	5
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
81	<i>Taking fish by licensed person in inland waters using yabby pot of unlawful specifications—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
81	<i>Taking fish by unlicensed person in inland waters using yabby pot of unlawful specifications—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
82	<i>Taking fish by licensed person in Lake George using fish net of unlawful specifications—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
82	<i>Taking fish by unlicensed person in Lake George using fish net of unlawful specifications—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
83	<i>Taking fish in coastal waters other than by power hauling method using hauling net of unlawful specifications—</i>	
	(a) if the offence is expiated	20

Clause	Description of offence	Demerit points
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
84	<i>Taking fish by power hauling method using hauling net of unlawful specifications etc—</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
85	<i>Taking fish by licensed person in certain Coorong waters using mesh net of unlawful specifications—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
85	<i>Taking fish by unlicensed person in certain Coorong waters using mesh net of unlawful specifications—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
86	<i>Taking fish on week days in certain waters using mesh net of unlawful specifications—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
87	<i>Taking fish by licensed person in Lakes Albert and Alexandrina using mesh net of unlawful specifications—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100

Clause	Description of offence	Demerit points
87	<i>Taking fish by unlicensed person in Lakes Albert and Alexandrina using mesh net of unlawful specifications—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
88	<i>Taking fish using large mesh net of unlawful specifications—</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
89	<i>Taking Salmon using purse seine net of unlawful specifications—</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
90	<i>Taking fish by licensed person using shrimp trap of unlawful specifications—</i>	
	(a) if the offence is expiated	5
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
90	<i>Taking fish by unlicensed person using shrimp trap of unlawful specifications—</i>	
	(a) if the offence is expiated	5
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
91	<i>Taking fish by licensed person using mesh net or set line without buoys—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	25

Clause	Description of offence	Demerit points
91	<i>Taking fish by unlicensed person using mesh net or set line without buoys—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	15
	(ii) second offence	20
	(iii) third or subsequent offence	25
92	<i>Taking fish by licensed person using fish net without buoys—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	25
92	<i>Taking fish by unlicensed person using fish net without buoys—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	15
	(ii) second offence	20
	(iii) third or subsequent offence	25
93	<i>Taking fish by licensed person in Lakes Albert and Alexandrina, Murray Mouth or Coorong using fish net within certain distance of another fish net—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
93	<i>Taking fish by unlicensed person in Lakes Albert and Alexandrina, Murray Mouth or Coorong using fish net within certain distance of another fish net—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
94	<i>Taking fish in certain waters using device other than rod and line, hand line or hand net—</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

Clause	Description of offence	Demerit points
95(1)	<i>Taking fish by licensed person in certain inland waters—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
95(1)	<i>Taking fish by unlicensed person in certain inland waters—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
96	<i>Taking fish using towed net in certain waters—</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
97	<i>Taking fish in certain waters deeper than 5 m using fish net—</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
98	<i>Taking fish in certain waters of Spencer Gulf using fish net—</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
99	<i>Taking fish by licensed person in certain waters of Coorong using fish net or set line—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80

Clause	Description of offence	Demerit points
	(iii) third or subsequent offence	100
99	<i>Taking fish by unlicensed person in certain waters of Coorong using fish net or set line—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
100	<i>Taking fish in Murray Mouth using long line—</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
101	<i>Taking fish by licensed person in certain waters using mesh net as set net—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
101	<i>Taking fish by unlicensed person in certain waters using mesh net as set net—</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
102	<i>Taking fish by licensed person in certain waters of Coorong using mesh net as set net on weekend—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
102	<i>Taking fish by unlicensed person in certain waters of Coorong using mesh net as set net on weekend—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	45

Clause	Description of offence	Demerit points
	(ii) second offence	60
	(iii) third or subsequent offence	75
103	<i>Taking fish in certain waters of Coorong using hauling net on weekend—</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
104(1) or (2)	<i>Taking fish by licensed person using certain device near artificial reef—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
104(1) or (2)	<i>Taking fish by unlicensed person using certain device near artificial reef—</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
105	<i>Taking fish using large mesh net left in water more than 4 hours—</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
106	<i>Taking prawn by licensed person by power hauling method—</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
106	<i>Taking prawn by unlicensed person by power hauling method—</i>	
	(a) if the offence is expiated	20

Clause	Description of offence	Demerit points
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
107	<i>Taking fish in Gulf St. Vincent or Spencer Gulf using large mesh net not shot out in straight line—</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
108	<i>Taking fish using fish net fixed etc across bay, inlet etc—</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
109	<i>Taking fish by licensed person by fixing or placing stake, log etc across mouth of waters, channel etc so as to impair free passage of fish—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
109	<i>Taking fish by unlicensed person by fixing or placing stake, log etc across mouth of waters, channel etc so as to impair free passage of fish—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
110	<i>Taking fish by licensed person using pipeline—</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

Clause	Description of offence	Demerit points
110	<i>Taking fish by unlicensed person using pipeline—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
111	<i>Taking fish using explosive or certain substances—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
112	Taking rock lobster by diving (<i>bag limit</i>)—exceeding limit:	
	(a) if the offence is expiated—	
	(i) by 1 rock lobster	10
	(ii) by 2 rock lobster	15
	(iii) by 3 rock lobster	20
	(iv) by more than 3 rock lobster	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
113(1)(a)	Taking undersize Abalone, Giant Crab, Gummy Shark, School Shark, Mulloway (Outside Coorong), Murray Cod, Rock Lobster, Samsonfish, Snapper, Southern Bluefin Tuna, Western Blue Groper & Yellowtail Kingfish—	
	(a) if the offence is expiated—	
	(i) 1 fish	10
	(ii) 2 fish	15
	(iii) 3 fish	20
	(iv) more than 3 fish	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100

Clause	Description of offence	Demerit points
113(1)(a)	Taking undersize Blue Morwong (Queen Snapper), Brown Trout, Golden Perch, King George Whiting, Lake Eyre Perch, Mulloway (within Coorong), Rainbow Trout—	
	(a) if the offence is expiated—	
	(i) up to 3 fish	10
	(ii) more than 3 but not more than 6 fish	15
	(iii) more than 6 but not more than 9 fish	20
	(iv) more than 9 fish	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
113(1)(a)	Taking undersize Bight Redfish, Blue Swimmer Crab, Bream, Flathead, Redfish, Swallowtail, Sand Crab, Southern Garfish & Yellowfin Whiting—	
	(a) if the offence is expiated—	
	(i) up to 5 fish	5
	(ii) more than 5 but not more than 10 fish	10
	(iii) more than 10 but not more than 15 fish	15
	(iv) more than 15 but not more than 20 fish	20
	(v) more than 20 fish	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
113(1)(a)	Taking undersize Salmon, Scallop, Snook, Sweep & Trevally—	
	(a) if the offence is expiated—	
	(i) up to 10 fish	5
	(ii) more than 10 but not more than 20 fish	10
	(iii) more than 20 but not more than 30 fish	15
	(iv) more than 30 but not more than 40 fish	20
	(v) more than 40 fish	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
113(1)(a)	Taking undersize Mullet—	
	(a) if the offence is expiated—	

Clause	Description of offence	Demerit points
	(i) up to 15 Mullet	5
	(ii) more than 15 but not more than 30 Mullet	10
	(iii) more than 30 but not more than 45 Mullet	15
	(iv) more than 45 but not more than 60 Mullet	20
	(v) more than 60 Mullet	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
113(1)(a)	Taking undersize Cockle, Pipi & Vongole—	
	(a) if the offence is expiated—	
	(i) up to 25 cockles, pipi or vongole	5
	(ii) more than 25 but not more than 50 cockles, pipi or vongole	10
	(iii) more than 50 but not more than 75 cockles, pipi or vongole	15
	(iv) more than 75 but not more than 100 cockles, pipi or vongole	20
	(v) more than 100 cockles, pipi or vongole	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
113(1)(b)	Taking oversize Western Blue Groper or Murray Cod—	
	(a) if the offence is expiated	20
	(b) in any other case	50
113(2)	Taking undersize or oversize Wrasse (other than Blue Groper)—	
	(a) if the offence is expiated—	
	(i) up to 3 Wrasse	10
	(ii) more than 3 but not more than 6 Wrasse	15
	(iii) more than 6 but not more than 9 Wrasse	20
	(iv) more than 9 Wrasse	25
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100

Clause	Description of offence	Demerit points
114	<i>Taking molluscs in waters of West Lakes etc—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	15
	(ii) second offence	20
	(iii) third or subsequent offence	25
115	<i>Taking filter-feeding marine molluscan shellfish in certain waters of Port Adelaide River—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	15
	(ii) second offence	20
	(iii) third or subsequent offence	25
116	<i>Taking benthic marine organisms by licensed person in certain waters—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
116	<i>Taking benthic marine organisms by unlicensed person in certain waters—</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
117	<i>Taking prawn by licensed person in certain waters less than 10 m deep—</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
117	<i>Taking prawn by unlicensed person in certain waters less than 10 m deep—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60

Clause	Description of offence	Demerit points
	(iii) third or subsequent offence	75
118	<i>Taking rock lobster by licensed person in certain waters—</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
118	<i>Taking rock lobster by unlicensed person in certain waters—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
119	<i>Taking fish by licensed person near locks and weir of River Murray—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
119	<i>Taking fish by unlicensed person near locks and weir of River Murray—</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
120	<i>Taking fish by licensed person during closed season in certain waters—</i>	
	(a) if the offence is expiated—	
	(i) in the case of taking Pipi	10
	(ii) in the case of taking Bream	15
	(iii) in the case of taking Razorfish	15
	(iv) in the case of taking Murray Cod	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100

Clause	Description of offence	Demerit points
120	<i>Taking fish by unlicensed person during closed season in certain waters—</i>	
	(a) if the offence is expiated	
	(i) in the case of taking Pipi	10
	(ii) in the case of taking Bream	15
	(iii) in the case of taking Razorfish	15
	(iv) in the case of taking Murray Cod	20
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
121	<i>Taking fish by licensed person using 2 mm or greater trace wire with size 12/0 fishing hooks—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
121	<i>Taking fish by unlicensed person using 2 mm or greater trace wire with size 12/0 fishing hooks—</i>	
	(a) if the offence is expiated	10
	(b) in any other case—	
	(i) first offence	45
	(ii) second offence	60
	(iii) third or subsequent offence	75
123	<i>Setting rock lobster pots containing rock lobster for purpose other than commercial purpose—</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
124(1)	<i>Taking fish (other than under fishery authority) using registered boat</i>	
	(a) if the offence is expiated	20
	(b) in any other case	50
125	<i>Taking cephalopod in False Bay, Spencer Gulf—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60

Clause	Description of offence	Demerit points
	(ii) second offence	80
	(iii) third or subsequent offence	100
126	<i>Taking fish using certain traces or hooks in certain waters between 0500 and 2100 hours on any day—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100
127	<i>Taking fish near Horseshoe Reef—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	15
	(ii) second offence	20
	(iii) third or subsequent offence	25
128	<i>Taking fish in certain parts of Onkaparinga River—</i>	
	(a) if the offence is expiated	15
	(b) in any other case—	
	(i) first offence	15
	(ii) second offence	20
	(iii) third or subsequent offence	25

Made by the Governor

with the advice and consent of the Executive Council
on 19 November 2020

No 299 of 2020

South Australia

Mining Regulations 2020

under the *Mining Act 1971*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Mining Regulations 2020*.

2—Commencement

These regulations come into operation on 1 January 2021.

3—Interpretation

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

Act means the *Mining Act 1971*;

change in operations means a change in relation to a tenement to which Part 8B Division 7 of the Act applies;

compliance report means a compliance report under regulation 77;

corresponding law means an Act of another State or a Territory that contains provisions that substantially correspond with the *Mining Act 1971*;

Department means the administrative unit of the Public Service that is responsible for assisting a Minister in the administration of the Act;

designated Act means—

- (a) the *Aboriginal Heritage Act 1988*; or
- (b) the *Aboriginal Lands Trust Act 2013*; or
- (c) the *Anangu Pitjantjatjara Yankunytjatjara Land Rights Act 1981*; or
- (d) the *Environment Protection Act 1993*; or
- (e) the *Environment Protection and Biodiversity Conservation Act 1999* of the Commonwealth; or
- (f) the *Landscape South Australia Act 2019*; or
- (g) the *Maralinga Tjarutja Land Rights Act 1984*; or
- (h) the *National Parks and Wildlife Act 1972*; or
- (i) the *Native Title Act 1993* of the Commonwealth; or
- (j) the *Native Vegetation Act 1991*; or
- (k) the *Offshore Minerals Act 2000*; or
- (l) the *Planning, Development and Infrastructure Act 2016*; or
- (m) the *Radiation Protection and Control Act 1982*; or
- (n) the *Work Health and Safety Act 2012*; or
- (o) an Act of another State or a Territory that contains provisions that substantially correspond with an Act set out in paragraphs (a) to (n) (inclusive);

designated material has the meaning given by section 15AI of the Act;

dimension stone means stone that is cut, trimmed and finished to specific dimensions and shapes and includes cut stone, ashlars, monumental stone, roofing slate and flagging stone;

industrial minerals means the following:

- (a) alunite;
- (b) anatase;
- (c) andalusite;
- (d) barite;
- (e) bentonite;
- (f) calcrete;
- (g) celestite;
- (h) cement shale;
- (i) diamond;
- (j) diatomite;
- (k) dolomite;
- (l) feldspar;
- (m) fire clay;
- (n) garnet;
- (o) graphite;
- (p) gypsum;
- (q) ilmenite;
- (r) kaolin;
- (s) kyanite;
- (t) leucoxene;
- (u) lime sand;
- (v) magnesite;
- (w) marble;
- (x) mica;
- (y) micaceous hematite;
- (z) monazite;
- (za) palygorskite;
- (zb) peat;
- (zc) phosphate;
- (zd) potash;
- (ze) rutile;
- (zf) salt;
- (zg) silica;

- (zh) silica sand;
- (zi) sillimanite;
- (zj) talc;
- (zk) vermiculite;
- (zl) wollastonite;
- (zm) xenotime;
- (zn) zircon;
- (zo) any other mineral that would be an extractive mineral for the purposes of the Act but for the fact that it is mined for a purpose prescribed for the purposes of paragraph (a) of the definition of *extractive minerals* in section 6(1) of the Act;

leading indicator criteria means criteria used to give an early warning that a control strategy in a program under Part 10A of the Act may fail or be failing.

- (2) For the purposes of paragraph (ab) of the definition of *declared equipment* in section 6(1) of the Act, mechanically driven equipment that is capable of drilling to depths of 2.5 metres or more below the ground in order to recover subsurface geological samples or information is prescribed.
- (3) For the purposes of the definition of *exploring* or *exploration operations* in section 6(1) of the Act, the following activities are, in accordance with paragraph (d) of that definition, brought within the ambit of that definition:
 - (a) collecting a bulk sample required to evaluate the metallurgical and physical properties of a mineral deposit or the economic potential of such a deposit and rehabilitating the land from which the sample was taken to be as close as reasonably practicable to the state of the land before the sample was taken;
 - (b) undertaking geotechnical test work and rehabilitating the land on which the test work was undertaken to be as close as reasonably practicable to the state of the land before the test work was undertaken.
- (4) The following are *prescribed purposes* under paragraph (a) of the definition of *extractive minerals* in section 6(1) of the Act:
 - (a) chemical, cement, lime and glass manufacture;
 - (b) metallurgical flux, refractories and industrial fillers;
 - (c) foundries, fertiliser, agricultural, jewellery and crafted ornamental uses;
 - (d) the production of dimension stone.

4—Exercise of rights over a road, street or highway

- (1) A person must not exercise a right under the Act or these regulations on a public road, street or highway without the written consent of the authority that has the care, control or management of the road, street or highway.
- (2) However, a consent under subregulation (1) is not required to identify an area for a mineral claim on land (in a manner determined or approved under section 56E of the Act) consisting (partially or entirely) of a public road, street or highway.
- (3) An application to register a claim on land consisting (partially or entirely) of a public road, street or highway must be accompanied by the consent required under subregulation (1).

5—Exempt land—prescribed distance

- (1) This regulation applies in relation to—
 - (a) a miscellaneous purpose licence; and
 - (b) a retention lease; and
 - (c) a mining lease.
- (2) For the purposes of section 9(5) of the Act, the *prescribed distance* for the recovery of industrial minerals under a mineral tenement to which this regulation applies is, in accordance with paragraph (c)(i) of that definition, 400 metres.

6—Waiver of exemption

- (1) For the purposes of section 9AA(8)(b) of the Act, a tenement holder must provide the owner of land with the following information in relation to each relevant tenement or proposed tenement in relation to the land:
 - (a) a copy of the approved program (if any) under Part 10A of the Act;
 - (b) a copy of the relevant proposal;
 - (c) a copy of any response of the tenement holder as required by the Minister under section 56H(4)(b) of the Act;
 - (d) information as to the rights of the owner of land under section 9AA(9)(b) and (14) of the Act in a manner and form determined by the Minister that is made publicly available on a website determined by the Minister.
- (2) For the purposes of section 9AA(14b) of the Act, notice of an agreement to waive the benefit of an exemption must be given to the Mining Registrar—
 - (a) within 21 days after the agreement is entered into; or
 - (b) when an application for the tenement is made under the Act,whichever occurs first.

Part 2—Administration

7—Delegation by Minister

For the purposes of section 12(1) of the Act, the following Acts are prescribed:

- (a) the *Aboriginal Lands Trust Act 2013*;
- (b) the *Anangu Pitjantjatjara Yankunytjatjara Land Rights Act 1981*;
- (c) the *Landscape South Australia Act 2019*;
- (d) the *Maralinga Tjarutja Land Rights Act 1984*;
- (e) the *National Parks and Wildlife Act 1972*;
- (f) the *Native Vegetation Act 1991*;
- (g) the *Offshore Minerals Act 2000*;
- (h) the *Opal Mining Act 1995*;
- (i) the *Planning, Development and Infrastructure Act 2016*;
- (j) the *Roxby Downs (Indenture Ratification) Act 1982*.

8—Applications for warrants

The following procedures in relation to an application for the issue of a warrant are prescribed for the purposes of section 14C(6)(b) of the Act:

- (a) if an application for the issue of a warrant is made personally—the grounds of the application must be verified by affidavit;
- (b) if an application for the issue of a warrant is made by telephone—
 - (i) the applicant must inform the magistrate, warden or justice of the applicant's name and identify the position that they hold for the purposes of the Act, and the magistrate, warden or justice, on receiving that information, is entitled to assume, without further inquiry, that the applicant holds that position; and
 - (ii) the applicant must inform the magistrate, warden or justice of the purpose for which the warrant is required and the grounds on which it is sought; and
 - (iii) if it appears to the magistrate, warden or justice from the information given by the applicant that there are proper grounds to issue a warrant, the magistrate, warden or justice must inform the applicant of the facts that justify, in their opinion, the issue of the warrant, and must not proceed to issue the warrant unless the applicant undertakes to make an affidavit verifying those facts; and
 - (iv) if the applicant gives such an undertaking, the magistrate, warden or justice may then make out and sign a warrant, noting on the warrant the facts that justify, in their opinion, the issue of the warrant; and
 - (v) the warrant is taken to have been issued, and comes into force, when signed by the magistrate, warden or justice; and
 - (vi) the magistrate, warden or justice must inform the applicant of the terms of the warrant; and
 - (vii) the applicant must, as soon as practicable after the issue of the warrant, forward to the magistrate, warden or justice an affidavit verifying the facts referred to in subparagraph (iii).

Part 3—Royalty

9—Prescribed amount

For the purposes of section 17(4)(a) of the Act, the lesser amount of 52 cents per tonne is prescribed.

10—Prescribed information to accompany tenement holder's estimate of value of minerals

For the purposes of section 17(6)(b)(iv) of the Act, the tenement holder's estimate of the reasonable value of the minerals in accordance with that subparagraph must be accompanied by—

- (a) sufficient information as to why the market value of the minerals could not be determined according to section 17(6)(b)(i), (ii) and (iii) of the Act; and
- (b) sufficient information that demonstrates that the estimate provided by the tenement holder is reasonable; and

- (c) any further information requested by the Minister.

11—Prescribed costs

- (1) For the purposes of section 17(8) of the Act, costs of the following kinds are prescribed:
 - (a) costs (excluding GST) genuinely incurred in transporting the minerals to a point of sale (including, for example, packaging, storage, loading, permit, fees, insurance and depreciation);
 - (b) any other costs (excluding GST) determined by the Minister to be a cost of a prescribed kind for the purposes of that subsection (which may vary according to a particular tenement holder, class of tenement holder, or all tenement holders).
- (2) For the purposes of section 17(8a) of the Act, costs of the following kind are prescribed:
 - (a) costs (excluding GST) genuinely incurred in transporting the minerals to a point of sale (including, for example, packaging, storage, loading, permit, fees, insurance and depreciation);
 - (b) costs (excluding GST) genuinely incurred in shipping the minerals to a genuine purchaser in a sale at arms length;
 - (c) any other costs (excluding GST) determined by the Minister to be a cost of a prescribed kind for the purposes of that subsection (which may vary according to a particular tenement holder, class of tenement holder, or all tenement holders).

12—Persons exempt from furnishing returns

- (1) For the purposes of section 17CA(9) of the Act (but subject to subregulation (2)), the following persons are exempt from the requirement to furnish a return under section 17CA(1) of the Act:
 - (a) the holder of a registered mineral claim;
 - (b) the holder of an exploration licence;
 - (c) the holder of a miscellaneous purposes licence;
 - (d) the holder of a retention lease.
- (2) Subregulation (1)(c) or (d) does not apply in relation to a particular tenement if the Minister has determined, by notice to the tenement holder, that the tenement holder should comply with the requirements of section 17CA of the Act.

13—Means of payment of royalty

For the purposes of section 17G of the Act, royalty must be paid—

- (a) by means of electronic funds transfer to an account nominated by the Minister; or
- (b) by means of a credit card.

Part 4—Mining register

14—Other matters to be placed on register

- (1) For the purposes of section 15AA(2)(l) of the Act, the following must be registered on the register:
 - (a) the items set out in Schedule 1 (unless, in the Mining Registrar's discretion, the Mining Registrar determines otherwise);

- (b) such other interest, instrument, approval, agreement, determination, statement, notice, order, direction, bond, penalty or other document as the Mining Registrar thinks fit.
- (2) This regulation does not limit the operation of any other regulation.

15—Surrender of mortgages

For the purposes of section 15AC(8)(d) of the Act, a prescribed circumstance is where the surrender is required by an order of a court or tribunal constituted by law.

Part 5—Information

16—Compilation, keeping and provision of material

- (1) For the purposes of section 15AJ of the Act, a tenement holder must comply with the requirements set out in this regulation with respect to—
- (a) compiling or creating designated material referred to in this regulation (section 15AJ(1) of the Act); and
 - (b) keeping designated material referred to in this regulation (section 15AJ(2) of the Act); and
 - (c) providing designated material referred to in this regulation to the Director (section 15AJ(3) of the Act); and
 - (d) providing for the form of any designated material provided to the Director (section 15AJ(5) of the Act).
- (2) Geological mapping: complete and detailed records must be kept in an electronic form for 7 years and any such record created in a particular designated period must be provided electronically to the Director at the end of that particular designated period.
- (3) Surveys of workings: complete and detailed records must be kept in an electronic form for 7 years and any such records created in a particular designated period must be provided electronically to the Director at the end of that particular designated period.
- (4) Geological samples, including drill hole core and samples: all drill hole core samples and other representative geological samples must be kept in accordance with guidelines issued by the Department for the term of the relevant tenement and for 7 years after the expiry, surrender, cancellation or forfeiture of the tenement to which the sample relates and must be retained by the tenement holder, or provided to the Director, in accordance with those guidelines (unless the Minister has authorised, on application by the tenement holder in a manner and form set out in the guidelines, the destruction or disposal of the samples).
- (5) Drill hole logs: complete and detailed records must be kept in an electronic form for 7 years and any such records created in a particular designated period must be provided electronically to the Director at the end of that particular designated period.
- (6) Locations relating to geological samples including drill hole collar locations: these locations must be identified by using maps and coordinates that accurately show each location in accordance with any requirements determined by the Director and these maps and coordinates must be kept in an electronic form for 7 years and any such maps and coordinates created in a particular designated period must be provided electronically to the Director at the end of that particular designated period.

- (7) Results of analysis and testing of samples: complete and detailed records must be kept in an electronic form for 7 years and any such records created in a particular designated period must be provided electronically to the Director at the end of that particular designated period.
- (8) Records of geophysical surveys: complete and detailed records must be kept in an electronic form for 7 years and any such records created in a particular designated period must be provided electronically to the Director at the end of that particular designated period.
- (9) Technical data, studies and reports: these must be kept in an electronic form for 7 years and any such designated material created or finalised in a particular designated period must be provided electronically to the Director at the end of that particular designated period.
- (10) Records of geochemistry: complete and detailed records must be kept in an electronic form for 7 years and any such records created in a particular designated period must be provided electronically to the Director at the end of that particular designated period.
- (11) Supporting information and data associated with reserve or resource estimation: complete and detailed records must be kept in an electronic form for 7 years and any such records created in a particular financial year must be provided electronically to the Director by the designated date for that financial year.
- (12) Records of airborne surveys under regulation 80: complete and detailed records must be kept in an electronic form for 7 years and any such records created in a particular designated period must be provided electronically to the Director at the end of that particular designated period.
- (13) Records of remote sensing: these must be kept in an electronic form for 7 years and any such records created in a particular designated period must be provided electronically to the Director at the end of that particular designated period.
- (14) Economic, environmental or social studies or reports: these must be kept in an electronic form for 7 years and any such designated material created or finalised in a particular designated period must be provided electronically to the Director at the end of that particular designated period.
- (15) Records of mineralogy and petrology studies: these must be kept in an electronic form for 7 years and any such records created in a particular designated period must be provided electronically to the Director at the end of that particular designated period.
- (16) Scoping studies: these must be kept in an electronic form for 7 years and any such studies created or finalised in a particular designated period must be provided electronically to the Director at the end of that particular designated period.
- (17) Feasibility studies: these must be kept in an electronic form for 7 years and any such studies created or finalised in a particular designated period must be provided electronically to the Director at the end of that particular designated period.
- (18) Surface mapping (recording the geological features of an operating mine): complete and detailed records must be kept in an electronic form for 7 years and any such records created in a particular designated period must be provided electronically to the Director at the end of that particular designated period.
- (19) Drill hole photographs: these must be kept in an electronic form for 7 years and any such photographs taken in a particular designated period must be provided electronically to the Director at the end of that particular designated period.
- (20) Open data file compilations: complete and detailed records must be kept in an electronic form for 7 years and any such records created in a particular designated period must be provided electronically to the Director at the end of that particular designated period.

- (21) Technical data associated with exploration that demonstrates an increased inferred or indicated resource (JORC definitions or equivalent): this data must be kept in an electronic form for 7 years and any such data created in a particular designated period must be provided electronically to the Director at the end of that particular designated period.
- (22) Production volume or quantity, and quality and value, records for a mining lease or private mine: these records must be kept in an electronic form for 7 years and any such records must be provided electronically to the Director if so requested by the Director.
- (23) Records that evidence costs of a kind prescribed by regulation 11: these records must be kept in an electronic form for 7 years and any such records must be provided electronically to the Director if so requested by the Director.
- (24) Technical data associated with the measurement of criteria in a program or plan approved under Part 10A or 11B of the Act: this data must be kept in an electronic form for the term of the relevant tenement (or in the case of a private mine, until the private mine is surrendered) and any such data must be provided electronically to the Minister on request by the Minister.
- (25) Technical and environmental data used to prepare a proposal accompanying an application for a mining lease, retention lease, miscellaneous purposes licence or an application for a change under Part 8B Division 7 of the Act: this data must be kept in an electronic form for the term of the relevant tenement and any such data must be provided electronically to the Minister on request by the Minister.
- (26) In this regulation—
designated period means—
 - (a) unless paragraph (b) applies—
 - (i) in relation to a private mine—each 12 month period ending on 30 June in each year; and
 - (ii) in any other case—each 12 month period ending on the anniversary of the day on which the relevant mineral tenement was granted; or
 - (b) if the Minister so determines—a period set by reference to particular dates in a year, or a particular frequency.

17—Release of material

For the purposes of section 15AL(3)(d) of the Act, any designated material provided to the Director under this Part must not be released under section 15AL of the Act until—

- (a) the expiry of the period of 5 years from the date on which the designated material was so provided to the Director; or
 - (b) the expiry, cancellation or forfeiture of the tenement to which the designated material relates; or
 - (c) the surrender, relinquishment or reduction (in whole or in part) of the tenement to which the designated material relates (being, in a case involving a part of a tenement, the designated material that relates to that part); or
 - (d) the designated material has been made publicly available; or
 - (e) a holder of the tenement consents to the release of the designated material,
- whichever occurs first.

Part 6—Mineral claims

18—Application to establish a mineral claim

- (1) For the purposes of section 21(7)(f) of the Act, the following information is prescribed:
 - (a) a statement of the proposed operations to be carried out within the area of the mineral claim;
 - (b) a plan delineating any exempt land within the area of the mineral claim.
- (2) For the purposes of sections 21(10) and 24A(a)(ii) of the Act, the period of 28 days, or such longer period as the Mining Registrar may determine or approve, is prescribed.

19—Area of claim

For the purposes of section 23 of the Act (but subject to section 23(2) of the Act), the maximum permissible area of a mineral claim is 250 hectares.

20—Notification of registration

The Mining Registrar must, on the registration of a mineral claim, give notice of the registration of the claim to the applicant.

21—Cancellation of claim

- (1) If the Mining Registrar discovers or determines, after a mineral claim is registered, that the claim should not have been registered on account of a contravention of, or a failure to comply with, a provision or requirement of the Act or these or any other regulations made under the Act, the Mining Registrar may, by notice in writing to the owner of the claim, give notice of the Mining Registrar's intention to cancel the registration of the claim on a day specified in the notice (which must be at least 21 days after the date of the notice).
- (2) A person who receives a notice under subregulation (1) may apply to the Warden's Court to have the decision of the Mining Registrar reviewed.
- (3) An application for review must be made within 14 days of service of the notice (unless the Warden's Court allows an extension of time).
- (4) Pending the determination of an application for review, the Mining Registrar must not cancel the registration of the claim.
- (5) At the conclusion of the review, the Warden's Court may—
 - (a) confirm the decision of the Mining Registrar; or
 - (b) cancel the notice.
- (6) Subject to a decision of the Warden's Court under this regulation, the Mining Registrar may, after the day specified in a notice under this regulation, cancel the registration of the relevant claim.

22—Cessation of claim if lease granted

If the Minister grants a mining lease or a retention lease over the whole or part of the area of a mineral claim—

- (a) the claim will cease to the extent to which the lease applies to the area of the claim; and
- (b) if there is no other application for a mineral tenement in relation to the mineral claim under consideration under the Act and these regulations at that time, the claim will cease and determine.

Part 7—Exploration licences

23—Application for licence

- (1) For the purposes of section 29A(1)(c) of the Act, the following information is prescribed:
- (a) a statement—
 - (i) outlining the exploration operations that the tenement holder intends to carry out under the exploration licence during—
 - (A) the first 2 years of operations under the licence; or
 - (B) a period determined by the Minister; and
 - (ii) declaring the amount of expenditure that is estimated to occur in carrying out those operations;
 - (b) a statement of the technical, operational and financial capabilities and resources available to the applicant for the purpose of carrying out operations under the exploration licence;
 - (c) a statement nominating the principal mineral or minerals that the applicant is seeking under the exploration licence and the exploration model that the applicant intends to employ for the purposes of exploring for that mineral or those minerals;
 - (d) a statement by the applicant or a related body corporate outlining any contravention of, or failure to comply with, a provision of a corresponding law or designated Act in connection with authorised operations carried out by them within the preceding period of 5 years that resulted in—
 - (i) the revocation or suspension of an authority to carry out authorised operations; or
 - (ii) a prosecution for an offence; or
 - (iii) the imposition of a penalty by a court; or
 - (iv) the issuing of a notice, direction or order that required the suspension or discontinuance of any authorised operations or the rectification of any harm to the environment or the rehabilitation of any land, place or other aspect of the environment;
 - (e) a statement outlining whether the applicant or a related body corporate has, within the preceding period of 3 months, held an exploration licence (or an interest in an exploration licence) in relation to any area in respect of which the exploration licence is being sought.
- (2) Any information provided under subregulation (1) must be in a form determined by the Minister, be supported by such evidence as the Minister may determine, and comply with any requirement of the Minister relating to the amount or detail of information that must be provided.

24—Notification of grant of licence

For the purposes of section 29B of the Act, notice of the grant of an exploration licence will be given in the manner prescribed by regulation 88.

25—Expenditure

For the purposes of section 30AAA of the Act—

- (a) the period applying under subsection (3)(a)(i) of that section is—
 - (i) unless subparagraph (ii) applies—every 2 years (with the first period commencing on the date on which the exploration licence is granted); or
 - (ii) a period determined by the Minister; and
- (b) the period applying under subsection (3)(b)(i) of that section is—
 - (i) unless subparagraph (ii) applies—every ensuing period of 2 years (with the period commencing on the second anniversary of the date on which the exploration licence is granted); or
 - (ii) a period determined by the Minister; and
- (c) the time within which a return must be furnished under subsection (3) of that section is within 60 days of the end of each period applying in accordance with paragraphs (a) and (b).

26—Application for retention status

For the purposes of section 33B(2)(c) of the Act, the following information is prescribed:

- (a) in the case of a tenement holder who applies for the grant of retention status in relation to the exploration licence under section 33B(3)(a) of the Act—
 - (i) a statement of the approval or approvals under another Act or Acts that the tenement holder has been unable to obtain, and details of any attempts to obtain such approvals; and
 - (ii) a statement summarising the exploration operations undertaken under the exploration licence; and
 - (iii) an estimate of the expenditure that has been incurred in respect of exploration operations undertaken on the area of land to which the application relates; and
 - (iv) an estimate of the time that the applicant considers will be required to obtain the approvals under another Act or Acts that are required before the tenement holder can commence or continue exploration operations in relation to the land to which the application relates;
- (b) in the case of a tenement holder who applies for the grant of retention status in relation to the exploration licence under section 33B(3)(b) of the Act—
 - (i) details of the mineral resource located in, on or under the land to which the application relates; and
 - (ii) a statement declaring that the mineral resource has been appropriately identified and estimated; and
 - (iii) a statement outlining the reasons the applicant considers it unreasonable to expect an application to be made for a mining lease or a retention lease because it is not commercially viable to spend time and money on developing the resource; and
 - (iv) a statement outlining the reasons the applicant considers that mining the relevant land will become commercially viable within the next 6 years;

- (c) in the case of a tenement holder who applies for the grant of retention status in relation to the exploration licence under section 33B(3)(c) of the Act—
 - (i) a statement summarising the exploration operations undertaken under the exploration licence; and
 - (ii) an estimate of the expenditure that has been incurred in respect of exploration operations undertaken on the area of land to which the application relates; and
 - (iii) a statement of the circumstances that the applicant considers justify the application, including details of any steps taken by the applicant to resolve those circumstances by other means;
- (d) such other information as may be determined by the Minister for the purposes of this regulation.

27—Division of area of licence

For the purposes of section 30AA(4)(b) of the Act, the following information is prescribed:

- (a) a description of the area that is to be surrendered in accordance with the requirements of section 56E of the Act;
- (b) an application that complies with the requirements of section 29A of the Act as if the designated party were applying for a new exploration licence in relation to the land to which the application relates and as if the land were open ground (subject to any necessary modifications);
- (c) a statement, in the form of a statutory declaration, declaring that—
 - (i) the designated party is not, in relation to the tenement holder, a related body corporate; and
 - (ii) the designated party or a related body corporate has not, within the preceding period of 2 years, held a mineral tenement in respect of the land to be surrendered;
- (d) a statement that there are no outstanding obligations or liabilities in respect of the land to which the application relates or, if there are any such obligations or liabilities, a commitment from the designated party to assume responsibility for those obligations and liabilities;
- (e) if the exploration licence falls within the ambit of regulation 77(1)(b)—a final compliance report as if the land to which the application relates were a tenement that was being surrendered by the tenement holder;
- (f) such other information as may be determined by the Minister for the purposes of this regulation.

28—Renewal of licence

- (1) For the purposes of section 30A(4a)(a) of the Act, the following information is prescribed:
 - (a) a statement of performance for the previous term which includes such information as the Minister may determine;
 - (b) a statement—
 - (i) outlining the exploration operations that the tenement holder intends to carry out under the exploration licence during—
 - (A) the first 2 years of operations under the renewed licence; or

- (B) a period determined by the Minister; and
 - (ii) declaring the amount of expenditure that is estimated to occur in carrying out those operations;
 - (c) a statement nominating the principal mineral or minerals that the applicant is seeking over the next term of the licence and the exploration model that the applicant intends to employ for the purposes of exploring for that mineral or those minerals;
 - (d) a statement of the technical, operational and financial capabilities and resources available to the applicant for the purposes of carrying out operations under the renewed licence;
 - (e) a statement by the applicant or a related body corporate outlining any contravention of, or failure to comply with, a provision of a corresponding law or designated Act in connection with authorised operations carried out by them within the preceding period of 5 years that resulted in—
 - (i) the revocation or suspension of an authority to carry out authorised operations; or
 - (ii) a prosecution for an offence; or
 - (iii) the imposition of a penalty by a court; or
 - (iv) the issuing of a notice, direction or order that required the suspension or discontinuance of any authorised operations or the rectification of any harm to the environment or the rehabilitation of any land, place or other aspect of the environment;
 - (f) such other information as may be determined by the Minister for the purposes of this regulation.
- (2) Any information provided under subregulation (1) must be in a form determined by the Minister, be supported by such evidence as the Minister may determine, and comply with any requirement of the Minister relating to the amount or detail of information that must be provided.
- (3) An application under section 30A(4) of the Act must be accompanied by the prescribed fee.

29—Excise of land for public purposes

- (1) For the purposes of section 30AB of the Act, the Minister may excise land by notice in the Gazette in a form determined by the Minister.
- (2) If the Minister gives a notice under subregulation (1), the Minister must serve a copy of the notice on the tenement holder.

Part 8—Leases

30—Additional information in connection with application for mining lease

- (1) For the purposes of section 36(1)(d) of the Act, the following information is prescribed:
 - (a) a statement nominating the principal mineral or minerals that are to be recovered under the mining lease;
 - (b) a statement that provides detailed information about the mineral resource or ore reserve, or both;

- (c) a statement declaring that the mineral resource or ore reserve, or both, has been appropriately identified and estimated;
 - (d) a statement of the technical, operational and financial capabilities and resources available to the applicant for the purpose of carrying out operations under the mining lease;
 - (e) a statement that demonstrates—
 - (i) that there is a reasonable prospect that the land in respect of which the lease is sought could be effectively and efficiently mined; and
 - (ii) that appropriate environmental outcomes will be able to be achieved;
 - (f) a statement by the applicant or a related body corporate outlining any contravention of, or failure to comply with, a provision of a corresponding law or designated Act in connection with authorised operations carried out by them within the preceding period of 5 years that resulted in—
 - (i) the revocation or suspension of an authority to carry out authorised operations; or
 - (ii) a prosecution for an offence; or
 - (iii) the imposition of a penalty by a court; or
 - (iv) the issuing of a notice, direction or order that required the suspension or discontinuance of any authorised operations or the rectification of any harm to the environment or the rehabilitation of any land, place or other aspect of the environment;
 - (g) such other information as may be determined by the Minister for the purposes of this regulation.
- (2) Any information provided under subregulation (1) must be in a form determined by the Minister, be supported by such evidence as the Minister may determine, and comply with any requirement of the Minister relating to the amount or detail of information that must be provided.

31—Additional information in connection with application for retention lease

- (1) For the purposes of section 44(1)(d) of the Act, the following information is prescribed:
- (a) if the application is being made under section 43(1)(a) of the Act—
 - (i) a statement outlining the operations to be carried out to support an application for a mining lease; and
 - (ii) a statement that provides detailed information about the mineral resource or ore reserve, or both; and
 - (iii) a statement declaring that the mineral resource or ore reserve, or both, has been appropriately identified and estimated;
 - (b) if the application is being made under section 43(1)(c) of the Act—
 - (i) a statement nominating the principal mineral or minerals that are proposed to be recovered under a mining lease; and
 - (ii) a statement that provides detailed information about the mineral resource or ore reserve, or both; and
 - (iii) a statement declaring that the mineral resource or ore reserve, or both, has been appropriately identified and estimated; and

- (iv) a statement setting out the grounds for proposing that there are economic or other reasons which justify not proceeding immediately to mine the land under a mining lease; and
 - (v) a statement setting out the reasons why the applicant considers that mining the relevant land will become commercially viable within the next 5 years;
 - (c) a statement of the technical, operational and financial capabilities and resources available to the applicant for the purpose of carrying out operations under the retention lease;
 - (d) a statement that demonstrates that appropriate environmental outcomes will be able to be achieved;
 - (e) a statement by the applicant or a related body corporate outlining any contravention of, or failure to comply with, a provision of a corresponding law or designated Act in connection with authorised operations carried out by them within the preceding period of 5 years that resulted in—
 - (i) the revocation or suspension of an authority to carry out authorised operations; or
 - (ii) a prosecution for an offence; or
 - (iii) the imposition of a penalty by a court; or
 - (iv) the issuing of a notice, direction or order that required the suspension or discontinuance of any authorised operations or the rectification of any harm to the environment or the rehabilitation of any land, place or other aspect of the environment;
 - (f) such other information as may be determined by the Minister for the purposes of this regulation.
- (2) Any information provided under subregulation (1) must be in a form determined by the Minister, be supported by such evidence as the Minister may determine, and comply with any requirement of the Minister relating to the amount or detail of information that must be provided.

32—Notice of application for retention lease

For the purposes of section 56H(1)(a)(ii) of the Act, an application for a retention lease is exempt from the operation of that section if the applicant proposes to conduct only exploration operations in relation to the land to which the application relates.

33—Notice of terms and conditions

The Minister must, before determining to grant a mining lease or a retention lease, notify the applicant of the proposed terms and conditions of the lease and give the applicant at least 28 days, or such longer period as the Minister may allow, to make submissions on those terms and conditions before the Minister finalises them (although the applicant may indicate that a shorter period of time is sufficient for the purposes of this regulation).

34—Renewal of retention lease

- (1) For the purposes of section 46(3)(b) of the Act, the following information is prescribed:
- (a) a statement of performance for the previous term which includes such information as the Minister may determine;
 - (b) a statement outlining the reasons why the retention lease should be renewed;

- (c) a statement of the technical, operational and financial capabilities and resources available to the applicant for the purposes of carrying out operations under the renewed lease;
 - (d) a statement by the applicant or a related body corporate outlining any contravention of, or failure to comply with, a provision of a corresponding law or designated Act in connection with authorised operations carried out by them within the preceding period of 5 years that resulted in—
 - (i) the revocation or suspension of an authority to carry out authorised operations; or
 - (ii) a prosecution for an offence; or
 - (iii) the imposition of a penalty by a court; or
 - (iv) the issuing of a notice, direction or order that required the suspension or discontinuance of any authorised operations or the rectification of any harm to the environment or the rehabilitation of any land, place or other aspect of the environment;
 - (e) such other information as may be determined by the Minister for the purposes of this regulation.
- (2) Any information provided under subregulation (1) must be in a form determined by the Minister, be supported by such evidence as the Minister may determine, and comply with any requirement of the Minister relating to the amount or detail of information that must be provided.

35—Notice of decision

The Minister must give an applicant for a mining lease or a retention lease, or for the renewal of a mining lease or a retention lease, notice of the outcome of the application.

Part 9—Miscellaneous purposes licences

36—Size

For the purposes of section 47(2) of the Act, the maximum permissible area of a miscellaneous purposes licence is—

- (a) 250 hectares; or
- (b) an amount (greater than 250 hectares) determined by the Minister in a particular case.

37—Additional information in connection with application for licence

For the purposes of section 49(1)(d) of the Act, the following information is prescribed:

- (a) a statement of the technical, operational and financial capabilities and resources available to the applicant for the purpose of carrying out operations under the miscellaneous purposes licence;
- (b) a statement that demonstrates that appropriate environmental outcomes will be able to be achieved;

- (c) a statement by the applicant or a related body corporate outlining any contravention of, or failure to comply with, a provision of a corresponding law or designated Act in connection with authorised operations carried out by them within the preceding period of 5 years that resulted in—
 - (i) the revocation or suspension of an authority to carry out authorised operations; or
 - (ii) a prosecution for an offence; or
 - (iii) the imposition of a penalty by a court; or
 - (iv) the issuing of a notice, direction or order that required the suspension or discontinuance of any authorised operations or the rectification of any harm to the environment or the rehabilitation of any land, place or other aspect of the environment;
- (d) such other information as may be determined by the Minister for the purposes of this regulation.

38—Additional information in connection with infrastructure

- (1) Subject to subregulation (2), this regulation applies if an application for a miscellaneous purposes licence proposes that infrastructure, or additional infrastructure, be constructed or installed on the land in respect of which the licence is being sought and the infrastructure is of a kind that is capable of being shared with other persons.
- (2) This regulation does not apply in relation to infrastructure excluded from the operation of the regulation by the Minister.
- (3) For the purposes of section 49(1)(d) of the Act, the following information is prescribed in relation to any infrastructure referred to in subregulation (1):
 - (a) a description of any similar infrastructure that exists in the region where the land is located;
 - (b) either—
 - (i) if infrastructure is identified under paragraph (a)—a statement as to why that infrastructure cannot be used for any relevant ancillary operations; or
 - (ii) if infrastructure is not identified under paragraph (a)—a statement demonstrating the benefit (if any) that the infrastructure proposed to be constructed or installed under the miscellaneous purposes licence would provide to the region where the land is located, and outlining any proposal to share that infrastructure with any other person.
- (4) Any information provided under subregulation (3) must be in a form determined by the Minister, be supported by such evidence as the Minister may determine, and comply with any requirement of the Minister relating to the amount or detail of information that must be provided.

39—Notice of terms and conditions

The Minister must, before determining to grant a miscellaneous purposes licence, notify the applicant of the proposed terms and conditions of the licence and give the applicant at least 28 days, or such longer period as the Minister may allow, to make submissions on those terms and conditions before the Minister finalises them (although the applicant may indicate that a shorter period of time is sufficient for the purposes of this regulation).

40—Renewal of miscellaneous purposes licence

- (1) For the purposes of section 51(3)(b) of the Act, the following information is prescribed:
 - (a) a statement of performance for the previous term which includes such information as the Minister may determine;
 - (b) a statement outlining the reasons why the miscellaneous purposes licence should be renewed;
 - (c) a statement of the technical, operational and financial capabilities and resources available to the applicant for the purposes of carrying out operations under the renewed licence;
 - (d) a statement by the applicant or a related body corporate outlining any contravention of, or failure to comply with, a provision of a corresponding law or designated Act in connection with authorised operations carried out by them within the preceding period of 5 years that resulted in—
 - (i) the revocation or suspension of an authority to carry out authorised operations; or
 - (ii) a prosecution for an offence; or
 - (iii) the imposition of a penalty by a court; or
 - (iv) the issuing of a notice, direction or order that required the suspension or discontinuance of any authorised operations or the rectification of any harm to the environment or the rehabilitation of any land, place or other aspect of the environment;
 - (e) such other information as may be determined by the Minister for the purposes of this regulation.
- (2) Any information provided under subregulation (1) must be in a form determined by the Minister, be supported by such evidence as the Minister may determine, and comply with any requirement of the Minister relating to the amount or detail of information that must be provided.

41—Notice of decision

The Minister must give an applicant for a miscellaneous purposes licence, or for the renewal of a miscellaneous purposes licence, notice of the outcome of the application.

Part 10—Scoping

42—Object of Part

The object of this Part is to establish a scheme that, in relation to mining leases, retention leases and miscellaneous purposes licences—

- (a) provides the holders of a relevant tenement an opportunity to obtain greater certainty with respect to government and community expectations as to the scope of work and the level and extent of assessment relating to environmental impacts that are relevant to their authorised operations or proposed authorised operations, including by taking the initiative through the preparation and provision of scoping reports; and

- (b) provides for projects to be categorised according to their level of potential environmental impacts and assigned to assessment pathways that are appropriate in their particular circumstances, after taking into account information and other material provided in or in connection with scoping reports; and
- (c) ensures that project assessments are commensurate with the level of environmental impacts after taking into account project type, scale, duration and the sensitivity of the location of mining and ancillary operations; and
- (d) ensures that projects are assessed within a scheme that promotes efficiencies, transparency and clarity as to approval pathways and technical assessments.

43—Interpretation

In this Part—

designated person means—

- (a) the holder of a mineral tenement that may lead to a relevant tenement; or
- (b) an applicant for a relevant tenement; or
- (c) an applicant for an approval to make a change in operations;

relevant tenement means a mining lease, a retention lease or a miscellaneous purposes licence.

44—Application of Part

This Part may apply in relation to a particular project even if an application is yet to be made for a mining lease, retention lease or miscellaneous purposes licence.

45—Scoping report

- (1) The purpose of a report under this Part (a *scoping report*) is to gather, develop, assess and provide, to such extent as may be reasonable and relevant, information relating to 1 or more of the following:
 - (a) categorising the level of environmental impact of a relevant tenement or change in operations;
 - (b) determining the reasonable and relevant level of detail for information to be provided to the Minister for the purposes of environmental impact assessment as part of the consideration of an application for a relevant tenement or change in operations;
 - (c) identifying and prioritising the issues that are associated with environmental impact assessment as part of the consideration of an application for a relevant tenement or change in operations;
 - (d) determining the extent of work required to be undertaken for the purposes of environmental impact assessment as part of the consideration of an application for a relevant tenement or change in operations;
 - (e) if it is relevant in the circumstances or is reasonable or appropriate to do so—determining the impacts of a relevant tenement or change in operations on people or communities, including by providing information about the measures that are to be used to manage, limit or remedy those impacts (in the case of negative impacts), or to facilitate or ensure those impacts (in the case of positive impacts).

- (2) A designated person may provide a scoping report to the Minister at any time that is reasonable and appropriate.
- (3) The Minister may require a designated person to provide a scoping report if such a report has not been provided by the designated person.
- (4) A scoping report—
 - (a) must be provided in a manner and form determined by the Minister; and
 - (b) in the case of a report required under subregulation (3), must be provided within a period, or at a time or stage, determined by the Minister.
- (5) The Minister may require the designated person to furnish the Minister with any additional information specified by the Minister (and that information must be furnished within any period specified by the Minister).
- (6) Any information provided under this regulation must—
 - (a) be balanced, objective and concise; and
 - (b) state any limitations that apply, or should apply, to the use of information; and
 - (c) identify any matter in relation to which there is a significant lack of information or a significant degree of uncertainty; and
 - (d) so far as is relevant, identify the sensitivity to change of any assumption that has been made and any significant risks that may arise if an assumption is later found to be incorrect; and
 - (e) be in a form determined by the Minister, be supported by such evidence as the Minister may determine, and comply with any requirement of the Minister relating to the amount or detail of information that must be provided.

Part 11—Common provisions

46—Information relating to environmental impact assessment—initial application for tenement

- (1) This regulation applies to—
 - (a) a mining proposal under section 36(1)(c) of the Act; or
 - (b) a retention proposal under section 44(1)(c) of the Act; or
 - (c) a proposal accompanying an application for a miscellaneous purposes licence under section 49(1)(c) of the Act.
- (2) An assessment of environmental impacts of any proposed operations in a proposal may be limited to those aspects of the environment that may reasonably be expected to be affected by the relevant authorised operations.
- (3) An assessment of environmental impacts of any proposed operations and an outline of the measures that the applicant proposes to take to manage, limit or remedy those impacts must include a description of the anticipated impacts after the relevant measures have been taken.
- (4) A statement of the environmental outcomes that are expected to occur must include a set of completion outcomes assessed on a long term basis.

- (5) For the purposes of sections 36(1)(c)(iii), 44(1)(c)(iii) and 49(1)(c)(iii) of the Act, the criteria to be adopted to measure the environmental outcomes that are set out in a proposal must include details about—
- (a) what is to be measured and the form of the measurements that are to be used; and
 - (b) the locations where the relevant measurements are to be taken, or how such locations are to be determined; and
 - (c) what is proposed to be taken to constitute the achievement of the relevant outcomes (with consideration being given to any inherent errors of measurement); and
 - (d) the frequency of any measurement or monitoring; and
 - (e) any background or control data that is to be used, or how any such data is to be acquired.
- (6) In addition—
- (a) an assessment under subregulation (2) or (3); and
 - (b) a statement of the environmental outcomes under subregulation (4); and
 - (c) any criteria to be adopted under subregulation (5),
- must take into account any scoping report accepted by the Minister under Part 10.
- (7) Any information or material provided for the purposes of a proposal must—
- (a) be balanced, objective and concise; and
 - (b) state any limitations that apply, or should apply, to the use of information; and
 - (c) identify any matter in relation to which there is a significant lack of information or a significant degree of uncertainty; and
 - (d) so far as is relevant, identify the sensitivity to change of any assumption that has been made and any significant risks that may arise if an assumption is later found to be incorrect; and
 - (e) be in a form determined by the Minister, be supported by such evidence as the Minister may determine, and comply with any requirement of the Minister relating to the amount or detail of information that must be provided.
- (8) Without limiting subregulation (7), any criteria referred to in subregulation (5) must, insofar as is reasonably practicable and appropriate, be expressed in quantitative terms (rather than qualitative terms).

47—Consultation on proposed tenement

- (1) This regulation applies to—
- (a) a mining proposal under section 36(1)(c) of the Act; or
 - (b) a retention proposal under section 44(1)(c) of the Act; or
 - (c) a proposal accompanying an application for a miscellaneous purposes licence under section 49(1)(c) of the Act.
- (2) For the purposes of sections 36(1)(c)(iv), 44(1)(c)(iv) and 49(1)(c)(iv) of the Act—
- (a) the consultation must at least comply with the following requirements:
 - (i) there should be a focus on engagement about the environmental outcomes that are expected to occur in connection with the proposed authorised operations;

- (ii) reasonable steps should be taken to consult with the owner of land where the authorised operations are proposed to be carried out; and
- (b) the results of the consultation undertaken in relation to a proposal must at least set out the following:
 - (i) the persons consulted;
 - (ii) any issues of concern raised by the persons consulted;
 - (iii) the steps (if any) taken or proposed to be taken by the applicant to address those concerns.

48—Social impact assessment

- (1) This regulation applies to an application for—
 - (a) a mining lease; or
 - (b) a retention lease; or
 - (c) a miscellaneous purposes licence; or
 - (d) a change in operations.
- (2) For the purposes of sections 36(1)(d), 44(1)(d), 49(1)(d) and 56R(1)(b)(ii) of the Act, the Minister may, if the Minister considers it appropriate to do so, determine that the following information be furnished to the Minister in connection with an application to which this regulation applies:
 - (a) a description of the impacts on people and communities that are reasonably expected to occur as a result of authorised operations that are proposed to be carried out under the tenement or the proposed change in operations (as the case may be); and
 - (b) an outline of the measures that are to be used to manage, limit or remedy those impacts (in the case of negative impacts), or to facilitate or ensure those impacts (in the case of positive impacts).
- (3) In addition, the Minister must, in acting under subregulation (2), take into account any scoping report accepted by the Minister under Part 10.
- (4) Any information or material provided for the purposes of this regulation must—
 - (a) be balanced, objective and concise; and
 - (b) state any limitations that apply, or should apply, to the use of information; and
 - (c) identify any matter in relation to which there is a significant lack of information or a significant degree of uncertainty; and
 - (d) so far as is relevant, identify the sensitivity to change of any assumption that has been made and any significant risks that may arise if an assumption is later found to be incorrect; and
 - (e) be in a form determined by the Minister, be supported by such evidence as the Minister may determine, and comply with any requirement of the Minister relating to the amount or detail of information that must be provided.

- (5) This regulation—
- (a) does not limit or derogate from any assessment of social impact that must be undertaken as part of assessing environmental impact under the Act or these regulations; and
 - (b) does not limit or derogate from the ability of the Minister to require information to be furnished to the Minister under the Act.

49—Alteration of terms and conditions

- (1) For the purposes of section 56J(2)(c) of the Act, the following matters are prescribed:
- (a) where a term or condition of a mineral tenement to which the section applies is inconsistent with, limits or derogates from a provision of the Act;
 - (b) where a change will prevent or avoid a reoccurrence of a breach of the Act;
 - (c) where a change will address a term or condition of a mineral tenement to which the section applies that is incapable of being met;
 - (d) where a change will ensure that a term or condition of a mineral tenement to which the section applies is consistent with an amendment that has been made to the Act or any other Act.
- (2) For the purposes of section 56J(6) of the Act, subsections (3), (4) and (5) of section 56J of the Act do not apply if the Minister determines that the change is required as a matter of urgency.

50—Rental

- (1) For the purposes of section 56M(2) of the Act, rental as set out in Schedule 2 is payable by the holder of a mineral tenement to whom section 56M of the Act applies in accordance with that Schedule.
- (2) Rental will be calculated according to the total amount of land in respect of which the relevant mineral tenement is granted, and no allowance will be made for land that is not available for authorised operations or other activities under the relevant mineral tenement.
- (3) Rental is to be paid annually in advance to the Department.

51—Amalgamation of areas (terms and conditions of tenement)

For the purposes of section 56P(3)(b) of the Act, the Minister must provide to the tenement holder (or tenement holders) a copy of the proposed terms and conditions of the tenement for the purposes of consultation.

52—Surrender on application

For the purposes of section 56X(2)(b) of the Act, the following information is prescribed:

- (a) a statement, accompanied by supporting evidence—
 - (i) that completion outcomes required under a program under Part 10A of the Act, or all mine completion objectives required under a mine operations plan under Part 11B of the Act, have been achieved (or if an outcome or objective has not been achieved, the reason for this situation and information about what the tenement holder has done, or proposes to do, in the circumstances); and
 - (ii) that all rehabilitation required to be undertaken has been completed or is in place;

- (b) in the case of a surrender of a part of the area of the mineral tenement—a map and description of the relevant areas, showing the area to be surrendered and the area to remain, that comply with the requirements of section 56E of the Act;
- (c) the final compliance report, final royalty report and, if relevant, a final technical exploration report, required under these regulations;
- (d) the following declarations, in the form of a statutory declaration:
 - (i) a declaration that authorised operations have ceased;
 - (ii) a declaration that there are no outstanding liabilities under the Act or these regulations;
 - (iii) a declaration that all fees, royalties, rents or penalties under the Act or these regulations have been paid;
 - (iv) a declaration that outlines any legal proceedings in respect of the tenement that involve the tenement holder as a party to those proceedings;
 - (v) if relevant, a declaration that the tenement holder has a management plan in place for the management or transfer of any outstanding matters or liabilities;
 - (vi) in the case of a private mine where the person carrying out mining operations is not the proprietor of the private mine—a declaration that the person who has been carrying out the operations has consulted with the proprietor of the mine;
- (e) an outline of the consultation undertaken by the tenement holder with the owner of the land about surrendering the mineral tenement and any rehabilitation or other work or activities to be carried out in connection with the surrender, including the issues raised by the owner and how those issues have been, or will be, addressed.

53—Reinstatement of tenement—exploration licence

For the purposes of section 56Z(1)(a) of the Act, section 56Z of the Act applies to an exploration licence.

54—Assessment reports—alteration of terms and conditions under section 56J of Act

For the purposes of section 56ZA(1)(h) of the Act, a decision to add, vary or revoke a term or condition of a mineral tenement under section 56J of the Act is prescribed.

Part 12—Change in operations

55—Proposal to accompany application

- (1) For the purposes of section 56R(1)(b)(i) of the Act, a proposal must—
 - (a) specify the change that is being proposed taking into account the changes referred to in section 56Q(3) of the Act; and
 - (b) set out any changes that would apply (if the application for the change were to be approved) in relation to—
 - (i) the environmental impacts of the authorised operations carried out under the relevant tenement; and
 - (ii) the measures that are used, or to be used, to manage, limit or remedy those impacts; and

- (iii) the environmental outcomes that are expected to occur; and
 - (iv) the criteria that have been adopted to measure the environmental outcomes associated with the relevant tenement; and
 - (c) be accompanied by a statement that demonstrates—
 - (i) in the case of a mining lease—that the change will not adversely affect the ability of the tenement holder to ensure that land comprised in the tenement can be effectively and efficiently mined; and
 - (ii) that appropriate environmental outcomes will be able to be achieved; and
 - (iii) that the change will not adversely affect the ability of the tenement holder to comply with the other requirements of the Act.
- (2) A proposal must also, in relation to any proposed change to the criteria adopted to measure a particular outcome, include details about any change to—
 - (a) what is to be measured and the form of the measurements that are to be used; and
 - (b) what is proposed to be taken to constitute the achievement of the relevant outcome; and
 - (c) the locations where the relevant measurements are to be taken, or how such locations are to be determined; and
 - (d) the frequency of any measurement or monitoring; and
 - (e) any background or control data that is to be used, or how any such data is to be acquired.
- (3) In addition, a proposal must take into account any scoping report accepted by the Minister under Part 10.
- (4) Any information or material provided for the purposes of a proposal must—
 - (a) be balanced, objective and concise; and
 - (b) state any limitations that apply, or should apply, to the use of information; and
 - (c) identify any matter in relation to which there is a significant lack of information or a significant degree of uncertainty; and
 - (d) so far as is relevant, identify the sensitivity to change of any assumption that has been made and any significant risks that may arise if an assumption is later found to be incorrect; and
 - (e) be in a form determined by the Minister, be supported by such evidence as the Minister may determine, and comply with any requirement of the Minister relating to the amount or detail of information that must be provided.

56—Information on engagement on application for approval for change in operations

- (1) For the purposes of section 56R(1)(b)(ii) of the Act, an application for the approval of the Minister under Part 8B Division 7 of the Act must set out information on the results of consultation undertaken by the tenement holder in relation to a proposal which must at least set out the following:
 - (a) the persons consulted;
 - (b) any issues of concern raised by the persons consulted;

- (c) the steps (if any) taken or proposed to be taken by the applicant to address those concerns.
- (2) The consultation must at least comply with the following requirements:
- (a) there should be a focus on engagement about any changes to the environmental impacts or outcomes that are expected to occur in connection with the proposed changes to authorised operations to be carried out under the tenement;
 - (b) reasonable steps should be taken to consult with the owner of land where the authorised operations are carried out.

57—Consultation by Minister

For the purposes of section 56S(b) of the Act, the Minister is required to undertake consultation under Part 8B Division 2 of the Act if—

- (a) there is an additional or different impact to the environment as a result of a proposed change to the operations to be carried out under the tenement; and
- (b) the impact is significant.

58—Notice of variation of terms or conditions

- (1) The Minister must, before determining to vary the terms or conditions of a mineral tenement under section 56U of the Act, notify the applicant of the proposed variation and give the applicant at least 28 days, or such longer period as the Minister may allow, to make submissions on the variation before the Minister finalises it (although the applicant may indicate that a shorter period of time is sufficient for the purposes of this regulation).
- (2) For the purposes of this regulation, a reference to a variation of terms or conditions of a mineral tenement includes a reference to adding or revoking 1 or more terms or conditions.

59—Notice of decision

For the purposes of section 56V(2) of the Act, a notice to an applicant must be given in accordance with regulation 88.

Part 13—Funds

60—Mining Rehabilitation Fund—prescribed period

For the purposes of section 62AA(3)(b) of the Act, the prescribed period is 24 months.

61—Extractive Areas Rehabilitation Fund—prescribed rate

For the purposes of the definition of *prescribed rate* in section 63(5) of the Act, the lesser amount of 22 cents per tonne of extractive minerals is prescribed.

Part 14—Forfeiture and transfer of mineral tenement

62—Forfeiture and transfer of mineral tenement

- (1) For the purposes of section 70(1)(b) of the Act, section 70 of the Act applies in relation to an exploration licence.
- (2) For the purposes of section 70(2a) of the Act—
 - (a) an applicant must be able to demonstrate—
 - (i) their capacity to meet the terms and conditions of the tenement; and

- (ii) their capacity to meet the outcomes, criteria and requirements of the relevant approved program under Part 10A of the Act; and
 - (iii) their capacity to replace any bond or security in place under section 62 of the Act; and
 - (iv) a history of compliance with the provisions of the Act and any designated Act; and
 - (b) an application must be supported by—
 - (i) evidence of technical, operational and financial capabilities and resources available to the applicant to undertake the operations contemplated by the relevant approved program under Part 10A of the Act; and
 - (ii) evidence of the capacity to rectify or address the grounds on which the tenement would be forfeited, as applying under section 70(2b) of the Act; and
 - (c) an application may not be made in relation to an exploration licence that was granted or has been transferred within the period of 2 years immediately preceding the date of the application.
- (3) For the purposes of section 70(3a)(a) of the Act, a right to the transfer of a mineral tenement does not arise—
- (a) if the person on whose application the Court recommended forfeiture fails to notify the Minister, within 14 days after the Court makes its recommendation, in a manner and form determined by the Minister, that they wish to have the mineral tenement transferred to them; or
 - (b) if the Minister does not consent to the transfer of the mineral tenement.

Part 15—Programs for environment protection and rehabilitation

63—Preparation of program

- (1) For the purposes of section 70B(2)(d) of the Act, a program under Part 10A of the Act must, in addition to the requirements set out in that section—
- (a) if the program relates to operations to be carried out under an exploration licence, a mineral claim or a mineral tenement determined by the Minister in a particular case—
 - (i) include a description of the features of the environment that are expected to be affected by the proposed authorised operations; and
 - (ii) include a description of the environmental impacts that may reasonably be expected to occur; and
 - (b) set out the strategies that the tenement holder and any other person who may be acting on behalf of the tenement holder proposes to adopt to achieve the environmental outcomes under section 70B(2)(b) of the Act; and
 - (c) set out a statement of the criteria to be adopted to measure the environmental and completion outcomes specified in the program, including details about—
 - (i) what is to be measured and the form of the measurements that are to be used; and
 - (ii) the locations where relevant measurements are to be taken, or how such locations are to be determined; and

- (iii) what is proposed to be taken to constitute the achievement of the relevant outcomes (with consideration being given to any inherent errors of measurement); and
 - (iv) the frequency of any measurement or monitoring; and
 - (v) any background or control data that is to be used, or how any such data is to be acquired; and
 - (d) without limiting paragraph (c), to the extent (if any) that there is a high level of reliance on control strategies to reduce risk to the environment—set out leading indicator criteria; and
 - (e) such other information as may be determined by the Minister for the purposes of this regulation.
- (2) Subregulations (1)(c)(iv) and (1)(d) do not apply in relation to a mineral claim or an exploration licence.
- (3) Any information or material provided for the purposes of a program under section 70B of the Act must—
- (a) be balanced, objective and concise; and
 - (b) state any limitations that apply, or should apply, to the use of information; and
 - (c) identify any matter in relation to which there is a significant lack of information or a significant degree of uncertainty; and
 - (d) so far as is relevant, identify the sensitivity to change of any assumption that has been made and any significant risks that may arise if an assumption is later found to be incorrect; and
 - (e) be in a form determined by the Minister, be supported by such evidence as the Minister may determine, and comply with any requirement of the Minister relating to the amount or detail of information that must be provided.
- (4) Without limiting subregulation (3), the criteria provided for the purposes of subregulation (1)(c) and (d) must, insofar as is reasonably practicable and appropriate, be expressed in quantitative terms (rather than qualitative terms).

64—Engagement on preparation and review of program

- (1) For the purposes of section 70B(2)(d) and (e) of the Act, a program under Part 10A of the Act must, in addition to the requirements set out in that section and these regulations, include information on all consultation undertaken in connection with the preparation of the program that must at least set out the following:
- (a) the persons consulted;
 - (b) any issues of concern raised by the persons consulted;
 - (c) the steps (if any) taken or proposed to be taken by the tenement holder to address those concerns.
- (2) For the purposes of section 70C(3)(a) of the Act, a tenement holder conducting a review of a program under Part 10A of the Act must include, in any revised program, information on all consultation undertaken in connection with the review which must at least set out the following:
- (a) the persons consulted;
 - (b) any issues of concern raised by the persons consulted;

- (c) the steps (if any) taken or proposed to be taken by the applicant to address those concerns.

65—Adoption of program

- (1) For the purposes of section 70B(8) of the Act, any program determined by the Minister and published in the Gazette in connection with the operation of this regulation is adopted.
- (2) For the purposes of section 70B(8) of the Act, the following classes of authorised operations are prescribed:
 - (a) operations carried out within the area of a mineral claim;
 - (b) operations under an exploration licence;
 - (c) operations under a mining lease;
 - (d) operations under a retention lease;
 - (e) operations under a miscellaneous purposes licence.

66—Review of program

- (1) For the purposes of section 70C(3)(c) and (4) of the Act, a review must be completed and furnished to the Minister within 3 months after a direction of the Minister to review the program, or within such longer period approved by the Minister.
- (2) In determining whether or not to approve a revised program under section 70C of the Act and, if so, any change to the terms and conditions applying in relation to a program, the Minister must have regard to any submissions or response received under section 70D(2) or (3) of the Act.
- (3) For the purposes of section 70C(4a) of the Act, if a revised program has been submitted to the Minister for the purposes of section 70C(2)(a) of the Act, the Minister may determine that a lower prescribed fee is payable on submission of that revised program.
- (4) For the purposes of section 70C(4a) of the Act, if a revised program has been submitted under section 70C of the Act merely because minor administrative revisions have been made to the program, the Minister may determine that a lower prescribed fee is payable on submission of that revised program.

Part 16—General provisions—environmental protection

67—Environmental directions

For the purposes of section 7(2a) of the Act—

- (a) section 70E of the Act applies as if a reference to authorised operations included a reference to mining operations for the recovery of extractive minerals that are authorised under another Act insofar as that section relates to undue damage, or potential undue damage, to the environment; and
- (b) section 70H of the Act applies as if it extended to an environmental direction issued in relation to authorised operations for the recovery of extractive minerals that are authorised under another Act as provided for by paragraph (a); and
- (c) the powers of an authorised officer to carry out an authorised investigation under the Act apply in relation to authorised operations for the recovery of extractive minerals if the powers are exercised, or the investigation is, in connection with Part 10B of the Act.

Part 17—Special mining enterprises

68—Concept phase

- (1) For the purposes of section 56BA(3)(a) of the Act, the following information is prescribed:
 - (a) information demonstrating that the enterprise is of major significance to the economy of the State;
 - (b) a statement outlining the principal mineral or minerals that the proponent is seeking to recover by undertaking the special mining enterprise and a general description of the operations that would be carried out for the purposes of the mining enterprise;
 - (c) maps and plans relating to the place where the mining enterprise is proposed to be undertaken;
 - (d) an outline of the environmental impacts of the mining enterprise and of steps proposed to be undertaken to address or manage those impacts;
 - (e) if so determined by the Minister in a particular case, a description of the impacts on people and communities that may reasonably be expected to occur as a result of the mining enterprise and the measures that are to be used to manage, limit or remedy those impacts (in the case of negative impacts), or to facilitate or ensure those impacts (in the case of positive impacts);
 - (f) a statement of the technical, operational and financial capabilities and resources available to the proponent for the purpose of undertaking the mining enterprise;
 - (g) a statement by the applicant outlining any contravention of, or failure to comply with, a provision of a corresponding law or designated Act in connection with authorised operations carried out by them within the preceding period of 5 years that resulted in—
 - (i) the revocation or suspension of an authority to carry out authorised operations; or
 - (ii) a prosecution for an offence; or
 - (iii) the imposition of a penalty by a court; or
 - (iv) the issuing of a notice, direction or order that required the suspension or discontinuance of any authorised operations or the rectification of any harm to the environment or the rehabilitation of any land, place or other aspect of the environment;
 - (h) a statement identifying any exemptions or modifications with respect to the provisions of the Act that the proponent has under consideration in connection with the operation of section 56C of the Act;
 - (i) such other information as may be determined by the Minister for the purposes of this regulation.
- (2) Subregulation (1)(e) does not limit or derogate from any assessment of social impact that must be undertaken as part of assessing environmental impact under the Act or these regulations.
- (3) Any information provided under subregulation (1) must be in a form determined by the Minister, be supported by such evidence as the Minister may determine, and comply with any requirement of the Minister relating to the amount or detail of information that must be provided.

69—Application phase

- (1) For the purposes of section 56BB(1)(c) of the Act, the following information is prescribed:
 - (a) a statement providing, addressing or outlining any additional information, requirement or action specified by the Director as part of the concept phase;
 - (b) a statement outlining the results of any consultation undertaken in connection with the application, including information about—
 - (i) the persons consulted; and
 - (ii) the issues of concern raised by the persons consulted; and
 - (iii) the steps (if any) taken or proposed to be taken by the proponent to address those concerns;
 - (c) a draft program that—
 - (i) sets out the environmental outcomes that are expected to occur as a result of the mining operations and related or ancillary operations or works that are proposed to be carried out under the enterprise (including after taking into account any rehabilitation proposed by the proponent and other steps to manage, limit or remedy any adverse environmental impacts); and
 - (ii) sets out a statement of the criteria to be adopted to measure those environmental outcomes, in a form determined by the Minister; and
 - (iii) incorporates information about the ability of the proponent to achieve the environmental outcomes set out in the program; and
 - (iv) if it is considered to be appropriate—sets out information about outcomes relating to impacts on people and communities and the measures that are to be used to manage, limit or remedy those impacts (in the case of negative impacts), or to facilitate or ensure those impacts (in the case of positive impacts); and
 - (v) addresses any other matter determined by the Minister;
 - (d) such other information as may be determined by the Minister for the purposes of this regulation.
- (2) Any information provided for the purposes of a draft program must—
 - (a) be balanced, objective and concise; and
 - (b) state any limitations that apply, or should apply, to the use of information; and
 - (c) identify any matter in relation to which there is a significant lack of information or a significant degree of uncertainty; and
 - (d) so far as is relevant, identify the sensitivity to change of any assumption that has been made and any significant risks that may arise if an assumption is later found to be incorrect.
- (3) Without limiting subregulation (2), any criteria referred to in subregulation (1)(c) must, insofar as is reasonably practicable and appropriate, be expressed in quantitative terms (rather than qualitative terms).
- (4) Any information provided under this regulation must be in a form determined by the Minister, be supported by such evidence as the Minister may determine, and comply with any requirement of the Minister relating to the amount or detail of information that must be provided.

- (5) For the purposes of section 56BB(6) of the Act, notice of the approval of an applicant must be given to the applicant in accordance with regulation 88.

Part 18—Entry on land

70—Entry on land

- (1) A person must, on serving a notice of entry under section 58A of the Act, keep a record that the notice has been served.
- (2) For the purposes of section 58A(6) of the Act, a notice under section 58A of the Act must be served on the Mining Registrar.

Part 19—Private mines

71—Application of Act

For the purposes of section 73D(3)(p) of the Act, the following sections of the Act are specified:

- (a) section 62, but only so that it applies in relation to authorised operations that are not operations for the recovery of extractive minerals;
- (b) section 79A.

72—Prescribed requirements for mine operations plans

- (1) This regulation sets out the prescribed requirements relating to mine operations plans for the purposes of section 73G of the Act.
- (2) A mine operations plan must, in addition to the requirements set out in section 73G of the Act—
 - (a) include a statement outlining the operations to be carried out at the mine; and
 - (b) include a description of the features of the environment that are expected to be affected by operations at the mine; and
 - (c) include a description of the environmental impacts that may reasonably be expected to occur; and
 - (d) set out the measures that are used, or to be used, to manage, limit or remedy those impacts; and
 - (e) set out the environmental objectives that are expected to be achieved; and
 - (f) set out a set of criteria proposed to be adopted to measure the environmental objectives to be achieved in relation to the mining operations to be carried out at the mine and when operations at the mine will no longer be undertaken, including details about—
 - (i) what is to be measured and the form of the measurements that are to be used; and
 - (ii) the locations where relevant measurements are to be taken, or how such locations are to be determined; and
 - (iii) what is proposed to be taken to constitute the achievement of the relevant objectives (with consideration being given to any inherent errors of measurement); and
 - (iv) the frequency of any measurement or monitoring; and

- (v) any background or control data that is to be used, or how any such data is to be acquired; and
 - (g) without limiting paragraph (f), to the extent (if any) that there is a high level of reliance on control strategies to reduce risk to the environment—set out leading indicator criteria; and
 - (h) include a statement of the capabilities of the person's ability to achieve the environmental objectives that are expected to occur; and
 - (i) if so determined by the Director in a particular case, include a description of the impacts on people and communities that may reasonably be expected to occur and the measures that are to be used to manage, limit or remedy those impacts (in the case of negative impacts), or to facilitate or ensure those impacts (in the case of positive impacts); and
 - (j) include such other information as may be determined by the Director for the purposes of this regulation.
- (3) Any information or material provided for the purposes of a mine operations plan must—
- (a) be balanced, objective and concise; and
 - (b) state any limitations that apply, or should apply, to the use of information; and
 - (c) identify any matter in relation to which there is a significant lack of information or a significant degree of uncertainty; and
 - (d) so far as is relevant, identify the sensitivity to change of any assumption that has been made and any significant risks that may arise if an assumption is later found to be incorrect; and
 - (e) be in a form determined by the Director, be supported by such evidence as the Director may determine, and comply with any requirement of the Director relating to the amount or detail of information that must be provided.
- (4) Without limiting subregulation (3), the criteria provided for the purposes of subregulations (2)(f) and (g) must, insofar as is reasonably practicable and appropriate, be expressed in quantitative terms (rather than qualitative terms).
- (5) Subregulation (2)(i) does not limit or derogate from any assessment of social impact that must be undertaken as part of assessing environmental impact under the Act or these regulations.
- (6) A mine operations plan must be provided in a manner and form determined by the Director.

73—Engagement on preparation and review of mine operations plan

- (1) For the purposes of section 73G(2)(c) of the Act, a mine operations plan must, in addition to the requirements set out in that section and these regulations, include information on all consultation undertaken in connection with the preparation of the plan in relation to—
- (a) engagement about the environmental objectives that are expected to be achieved in connection with operations carried out at the private mine; and
 - (b) if the relevant mine is located on land vested in fee simple in a person other than the proprietor of the mine—reasonable steps taken to consult with that person,
- that must at least set out the following:
- (c) the persons consulted;
 - (d) any issues of concern raised by the persons consulted;

- (e) the steps (if any) taken or proposed to be taken by the person submitting the plan to address those concerns.
- (2) For the purposes of section 73G(16) of the Act, a person conducting a review of a mine operations plan must—
- (a) undertake consultation that at least complies with the following requirements:
 - (i) engagement about the environmental objectives that are expected to be achieved in connection with the operations to be carried out under the mine operations plan being reviewed;
 - (ii) if the relevant mine is located on land vested in fee simple in a person other than the proprietor of the mine—reasonable steps should be taken to consult with that person; and
 - (b) include, in any revised mine operations plan, information on all consultation undertaken in connection with the review which must at least set out the following:
 - (i) the persons consulted;
 - (ii) the issues of concern raised by the persons consulted;
 - (iii) the steps (if any) taken or proposed to be taken by the person conducting the review to address those concerns.

74—Consultation by Director on mine operations plans

- (1) For the purposes of section 73G(9) of the Act, this regulation applies in relation to a draft of the objectives and criteria for a mine operations plan that must be released for public consultation under section 73G(8) of the Act.
- (2) The Director must issue, in such manner as the Director thinks fit, a notice—
 - (a) identifying the location of the mine; and
 - (b) stating that a mine operations plan has been prepared for the mine and that the relevant objectives and criteria may be inspected at a place specified in the notice; and
 - (c) inviting written submissions in relation to the draft objectives and criteria within a period specified in the invitation.
- (3) The Director must also invite written submissions (to be submitted within the period specified under subregulation (2)(c)) on the draft objectives and criteria from—
 - (a) if the relevant mine is located on land vested in fee simple in a person other than the proprietor of the mine—that person; and
 - (b) if the relevant mine is located within the area of a council—that council.
- (4) The Director must, in order to enable compliance with section 73G(10) of the Act, provide to the person who submitted the relevant draft copies of any submissions received by the Director within the relevant period applying under subregulation (2) and (3).
- (5) The report required for the purposes of section 73G(10) of the Act must be submitted to the Director within 20 business days after copies of any submissions are provided under subregulation (4), or within such longer period as the Director may allow.
- (6) A submission under subregulation (2) or (3) cannot be made on the basis that the submission (or part of the submission) will be kept confidential.

75—Review of mine operations plans

- (1) For the purposes of section 73G(16) of the Act, a review—
 - (a) must be conducted taking into account the requirements of section 73G(2) of the Act (and so as to provide consistency with those requirements); and
 - (b) must include—
 - (i) the preparation of a report that contains the information determined by the Director; and
 - (ii) if so required by the Director, a revised mine operations plan for the approval of the Director under section 73G of the Act.
- (2) For the purposes of section 73G(17) of the Act, a review must be completed and furnished to the Director—
 - (a) in the case of a review under section 73G(14) of the Act—within 3 months after a direction of the Director to review the mine operations plan, or within such longer period approved by the Director; or
 - (b) in the case of a review under section 73G(15) of the Act—by the end of the relevant 7 year period, or at such other time approved by the Director.

76—Registration of interests

- (1) For the purposes of section 15AA(2)(1) of the Act, but subject to this regulation, the interest of a proprietor of a private mine is required to be registered on the register.
- (2) The requirement under subregulation (1) only applies to the extent that the Mining Registrar is satisfied that the Mining Registrar has sufficient information to enable the registration to occur.
- (3) The Mining Registrar may, for the purpose of obtaining information about the proprietor of a private mine, by notice in writing to a designated person, require the person, within a period specified in the notice—
 - (a) to confirm or indicate whether the person is the proprietor of the private mine; and
 - (b) if the person is not the proprietor of the private mine, or is not the sole proprietor of the private mine—to provide such information as the Mining Registrar may require about who is, or about who else is, the proprietor of the private mine.
- (4) A person who is subject to a notice under subregulation (3) must comply with the requirements of the notice.
Maximum penalty: \$5 000.
- (5) It is a defence to a charge for an offence under subregulation (4) for a person to prove that they took reasonable steps to comply with the requirements of the notice.
- (6) In this regulation—

designated person, in relation to a private mine, means—

 - (a) a person who, according to information in the possession of the Mining Registrar, is the last known proprietor of the private mine; or
 - (b) a person who is the current owner of the land where the private mine is situated.

Part 20—Reports

77—Compliance reports

- (1) This regulation applies in relation to—
 - (a) a mineral claim; and
 - (b) an exploration licence; and
 - (c) a mining lease; and
 - (d) a retention lease; and
 - (e) a miscellaneous purposes licence; and
 - (f) a private mine.
- (2) The tenement holder in relation to a mineral tenement to which this regulation applies must provide to the Minister after the end of each reporting period a report (a **compliance report**) in accordance with the requirements of this regulation.
Maximum penalty: \$5 000.
Expiation fee: \$750.
- (3) For the purposes of subregulation (2), a **reporting period** is—
 - (a) unless paragraph (b) applies—
 - (i) in relation to a private mine—each 12 month period ending on 30 June in each year; and
 - (ii) in any other case—each 12 month period ending on the anniversary of the day on which the relevant mineral tenement was granted; or
 - (b) if the Minister so determines—a period set by reference to particular dates in a year, or a particular frequency.
- (4) A compliance report under subregulation (2)—
 - (a) must be provided within a period after the end of each reporting period determined by the Minister; and
 - (b) must be provided in a manner and form determined by the Minister; and
 - (c) must contain the information determined by the Minister.
- (5) If a mineral tenement to which this regulation applies is being transferred, the transferor must provide to the Minister a compliance report in accordance with the requirements of this regulation—
 - (a) unless paragraph (b) applies—in conjunction with the application for the Minister's consent to the transfer; or
 - (b) at a time determined by the Minister in the particular case.
Maximum penalty: \$5 000.
Expiation fee: \$750.
- (6) A compliance report under subregulation (5)—
 - (a) must relate to the period between the end of the last reporting period applying under subregulation (3) in relation to the mineral tenement and the date of the report; and
 - (b) must be provided in a manner and form determined by the Minister; and

- (c) must contain the information determined by the Minister.
- (7) If or when—
- (a) a mineral tenement to which this regulation applies expires, or is surrendered, cancelled or forfeited; or
 - (b) part of the area of a mineral tenement to which this regulation applies is surrendered, relinquished or reduced,
- the tenement holder at that time must provide to the Minister a final compliance report—
- (c) unless paragraph (d) or (e) applies—
 - (i) in the case of an expiry—before the expiration; or
 - (ii) in the case of a surrender—at the time that the tenement holder applies for the surrender; or
 - (iii) in the case of a cancellation or forfeiture—within 2 months of the date of the cancellation or forfeiture; or
 - (d) in the case of a surrender, relinquishment or reduction of area by operation of section 30AAA, 30A or 33B of the Act—within 2 months after the date of the surrender, relinquishment or reduction; or
 - (e) within a period or at a time determined by the Minister in the particular case.
- Maximum penalty: \$5 000.
Expiation fee: \$750.
- (8) The Director may exempt the holder of an exploration licence from a requirement under this regulation.

78—Technical exploration reports

- (1) Subject to subregulation (2), this regulation applies in relation to—
- (a) an exploration licence; and
 - (b) any other mineral tenement where the tenement holder carries out exploration operations.
- (2) This regulation does not apply in relation to a class of tenement excluded from the operation of this regulation by a determination of the Minister.
- (3) The tenement holder in relation to a mineral tenement to which this regulation applies must provide to the Minister after the end of each reporting period a report (a ***technical exploration report***) in accordance with the requirements of this regulation.
- Maximum penalty: \$5 000.
Expiation fee: \$750.
- (4) For the purposes of subregulation (3), a ***reporting period*** is—
- (a) unless paragraph (b) applies—
 - (i) in relation to a private mine—each 12 month period ending on 30 June in each year; and
 - (ii) in any other case—each 12 month period ending on the anniversary of the day on which the relevant mineral tenement was granted; or
 - (b) if the Minister so determines—a period set by reference to particular dates in a year, or a particular frequency.

- (5) A technical exploration report under subregulation (3)—
- (a) must be provided within a period after the end of each reporting period determined by the Minister; and
 - (b) must be provided in a manner and form determined by the Minister; and
 - (c) must contain the information determined by the Minister.
- (6) If or when—
- (a) a mineral tenement to which this regulation applies expires, or is surrendered, cancelled or forfeited; or
 - (b) part of the area of a mineral tenement to which this regulation applies is surrendered, relinquished or reduced,

the tenement holder at that time must provide to the Minister a final technical report—

- (c) unless paragraph (d) applies—
 - (i) in the case of an expiry or surrender—within 2 months of the date of the expiration or surrender; or
 - (ii) in the case of a cancellation or forfeiture—within 3 months of the date of the cancellation or forfeiture; or
 - (iii) in the case of a relinquishment or reduction of area—within 2 months after the date of the relinquishment or reduction; or
- (d) within a period or at a time determined by the Minister in the particular case.

Maximum penalty: \$5 000.

Expiation fee: \$750.

79—Incident reports

- (1) If or when the holder of a mineral tenement becomes aware of the occurrence of a reportable incident, the holder must ensure that the reportable incident is reported to the Minister in accordance with the requirements of this regulation.
- Maximum penalty: \$10 000.
- Expiation fee: \$1 500.
- (2) A reportable incident must be reported to the Minister as follows:
- (a) an initial report must be provided to the Minister within 24 hours after the holder of the tenement becomes aware of the occurrence of the incident;
 - (b) a comprehensive report must be provided to the Minister—
 - (i) unless subparagraph (ii) applies— within 1 month after the holder of the tenement becomes aware of the occurrence of the incident; or
 - (ii) within a period determined by the Minister in a particular case.
- (3) A report—
- (a) must be provided in a manner and form determined by the Minister; and
 - (b) must contain the information determined by the Minister.

(4) In this regulation—

reportable incident means—

- (a) a contravention of, or a failure to comply with, a condition of a mineral tenement; or
- (b) a failure to achieve, or a breach of, an outcome specified in a program under Part 10A of the Act; or
- (c) a contravention of, or a failure to comply with, a condition of a program under Part 10A of the Act; or
- (d) a triggering of any leading indicator criteria set out in a program under Part 10A of the Act; or
- (e) action that causes undue damage to the environment in connection with any operations carried out under a mineral tenement; or
- (f) a failure to comply with a direction under Part 10B of the Act within the time allowed in the direction; or
- (g) action that constitutes an authorised operation without being duly authorised by or under the Act; or
- (h) a failure to achieve, or a breach of, an outcome specified in a mine operations plan under Part 11B of the Act; or
- (i) a breach of the general duty under Part 11B of the Act; or
- (j) a failure to comply with an order under Part 11B of the Act within the time allowed in the order.

80—Airborne surveys

(1) The holder of a mineral tenement who is intending to carry out an airborne survey over land must, in accordance with this regulation, notify the Minister of the holder's intention to carry out the survey.

Maximum penalty: \$2 500.

Expiation fee: \$250.

(2) A notification—

- (a) must be provided to the Minister at least 14 days before the airborne survey is due to be carried out; and
- (b) must be provided in a manner and form determined by the Minister; and
- (c) must contain the information determined by the Minister.

(3) In this regulation—

airborne survey means—

- (a) an airborne geophysics survey; or
- (b) remote sensing techniques conducted from the air.

Part 21—Miscellaneous

81—Public liability insurance

- (1) The holder of a mineral tenement must, before commencing operations under the tenement and for the duration of the tenement, maintain a policy of public liability insurance indemnifying the holder, in an amount that is reasonable taking into account the kind of tenement, the nature and extent of the operations carried out under the tenement, and relevant industry standards, in relation to any action arising out of the operations carried out under the tenement and complying with any other requirement (if any) determined by the Minister.

Maximum penalty: \$20 000.

- (2) The tenement holder must provide to the Minister a certificate evidencing the insurance coverage required by subregulation (1), and any endorsements or waivers relating to insurance coverage, in accordance with the requirements of this regulation.

Maximum penalty: \$5 000.

Expiation fee: \$750.

- (3) A certificate under subregulation (2) must be provided to the Minister before operations commence under the relevant mineral tenement and then a current certificate must be provided to the Minister—

(a) unless paragraph (b) applies—

(i) in relation to a private mine—by 30 June in each year; and

(ii) in any other case—by each anniversary of the day on which the relevant mineral tenement was granted; or

(b) if the Minister so determines—on another date in each year, or according to a particular frequency, determined by the Minister.

- (4) The tenement holder must, in accordance with this regulation, notify the Minister—

(a) if any insurance obtained for the purposes of this regulation lapses without having been renewed; or

(b) if there is a change in an insurance policy obtained for the purposes of this regulation, including a change in the level of cover.

Maximum penalty: \$5 000.

Expiation fee: \$750.

- (5) A notification under subregulation (4)—

(a) must be provided to the Minister within 14 days after the relevant event under that subregulation; and

(b) must be provided in a manner and form determined by the Minister; and

(c) must contain the information determined by the Minister, and be accompanied by such information or documents as the Minister may determine.

- (6) A tenement holder must, at the request of the Minister, provide to the Minister a copy of the policy of insurance relating to the requirements that apply under this regulation within a period specified by the Minister.

Maximum penalty: \$5 000.

Expiation fee: \$750.

82—Confirmation of emergency direction

For the purposes of section 70FB(4) of the Act, confirmation of a direction will be given by a notice of confirmation, in a form determined by the Director, given to the person to whom the emergency direction has been issued.

83—Confirmation of emergency order

For the purposes of section 73KA(4) of the Act, confirmation of an emergency order will be given by a notice of confirmation, in a form determined by the Director, given to the person to whom the emergency order has been issued.

84—Declaration to accompany an application (general provision)

- (1) This regulation applies to—
 - (a) an application for—
 - (i) a mining lease; or
 - (ii) a retention lease; or
 - (iii) a miscellaneous purposes licence; or
 - (b) an application for a change in operations under Part 8B Division 7 of the Act; or
 - (c) an application for the approval of a program, or for the approval of a revised program, under Part 10A of the Act.
- (2) Any information provided for the purposes of an application to which this regulation applies must be accompanied by a declaration, signed by the relevant prescribed person, to the effect that the person has taken reasonable steps to review the information and to ensure its accuracy.
- (3) In this regulation—

relevant prescribed person means—

 - (a) in the case of an application to which subregulation (1)(c) applies—the holder of the tenement in respect of which the program or revised program is to apply; and
 - (b) in any other case—the applicant.

85—Declaration to accompany an application (mine operations plans)

- (1) This regulation applies to an application for an approval in relation to a mine operations plan, or the review of a mine operations plan, under Part 11B of the Act.
- (2) Any information provided for the purposes of an application to which this regulation applies must be accompanied by a declaration, signed by the person who is carrying out mining operations at the mine, to the effect that the person has taken reasonable steps to review the information and to ensure its accuracy.

86—Fees

- (1) A designated person may—
 - (a) on application; or
 - (b) on the designated person's own initiative,waive, reduce or refund (in whole or in part) a fee prescribed for the purposes of the Act in respect of a person or a class of persons.

- (2) A designated person may allow the payment by instalment of a fee prescribed for the purposes of the Act.
- (3) In this regulation—
designated person means—

- (a) the Minister; or
- (b) the Mining Registrar; or
- (c) the Director of Mines.

87—Ministerial notices in connection with certain prescribed fees

- (1) The Minister may, by notice in the Gazette, declare that an area of the State is an exploration regulation fee zone for the purposes of a prescribed fee payable in connection with an exploration licence.
- (2) The Minister must specify in a notice under subregulation (1) whether an area declared in the notice to be an exploration regulation fee zone is a *zone 1 exploration regulation fee zone*, a *zone 2 exploration regulation fee zone* or a *zone 3 exploration regulation fee zone*.
- (3) A notice under subregulation (1) may declare more than 1 area of the State to be an exploration regulation fee zone.
- (4) The Minister may, by notice in the Gazette, for the purposes of a prescribed fee payable in connection with an application for approval under section 56R of the Act to make a change to which Part 8B Division 7 of the Act applies, declare whether a change of a kind specified in the notice is a *level 1*, *level 2*, *level 3* or *level 4* change.
- (5) A declaration as to whether a change is a level 1, level 2, level 3 or level 4 change under subregulation (4) may vary in its application according to the matter to which it is expressed to apply.
- (6) The Minister must, by notice in the Gazette, publish criteria to be used in determining whether a draft of objectives and criteria, or a revised program, is a *tier 1*, *tier 2*, *tier 3* or *tier 4* draft or program for the purposes of a prescribed fee payable in connection with submission of a program under Part 10A of the Act.
- (7) A draft of objectives and criteria, or a revised program, is a tier 1, tier 2, tier 3 or tier 4 draft or program (as the case requires) for the purposes of a prescribed fee if it is classified as such under the criteria published under subregulation (6).
- (8) A notice made under this regulation may be varied or revoked by the Minister by subsequent notice in the Gazette.

88—Service of documents

- (1) A notice or document required or authorised by or under the Act to be given to or served on a person (other than a designated person or a person who holds or may hold native title in land) may—
 - (a) be served on the person personally; or
 - (b) be posted by registered post in an envelope addressed to the person—
 - (i) at the person's last known address; or
 - (ii) if the person has an address for correspondence or service—at that address; or

- (c) be served by email sent to an email address provided by the person (in which case the notice or document will be taken to have been given or served at the time of sending).

Note—

Part 5 of the *Native Title (South Australia) Act 1994* sets out the method of service on all who hold or may hold native title in land.

- (2) A notice or document required or authorised by or under the Act or these regulations to be provided or given to or served on a designated person must be provided, given or served in the manner specified by the relevant designated person by notice in the Gazette.
- (3) If a notice or document is given or served under subregulation (2)—
 - (a) by email—the notice or document will be taken to have been given or served at the time of sending the email; or
 - (b) by other electronic means—the notice or document will be taken to have been provided, given or served when the person providing, giving or serving the notice or document receives confirmation by those electronic means that the notice or document has been received by the designated person.
- (4) Subregulation (2) operates subject to any other provision made by these regulations.
- (5) In this regulation—

designated person means—

- (a) the Minister; or
- (b) the Mining Registrar; or
- (c) the Director of Mines.

89—Administrative penalties

- (1) The amount of an administrative penalty fixed by Schedule 3 applies in relation to an alleged contravention of a provision of the Act specified in that Schedule.
- (2) The amount of an administrative penalty that is to apply in relation to an alleged contravention of a provision of these regulations is \$2 500.

90—Expiation of offences

For the purposes of section 92(1)(r) of the Act—

- (a) an offence under a section of the Act specified in Schedule 4 is an offence in respect of which an expiation notice may be issued; and
- (b) the amount specified in Schedule 4 in relation to an offence under the relevant section of the Act specified in the Schedule is prescribed as the expiation fee for that offence.

Schedule 1—Items to be registered on mining register

- 1 A report published under section 14F of the Act
- 2 An instrument recording the existence of an agreement between the Treasurer and a person liable to pay royalty under section 17(9) of the Act
- 3 A notification of a relevant event provided to the Minister under section 17AC of the Act
- 4 An instrument of approval to establish a successive mineral claim under section 27 of the Act
- 5 An instrument for the approval of the amalgamation of expenditure commitments under section 30AAA(10) of the Act
- 6 An instrument for the approval of the division of an area of an exploration licence under section 30AA of the Act
- 7 An instrument for the approval of retention status in relation to an exploration licence under section 33B of the Act
- 8 A copy of a notice given by the Minister under section 33B(13) or (14) of the Act
- 9 An instrument providing for action taken by the Minister under section 56J of the Act
- 10 An instrument providing for action taken by the Mining Registrar under section 56O of the Act
- 11 An instrument providing for the amalgamation of the areas of 2 or more mineral tenements under section 56P of the Act
- 12 An instrument providing for the extension of the term of a mineral tenement under section 56Y of the Act
- 13 An instrument providing for the renewal of a mining tenement
- 14 An assessment report under section 56ZA of the Act
- 15 An instrument recording the existence of an agreement relating to entry to land between the person seeking entry and the owner of the land for the purposes of section 58A of the Act
- 16 The amount of a bond under section 62 of the Act
- 17 A current copy of a program approved by the Minister under Part 10A of the Act
- 18 A copy of a program audit developed for the purposes of section 70DA of the Act
- 19 An environmental direction issued by the Minister or an authorised officer under section 70E of the Act
- 20 A rehabilitation direction issued by the Minister under section 70F of the Act
- 21 A compliance direction issued by the Minister under section 70FA of the Act
- 22 An emergency direction issued by an authorised officer under section 70FB of the Act
- 23 An agreement or order relating to a civil penalty under section 70HE of the Act
- 24 A current copy of a mine operations plan under section 73G of the Act
- 25 A compliance order issued by the Director under section 73I of the Act
- 26 A rectification order issued by the Director under section 73J of the Act
- 27 A rectification authorisation issued by the Director under section 73K of the Act
- 28 An emergency order issued by an authorised officer under section 73KA of the Act
- 29 A copy of the proclamation providing for the variation or revocation of the declaration of an area as a private mine under section 73N of the Act
- 30 An undertaking under section 74AA of the Act
- 31 A compliance order under section 74A of the Act
- 32 An instrument recording the consent of an owner of land under section 75 of the Act

- 33 An instrument providing for an exemption granted by the Minister under section 79 of the Act
- 34 An instrument recording a consent or an agreement as to access under section 80 of the Act
- 35 An instrument recording a consent or an agreement that is taken to be provided under section 82 of the Act
- 36 An instrument relating to the seizure of machinery or goods under section 86 of the Act
- 37 A report provided under section 90 of the Act
- 38 A copy of a notice imposing an administrative penalty under section 91 of the Act
- 39 An instrument recording or evidencing the imposition of a criminal penalty under the Act
- 40 An instrument imposing an expiation fee under the Act
- 41 Decisions, determinations and orders of the ERD Court or the Supreme Court where the Minister, the Director or the Mining Registrar was a party to the relevant proceedings
- 42 A compliance report provided to the Minister under regulation 77
- 43 A certificate evidencing the insurance coverage required by regulation 81

Schedule 2—Rental

1	Mining lease	\$256.00 or \$67.50 for each hectare or part of a hectare in the area of the lease, whichever is the greater
2	Mining lease—extractives	\$216.00 or \$56.00 for each hectare or part of a hectare in the area of the lease, whichever is the greater
3	Retention lease—	
	(a) if the retention lease authorises the carrying out of only exploration operations under the lease—	
	(i) if the lease is granted for a term of less than 5 years (or an aggregate term of 5 years); or	\$975.00 or \$22.50 per km ² in the area of the lease, whichever is the greater
	(ii) if the term or aggregate term of the lease has reached the period of 5 years from the grant date, and the lease is renewed for a period of less than 5 years (or an aggregate term of 5 years); or	\$261.00 or \$35.00 for each hectare or part of a hectare in the area of the lease, whichever is the greater
	(iii) if the term or aggregate term of the lease has reached the period of 10 years from the grant date, and the lease is renewed for a further period or periods; or	\$261.00 or \$103.50 for each hectare or part of a hectare in the area of the lease, whichever is the greater
	(b) in any other case	\$256.00 or \$34.25 for each hectare or part of a hectare in the area of the lease, whichever is the greater
4	Miscellaneous purposes licence	\$256.00 or \$67.50 for each hectare or part of a hectare in the area of the licence, whichever is the greater

Schedule 3—Administrative penalties

	Section of Act	Administrative penalty
1	section 15AJ(1)	\$15 000.00
2	section 15AJ(2)	\$15 000.00
3	section 15AJ(3)	\$5 000.00
4	section 15AJ(4)	\$5 000.00
5	section 15AJ(5)	\$5 000.00
6	section 15AK(1)	\$5 000.00
7	section 25(2)	\$5 000.00
8	section 56E(4)	\$5 000.00

Schedule 4—Expiation fees

	Section of Act	Expiation fee
1	section 15AA(9)	\$210.00
2	section 15AG(3)	\$210.00
3	section 17AC(1)	\$1 000.00
4	section 17CA(8)	\$1 000.00
5	section 58A(1)	\$1 000.00
6	section 58A(2)	\$1 000.00
7	section 62AA(8)	\$1 000.00
8	section 90(6)	\$1 000.00

Schedule 5—Transitional provisions

1—Interpretation

In this Schedule—

Amendment Act means the *Statutes Amendment (Mineral Resources) Act 2019*;

commencement day means the day on which these regulations commence;

revoked regulations means the *Mining Regulations 2011*.

2—Exempt land

The amendments made to section 9 of the Act by the Amendment Act do not apply in relation to an application for a mineral tenement made before the commencement day (and those sections will continue to apply in relation to the application as if the amendments made to those sections had not been enacted).

3—Subsequent exploration licences

An application for a subsequent exploration licence under section 30AB of the Act made before the commencement day that has not been determined before the commencement day will continue to be considered and determined under that section as if that section had not been repealed by the Amendment Act (and the Minister may grant a subsequent exploration licence as a result of the application for a period of up to 5 years).

4—Inconsistent term or condition of exploration licence void

On or after the commencement day, a term or condition of an exploration licence that is inconsistent with the provision of the Act or these regulations will be void to the extent of the inconsistency.

5—Minister may grant retention lease

If, before the commencement day, an application for a mining lease under Part 6 of the Act has been made but not finally determined, the Minister may, instead of granting the application, with the concurrence of the applicant for the mining lease (and on the basis of that application or such further application by the applicant as the Minister thinks fit), grant a retention lease under Part 7 of the Act.

6—Collection of information and reports

To the extent that these regulations impose additional requirements when compared to the requirements under the revoked regulations—

- (a) in relation to the creation, collection, keeping or compilation of information or materials; or
- (b) in relation to the provision or production of—
 - (i) information or materials; or
 - (ii) any reports,

the additional requirements under these regulations—

- (c) will only relate to the creation, collection, keeping or compilation of information or materials on a prospective basis; and
- (d) will only require—
 - (i) information and material to be provided or produced in accordance with those requirements to the extent that they relate to matters arising on or after the commencement day; and
 - (ii) reports to comply with these regulations to the extent to which they apply to a period commencing on the commencement day.

7—Mineral tenements not subject to a program for environment protection and rehabilitation

- (1) This clause applies to a mineral tenement in force immediately before the day on which the revoked regulations commenced that has not become subject to a program under Part 10A of the Act either by virtue of the operation of regulation 114(2) of the revoked regulations or for any other reason.
- (2) The holder of a mineral tenement to which this clause applies must, within 12 months after the commencement of these regulations, notify the Minister in a manner and form determined by the Minister either—
 - (a) that the tenement holder intends to provide a program to the Minister in accordance with subclause (3); or
 - (b) that the tenement holder intends to surrender the tenement or allow the tenement to expire.

- (3) The holder of a mineral tenement to which this clause applies who has provided a notice to the Minister under subclause (2)(a) must provide a program that complies with the requirements of subclause (4) to the Minister—
- (a) within 24 months after the commencement of these regulations; or
 - (b) if the Minister so determines—such period, being less than or more than 24 months, as the Minister may specify in a particular case.
- (4) A program required to be provided to the Minister under this clause must—
- (a) comply with the requirements set out in section 70B(2) of the Act (and the relevant requirements under these regulations); and
 - (b) be accompanied by a declaration, signed by the holder of the tenement in respect of which the program is to apply, to the effect that the tenement holder has taken reasonable steps to review the information and to ensure its accuracy; and
 - (c) be accompanied by the prescribed fee.

Schedule 6—Revocation of *Mining Regulations 2011*

The *Mining Regulations 2011* are revoked.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 19 November 2020

No 300 of 2020

South Australia

Mines and Works Inspection (Mine Manager) Variation Regulations 2020

under the *Mines and Works Inspection Act 1920*

Contents

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Mines and Works Inspection (Mine Manager) Variation Regulations 2020*.

2—Commencement

These regulations come into operation on 1 January 2021.

3—Variation provisions

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

Part 2—Variation of *Mines and Works Inspection Regulations 2013*

4—Variation of regulation 3—Interpretation

- (1) Regulation 3(1), definition of *manager*—delete the definition
- (2) Regulation 3(2)—delete "the manager and any contractor will be included if the manager or contractor is working in the mine" and substitute:
 - a contractor will be included if the contractor is working in the mine
- (3) Regulation 3(3)—delete subregulation (3)

5—Revocation of Part 2 Division 1

Part 2 Division 1—delete Division 1

6—Variation of regulation 8—Notices

Regulation 8(1)(d)—delete ", the name and address of the manager of the mine, and the qualifications held by the manager of the mine"

7—Variation of regulation 10—Duty to facilitate inspections

Regulation 10—delete "manager" and substitute:

owner

8—Variation of regulation 19—Offences

Regulation 19(4)—delete "manager" and substitute:

owner

9—Revocation of regulation 21

Regulation 21—delete the regulation

10—Revocation of Schedules 1 and 3

Schedules 1 and 3—delete the Schedules

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 19 November 2020

No 301 of 2020

South Australia

Opal Mining (Mineral Resources) Variation Regulations 2020

under the *Opal Mining Act 1995*

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-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Opal Mining (Mineral Resources) Variation Regulations 2020*.

2—Commencement

These regulations come into operation on 1 January 2021.

3—Variation provisions

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

Part 2—Variation of *Opal Mining Regulations 2012*

4—Variation of regulation 4—Exempt land

(1) Before subregulation (1) insert:

(a1) For the purposes of section 6(1)(a)(ii)(A) of the Act, an amount of \$2 500 is prescribed.

(2) Regulation 4(2)—before "Mining" first and second occurring insert:

Opal

5—Variation of regulation 6—Identification plates

(1) Regulation 6(1)—delete "A mining" and substitute:

An opal mining

(2) Regulation 6(7)—delete "a mining" and substitute:

an opal mining

(3) Regulation 6(9)—delete "A mining" and substitute:

An opal mining

(4) Regulation 6(10)—delete "a mining" and substitute:

an opal mining

6—Variation of regulation 7—Replacement or surrender of permit

(1) Regulation 7(1)—delete "a mining" and substitute:

an opal mining

(2) Regulation 7(3)—delete "A mining" and substitute:

An opal mining

(3) Regulation 7(4)—after "furnish the" insert:

Opal

7—Variation of regulation 9—Shape, dimensions and availability

- (1) Regulation 9(2)—delete "a mining" and substitute:
an opal mining
- (2) Regulation 9(2)—before "Mining" insert:
Opal
- (3) Regulation 9(3)—delete "a mining" and substitute:
an opal mining

8—Variation of regulation 10—Mode of taking possession

- (1) Regulation 10(6)—delete "lodge a notice of the manner of pegging at the nearest office of the Mining Registrar to the area that has been pegged out" and substitute:
give notice of the manner of pegging to the Opal Mining Registrar
- (2) Regulation 10(8)—delete subregulation (8) and substitute:
 - (8) If an opal mining registrar, or a person authorised by the Opal Mining Registrar for the purposes of this regulation, considers that the method of pegging out an area is unsatisfactory, the registrar or authorised person may order that a different method be used.

9—Variation of regulation 11—Notification of pegging

- (1) Regulation 11(1)—delete "give notice of the pegging to the Mining Registrar in accordance with this regulation" and substitute:
, no later than 5 pm on the working day next following the day of pegging, give notice of the pegging to the Opal Mining Registrar in a manner and form determined by the Opal Mining Registrar
- (2) Regulation 11(2) and (3)—delete subregulations (2) and (3)

10—Revocation of regulation 12

Regulation 12—delete the regulation

11—Variation of regulation 14—Working conditions

- (1) Regulation 14(1)(a)—delete "on the basis of at least 20 hours of work per week"
- (2) Regulation 14(1)(b)—delete "on the basis of at least 20 hours of work per week"

12—Variation of regulation 18—Removal of posts

- (1) Regulation 18(1)(a)—delete "a mining" and substitute:
an opal mining
- (2) Regulation 18(1)(c)—before "Mining" insert:
Opal
- (3) Regulation 18(6)(b)—delete "a mining registrar, an authorised person, or a person authorised by the" and substitute:
an opal mining registrar, an authorised person, or a person authorised by the Opal
- (4) Regulation 18(7)—before "Mining" insert:
Opal

13—Variation of regulation 22—Reduction in area of tenement

- (1) Regulation 22(1)—delete "a mining" and substitute:
an opal mining
- (2) Regulation 22(2)—before "mining" insert:
opal

14—Variation of regulation 26—Verification of membership of association

Regulation 26—delete "a mining" and substitute:
an opal mining

15—Insertion of regulation 26A

After regulation 26 insert:

26A—Items to be registered on opal mining register

For the purposes of section 76(2)(e) of the Act, the items set out in Schedule 4 must, unless the Opal Mining Registrar determines otherwise, be registered on the opal mining register.

16—Variation of regulation 27—Amendments to opal mining register

Regulation 27(a)—before "Mining" insert:
Opal

17—Substitution of regulation 28

Regulation 28—delete the regulation and substitute:

28—Offices of Opal Mining Registrar

The following places are, for the purposes of the Act and these regulations, offices of the Opal Mining Registrar:

- (a) the head office of the administrative unit that is, under a Minister, responsible for the administration of the Act located at Adelaide;
- (b) the head office of the administrative unit that is, under a Minister, responsible for the administration of the Act located at Coober Pedy;
- (c) the Andamooka Post Office.

18—Insertion of regulations 33A and 33B

After regulation 33 insert:

33A—Applications for warrants

The following procedures in relation to an application for the issue of a warrant are prescribed for the purposes of section 77(17)(b) of the Act:

- (a) if an application for the issue of a warrant is made personally—the grounds of the application must be verified by affidavit;

- (b) if an application for the issue of a warrant is made by telephone—
- (i) the applicant must inform the magistrate, warden or justice of the applicant's name and identify the position that they hold for the purposes of the Act, and the magistrate, warden or justice, on receiving that information, is entitled to assume, without further inquiry, that the applicant holds that position; and
 - (ii) the applicant must inform the magistrate, warden or justice of the purpose for which the warrant is required and the grounds on which it is sought; and
 - (iii) if it appears to the magistrate, warden or justice from the information given by the applicant that there are proper grounds to issue a warrant, the magistrate, warden or justice must inform the applicant of the facts that justify, in their opinion, the issue of the warrant, and must not proceed to issue the warrant unless the applicant undertakes to make an affidavit verifying those facts; and
 - (iv) if the applicant gives such an undertaking, the magistrate, warden or justice may then make out and sign a warrant, noting on the warrant the facts that justify, in their opinion, the issue of the warrant; and
 - (v) the warrant is taken to have been issued, and comes into force, when signed by the magistrate, warden or justice; and
 - (vi) the magistrate, warden or justice must inform the applicant of the terms of the warrant; and
 - (vii) the applicant must, as soon as practicable after the issue of the warrant, forward to the magistrate, warden or justice an affidavit verifying the facts referred to in subparagraph (iii).

33B—Administrative penalties

The amount of an administrative penalty fixed by Schedule 5 applies in relation to an alleged contravention of a provision of the Act specified in that Schedule.

19—Variation of regulation 34—Service of documents

- (1) Regulation 34—after "than" insert:

a designated person or
- (2) Regulation 34(c)—delete paragraph (c)
- (3) Regulation 34—after its present contents as varied by this regulation (now to be designated as subregulation (1)) insert:
 - (2) A notice or document required or authorised by or under the Act or these regulations to be provided or given to or served on a designated person must be given or served in the manner specified by the designated person by notice in the Gazette.

- (3) If a notice or document is given or served under subregulation (2)—
- (a) by lodgment at an office of the Opal Mining Registrar—the notice or document will be taken to have been given or served at the time it is lodged at the office of the Opal Mining Registrar; or
 - (b) by email—the notice or document will be taken to have been given or served at the time of sending the email; or
 - (c) by other electronic means—the notice or document will be taken to have been given or served when the person giving or serving the notice or document receives confirmation by those electronic means that the notice or document has been received by the designated person.
- (4) Subregulation (2) operates subject to any other provision made by these regulations.
- (5) In this regulation—
- designated person* means—
- (a) the Minister; or
 - (b) the Opal Mining Registrar or an opal mining registrar; or
 - (c) the Director.

20—Insertion of Schedules 4 and 5

After Schedule 3 insert:

Schedule 4—Items to be registered on opal mining register

- 1 An instrument of renewal of a precious stones prospecting permit by an opal mining registrar under section 9 of the Act
- 2 A notice of pegging under section 14 of the Act
- 3 The conditions applying to a precious stones tenement specified by the Director under section 18A of the Act
- 4 A notice of application for registration of a tenement under section 19 of the Act
- 5 An instrument indicating that registration of a tenement of a person on the Mintabie precious stones field has been cancelled under section 18B(2) of the Act
- 6 A notice of cancellation of registration of precious stones tenement by the Opal Mining Registrar under section 28(1) of the Act
- 7 A notice of seizure machinery or goods abandoned on land that has been subject to a tenement under section 29 of the Act
- 8 An instrument recording the existence of an agreement with an owner of land authorising a person to enter the land to carry out mining operations under section 31(a) of the Act
- 9 An instrument recording a consent or an agreement as to access under section 32 of the Act
- 10 An authorisation for use of declared equipment under section 34 of the Act
- 11 A notice directing the holder of a tenement to rehabilitate land under section 35 of the Act
- 12 A compliance direction issued under section 35A of the Act

- 13 The amount of a bond under section 36 of the Act
- 14 An instrument providing for an exemption issued by the Minister under section 79 of the Act
- 15 If the holder of a precious stones tenement is in arrears for a payment for which they are liable under the Act—an instrument indicating that fact and the amount that remains unpaid
- 16 Proceedings in the ERD Court or the Supreme Court where the Minister, the Director or the Opal Mining Registrar was a party to the relevant proceedings
- 17 Decisions, determinations and orders of the Warden's Court, ERD Court or Supreme Court that relate to tenements under the Act
- 18 An instrument recording or evidencing the imposition of a criminal penalty under the Act

Schedule 5—Administrative penalties

	Section of Act	Administrative penalty
1	section 8(4)	\$5 000.00
2	section 16(9a)	\$5 000.00
3	section 18(1)	\$5 000.00
4	section 30	\$5 000.00

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 19 November 2020

No 302 of 2020

RULES OF COURT

MAGISTRATES COURT OF SOUTH AUSTRALIA

Amendment 86 to the Magistrates Court Rules 1992

PURSUANT to section 49 of the *Magistrates Court Act 1991* and all other enabling powers, we, the undersigned, do hereby make the following amendments to the ***Magistrates Court Rules 1992*** as amended.

1. These Rules may be cited as the ‘Magistrates Court Rules 1992 (Amendment 86)’.
2. The *Magistrates Court Rules 1992* (‘the Rules’) as amended by these amendments apply to and govern all actions in the criminal division of the Court on and after the date on which these amendments are gazetted.
3. Form 28 is deleted and replaced with Form 28.
4. Form 28AA is deleted and replaced with Form 28AA.
5. Form 29 is deleted and replaced with Form 29.
6. Form 29AA is deleted and replaced with Form 29AA.
7. Form 30 is deleted and replaced with Form 30.

Dated: 17 November 2020

MARY-LOUISE HRIBAL
Chief Magistrate

BRETT JONATHON DIXON
Magistrate

KATHRYN HODDER
Magistrate

NICOLAS ALEXANDRIDES
Magistrate

STATE GOVERNMENT INSTRUMENTS

CASINO ACT 1997

NOTICE UNDER SECTION 3(1)

Re-Definition of Gaming Area

On 22 October 2020, I, Dini Soulio, Liquor and Gambling Commissioner, published a notice in the *Government Gazette* (see page 4880), to advise that the **gaming area** (being a **gaming area** or **premium gaming area** within the casino premises as defined in the *Casino Act 1997*) will be re-defined pursuant to Section 3(1) of that Act.

That notice provided that the holder of the casino licence, Skycity Adelaide Pty Ltd (Skycity Adelaide), is required to notify me 14 days in advance of the date that it is to take effect.

Skycity Adelaide has notified me that the notice is to take effect from 9.00am on 24 November 2020.

Dated: 19 November 2020

DINI SOULIO
Liquor and Gambling Commissioner

CHILDREN'S PROTECTION LAW REFORM (TRANSITIONAL ARRANGEMENTS AND RELATED AMENDMENTS) ACT 2017

DEPARTMENT OF HUMAN SERVICES

End of Transitional Period under the Children's Protection Law Reform (Transitional Arrangements and Related Amendments) Act 2017

Notice by the Minister for Human Services

Pursuant to section 4(1)(b)(i) of the *Children's Protection Law Reform (Transitional Arrangements and Related Amendments) Act 2017*, I, MICHELLE LENSINK, Minister for Human Services, specify that 30 June 2022 is the day on which the transitional period under the *Children's Protection Law Reform (Transitional Arrangements and Related Amendments) Act 2017* is to end.

Dated: 9 November 2020

HON MICHELLE LENSINK MLC
Minister for Human Services

FISHERIES MANAGEMENT (PRAWN FISHERIES) REGULATIONS 2017

Temporary Prohibition on Fishing Activities in the Gulf St Vincent Prawn Fishery

TAKE notice that pursuant to regulation 10 of the *Fisheries Management (Prawn Fisheries) Regulations 2017*, the activities of the class specified in Schedule 1 are prohibited in the waters of the Gulf St Vincent Prawn Fishery during the period specified in Schedule 2 unless this notice is varied or revoked.

SCHEDULE 1

The act of taking or an act preparatory to or involved in the taking of Western King Prawns (*Melicertus latisulcatus*) pursuant to a Gulf St Vincent Prawn Fishery licence.

SCHEDULE 2

From sunset on 16 November 2020 to sunrise on 17 November 2020.

Dated 13 November 2020

CRAIG NOELL
A/Prawn Fishery Manager
Delegate of the Minister for Primary Industries and Regional Development

FISHERIES MANAGEMENT (PRAWN FISHERIES) REGULATIONS 2017

Surveying in the Gulf St Vincent Prawn Fishery

TAKE notice that pursuant to regulation 10 of the *Fisheries Management (Prawn Fisheries) Regulations 2017*, the notice dated 13 November 2020 prohibiting fishing activities in the Gulf St Vincent Prawn Fishery is HEREBY varied such that it will not apply to the holders of a Gulf St Vincent Prawn Fishery licence issued pursuant to the *Fisheries Management (Prawn Fisheries) Regulations 2017* listed in Schedule 1 or their registered master insofar as they may use prawn trawl nets in accordance with the conditions of their fishery licence for the purpose of undertaking a prawn survey in the areas specified in Schedule 2 during the period specified in Schedule 3, subject to the conditions contained in Schedule 4 unless this notice is varied or revoked.

SCHEDULE 1

Licence Number	Licence Holder	Boat Name
V03 or V09	Josephine K Fisheries Pty Ltd	Josephine K
V05 or V06	Todreel Pty Ltd	Anna Pearl
V02	W J Fountain Pty Ltd	Angela Kaye

SCHEDULE 2

North of 35°05.00' S latitude.

SCHEDULE 3

Commencing at sunset on 16 November 2020 to sunrise on 17 November 2020.

SCHEDULE 4

1. The coordinates in Schedule 2 are defined as degrees decimal minutes and are based on the World Geodetic System 1984 (WGS 84).
2. For the purposes of this notice the trawl survey areas cannot include any waters of a habitat protection zone or a sanctuary zone of a marine park established under the *Marine Parks Act 2007* or depths less than 10 metres.
3. The licence holders listed in Schedule 1 or their registered master must comply with all regulations and conditions that apply to fishing activities undertaken pursuant to their licence, in addition to the conditions imposed by this notice.
4. While engaged in fishing activities or unloading the survey catch, the licence holders listed in Schedule 1 or their registered master must have a copy of this notice on board the boat or near his person. This notice must be produced to a Fisheries Officer if requested.
5. No fishing activity may be undertaken between the prescribed times of sunrise and sunset for Adelaide (as published in the *South Australian Government Gazette*).
6. The licence holders listed in Schedule 1 or their registered master must not contravene or fail to comply with the *Fisheries Management Act 2007*, or any other regulations made under that Act except where specifically exempted by this notice.
7. This notice does not purport to override the provisions or operation of any other Act including, but not limited to, the *Marine Parks Act 2007*. The notice holder and his agents must comply with any relevant regulations, permits, requirements and directions from the Department of Environment, Water and Natural Resources when undertaking activities within a marine park.

Dated: 13 November 2020

CRAIG NOELL
A/Prawn Fishery Manager
Delegate of the Minister for Primary Industries and Regional Development

GAMING MACHINES ACT 1992

South Australia

Gaming Machines (Fees) Notice 2020

under the *Gaming Machines Act 1992*

1—Short title

This notice may be cited as the *Gaming Machines (Fees) Notice 2020*.

Note—

This is a fee notice made in accordance with the *Legislation (Fees) Act 2019*.

2—Commencement

This notice has effect on the day on which it is made.

3—Interpretation

In this notice, unless the contrary intention appears—

Act means the *Gaming Machines Act 1992*.

4—Fees

The fees set out in Schedule 1 are prescribed for the purposes of the Act.

Schedule 1—Fees

1	Application for a gaming machine licence, gaming machine dealer's licence or gaming machine service licence	\$631.00
2	Application for the gaming machine monitor licence	\$631.00
3	Application for consent to the transfer of a gaming machine licence	\$631.00
4	Application for approval of a person as a gaming machine technician	\$137.00

5	Application for approval of a person to assume a position of authority in body corporate—	
	(a) if the person is the subject of an approval of the Commissioner in force under section 38 of the Act	No fee
	(b) if an approval referred to in paragraph (a) is not in force but the person is the subject of an approval of the Commissioner in force under section 71 of the <i>Liquor Licensing Act 1997</i>	\$12.50
	(c) in any other case	\$137.00
6	Application for approval of a gaming machine	\$631.00
7	Application for approval of a game	\$631.00
8	Application for approval of gaming tokens	\$631.00
9	Application for approval to manufacture gaming tokens	\$631.00
10	Application for grant of a designated application	\$137.00
11	Application for approval of an agreement or arrangement (section 68(2) of Act)	\$631.00
12	Application to vary licence conditions (other than a condition relating to number of gaming machines on licensed premises)	\$137.00
13	Application to vary a licence condition relating to the reduction to number of gaming machines on licensed premises	No fee
14	For the issue of an identification badge	\$23.00
15	Application for approval of a facial recognition system under section 40D of the Act	\$1 200.00
16	Application for variation of an approved facial recognition system	\$137.00
17	Application for approval of training courses under section 40B of the Act	\$631.00
18	Application for variation of approval of training course	\$137.00
19	Application for exemption from provision of code of practice	\$137.00
20	Application for amalgamation of club licence	\$137.00
21	Application to vary a licence condition relating to the increase to number of gaming machines on licensed premises	\$631.00
22	Application for exemption from cash facilities limitations	\$137.00
23	Application for approval of systems to be operated in connection with gaming machines under section 40A of the Act	\$631.00
24	Application for variation of approved systems to be operated in connection with gaming machines	\$137.00
25	Application for approval as an industry body under section 40C of the Act	\$631.00
26	Application for removal of a gaming machine licence	\$631.00
27	Application for the designation of the gaming area or areas, for the premises	\$137.00
28	Application for conversion of a temporary licence into an ordinary licence	\$631.00

Made by the Attorney-General

on 16 November 2020

HOUSING IMPROVEMENT ACT 2016

Rent Control

The Minister for Human Services Delegate in the exercise of the powers conferred by the *Housing Improvement Act 2016*, does hereby fix the maximum rental per week which shall be payable subject to Section 55 of the *Residential Tenancies Act 1995*, in respect of each house described in the following table. The amount shown in the said table shall come into force on the date of this publication in the Gazette.

Address of Premises	Allotment Section	Certificate of Title Volume/Folio	Maximum Rental per Week Payable
9 Hurtle Street, Woods Point SA 5253	Allotment 30 Deposited Plan 4113 Hundred of Brinkley		\$172.50

Dated: 19 November 2020

CRAIG THOMPSON
Acting Housing Regulator and Registrar
Housing Safety Authority, SAHA
Delegate of Minister for Human Services

HOUSING IMPROVEMENT ACT 2016

Rent Control Revocations

Whereas the Minister for Human Services Delegate is satisfied that each of the houses described hereunder has ceased to be unsafe or unsuitable for human habitation for the purposes of the *Housing Improvement Act 2016*, notice is hereby given that, in exercise of the powers conferred by the said Act, the Minister for Human Services Delegate does hereby revoke the said Rent Control in respect of each property.

Address of Premises	Allotment Section	Certificate of Title Volume/Folio
7 Barnes Road, Glynde SA 5070	Allotment 31 Deposited Plan 4265 Hundred of Adelaide	CT 5669/373
17 Kingborn Avenue, Seaton SA 5023	Allotment 1 Deposited Plan 7148 Hundred of Yatala	CT5614/564

Dated: 19 November 2020

CRAIG THOMPSON
Acting Housing Regulator and Registrar
Housing Safety Authority, SAHA
Delegate of Minister for Human Services

JUSTICES OF THE PEACE ACT 2005

SECTION 4

Appointment of Justices of the Peace for South Australia
Notice by the Commissioner for Consumer Affairs

I, Dini Soulio, Commissioner for Consumer Affairs, delegate of the Attorney-General, pursuant to section 4 of the *Justices of the Peace Act 2005*, do hereby appoint the people listed as Justices of the Peace for South Australia as set out below.

For a period of ten years for a term commencing on 2 December 2020 and expiring on 1 December 2030:

Amy Ruth YATES	Ian Mcgregor HILL
Elaine WILSON-BENNETT	Neil Frank HARRIS
Paul Anthony WELLS	Phillip John HARPER
Lisa Michelle WARNER	Linda HALL
Peter James Angus TYSON	Neville George GRIGG
Peter Israel TOOVEY	Margaret Faye GREGORY
Simon Thomas TAYLOR	Triana GONIS
Caroline Anne SULLIVAN	Annette Shirley FULLER
Linda Anne STARR	Mary Katherine FIELDHOUSE
David Medlow SMITH	Danielle Maria FERRIS
Anthony RODEGHIERO	June Patricia ELLIOTT
Cathryn Anne ROCHE-WELLS	Elizabeth Michelle DYSON
Amanda Louise RISHWORTH	Vivien Ruve DEED
Denise Kay RICHARDS	Phillip Lewis CHANNON
Eileen Mary LYNCH	Jo-Anne Marie CALLAGHAN
Mark Neil KENNEDY	Gordon Henry BEST
Debra Betty KELLEY	Ryan James BALKWILL
Josephine Marie HUDSON	

Dated: 17 November 2020

DINI SOULIO
Commissioner for Consumer Affairs
Delegate of the Attorney-General

LIQUOR LICENSING ACT 1997

South Australia

Liquor Licensing (Dry Areas) Notice 2020

under section 131(1a) of the *Liquor Licensing Act 1997*

1—Short title

This notice may be cited as the *Liquor Licensing (Dry Areas) Notice 2020*.

2—Commencement

This notice comes into operation on 26 December 2020.

3—Interpretation

(1) In this notice—

principal notice means the *Liquor Licensing (Dry Areas) Notice 2015* published in the *Gazette* on 5.1.15, as in force from time to time.

(2) Clause 3 of the principal notice applies to this notice as if it were the principal notice.

4—Consumption etc of liquor prohibited in dry areas

- (1) Pursuant to section 131 of the Act, the consumption and possession of liquor in the area described in the Schedule is prohibited in accordance with the provisions of the Schedule.
- (2) The prohibition has effect during the periods specified in the Schedule.
- (3) The prohibition does not extend to private land in the area described in the Schedule.
- (4) Unless the contrary intention appears, the prohibition of the possession of liquor in the area does not extend to—
 - (a) a person who is genuinely passing through the area if—
 - (i) the liquor is in the original container in which it was purchased from licensed premises; and
 - (ii) the container has not been opened; or
 - (b) a person who has possession of the liquor in the course of carrying on a business or in the course of his or her employment by another person in the course of carrying on a business; or
 - (c) a person who is permanently or temporarily residing at premises within the area or on the boundary of the area and who enters the area solely for the purpose of passing through it to enter those premises or who enters the area from those premises for the purpose of leaving the area.

Schedule— Robe Area 1

1—Extent of prohibition

The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 12 PM on Saturday 26 December 2020 to 12 AM on Monday 3 January 2021.

3—Description of area

The area in and adjacent to Robe bounded as follows: commencing at the western end of the northern boundary of Dawson Drive, then in a straight line by the shortest route to the low water mark of Guichen Bay on the eastern side of the entrance to Fox's Lake, then in a straight line by the shortest route (across the entrance) to the low water mark on the western side of the entrance, then generally westerly along the low water mark to the eastern side of the entrance to Lake Butler, then in a straight line by the shortest route (across the entrance) to the eastern boundary of the breakwater on the western side of the entrance to the lake, then northerly, north-easterly, westerly and south-westerly around the outer boundary of the breakwater back to the low water mark on the shore on the western side of the breakwater, then generally north-westerly and southerly along the low water mark to the point at which it is intersected by the prolongation in a straight line of the southern boundary of Evans Cave Road (the northern boundary of Section 363 Hundred of Waterhouse), then generally easterly along that prolongation and boundary of Evans Cave Road, and the prolongation in a straight line of that boundary, to the eastern boundary of Robe Street, then northerly along that boundary of Robe Street to the southern boundary of Beacon Hill Road, then generally easterly along that boundary of Beacon Hill Road to the point at which it meets the north-eastern boundary of Lot 5 of DP 78111, then generally south-easterly and easterly along that boundary of Lot 5 and easterly and north-easterly along the northern boundary of Section 289 Hundred of Waterhouse to the eastern boundary of Section 289, then in a straight line by the shortest route to the south-western corner of Lot 11 of DP 64831, then easterly along the southern boundary of Lot 11 and the prolongation in a straight line of that boundary to the point at which the prolongation intersects the eastern boundary of Nora Creina Road, then northerly along that boundary of Nora Creina Road to the point at which it meets the southern boundary of Wildfield Road, then generally easterly along that boundary of Wildfield Road and the prolongation in a straight line of that boundary to the point at which the prolongation intersects the northern boundary of Southern Ports Highway, then generally north-westerly and south-westerly along that boundary of Southern Ports Highway and the northern boundary of Main Road to the eastern boundary of Dawson Drive, then generally north-westerly and westerly along that boundary of Dawson Drive to the point of commencement. The area includes any wharf, jetty, boat ramp, breakwater or other structure projecting below low water mark from within the area described above (as well as any area beneath such a structure).



Schedule— Robe Area 2

1—Extent of prohibition

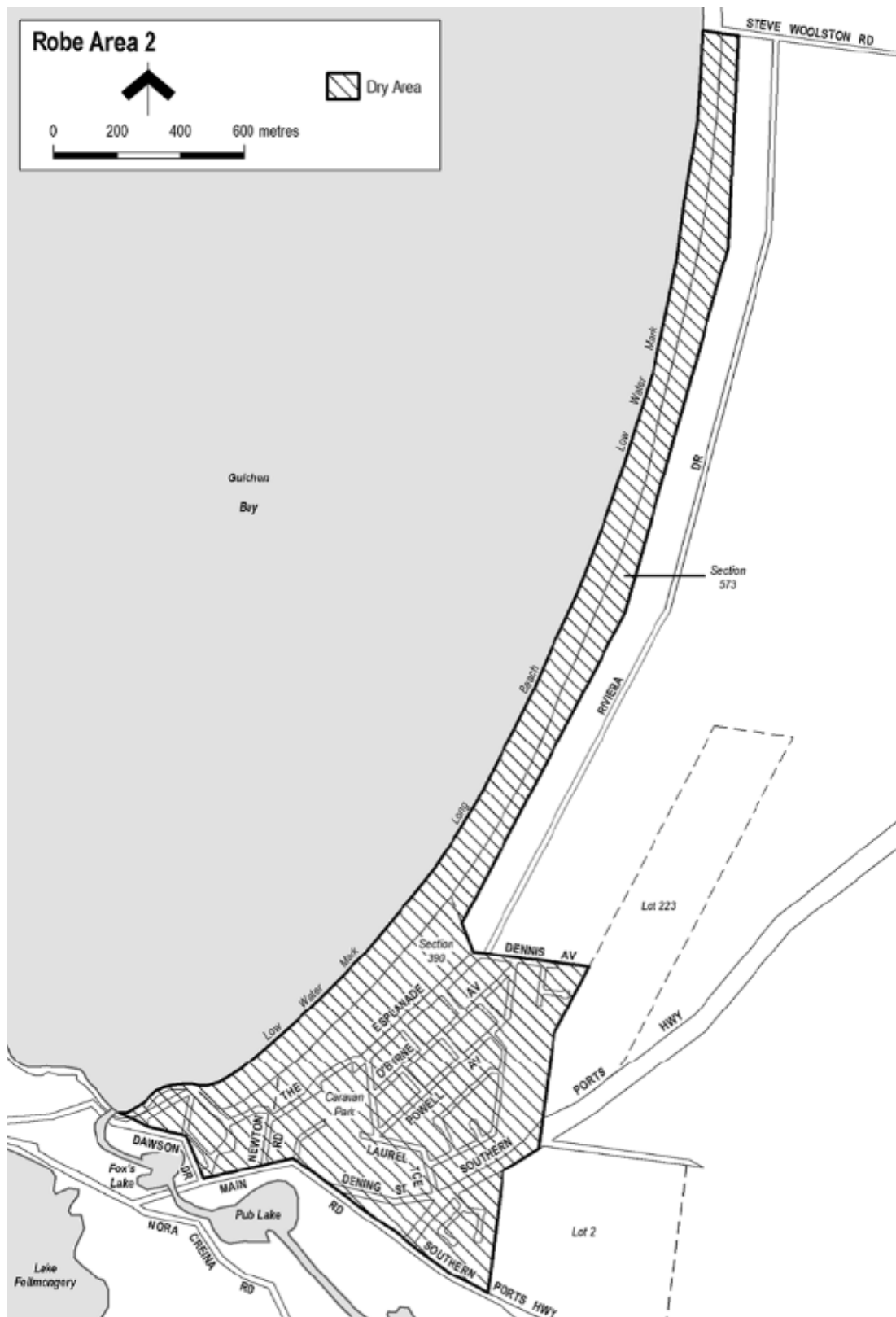
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 12 PM on Saturday 26 December 2020 to 12 AM on Monday 3 January 2021.

3—Description of area

The area in and adjacent to Robe bounded as follows: commencing at the western end of the northern boundary of Dawson Drive, then in a straight line by the shortest route to the low water mark of Guichen Bay on the eastern side of the entrance to Fox's Lake, then generally north-easterly along the low water mark to the point at which it is intersected by the prolongation in a straight line of the northern boundary of Section 573 Hundred of Waterhouse, then easterly along that prolongation and boundary of Section 573 to the eastern boundary of the Section, then generally southerly and south-westerly along that boundary of Section 573 to the north-eastern boundary of Section 390 Hundred of Waterhouse, then south-easterly along that boundary of Section 390 to the point at which it is intersected by the prolongation in a straight line of the northern boundary of Dennis Avenue, then easterly along that prolongation and boundary of Dennis Avenue, and the prolongation in a straight line of that boundary, to the point at which the prolongation intersects the western boundary of Lot 223 of FP 205569, then generally south-westerly and southerly along that boundary of Lot 223 and the prolongation in a straight line of that boundary to the point at which the prolongation intersects the south-eastern boundary of Southern Ports Highway, then south-westerly along that boundary to the western boundary of Lot 2 of FP 9707, then southerly along that boundary of Lot 2 to the southern boundary of the Lot, then generally north-westerly and south-westerly along the northern boundary of Southern Ports Highway and the northern boundary of Main Road to the eastern boundary of Dawson Drive, then generally north-westerly and westerly along that boundary of Dawson Drive to the point of commencement.



Made on behalf of the Liquor and Gambling Commissioner

On 12 November 2020

LIQUOR LICENSING ACT 1997

South Australia

Liquor Licensing (Dry Areas) Notice 2020

under section 131(1a) of the *Liquor Licensing Act 1997*

1—Short title

This notice may be cited as the *Liquor Licensing (Dry Areas) Notice 2020*.

2—Commencement

This notice comes into operation on 26 December 2020.

3—Interpretation

(1) In this notice—

principal notice means the *Liquor Licensing (Dry Areas) Notice 2015* published in the Gazette on 5.1.15, as in force from time to time.

(2) Clause 3 of the principal notice applies to this notice as if it were the principal notice.

4—Consumption etc of liquor prohibited in dry areas

- (1) Pursuant to section 131 of the Act, the consumption and possession of liquor in the area described in the Schedule is prohibited in accordance with the provisions of the Schedule.
- (2) The prohibition has effect during the periods specified in the Schedule.
- (3) The prohibition does not extend to private land in the area described in the Schedule.
- (4) Unless the contrary intention appears, the prohibition of the possession of liquor in the area does not extend to—
 - (a) a person who is genuinely passing through the area if—
 - (i) the liquor is in the original container in which it was purchased from licensed premises; and
 - (ii) the container has not been opened; or
 - (b) a person who has possession of the liquor in the course of carrying on a business or in the course of his or her employment by another person in the course of carrying on a business; or
 - (c) a person who is permanently or temporarily residing at premises within the area or on the boundary of the area and who enters the area solely for the purpose of passing through it to enter those premises or who enters the area from those premises for the purpose of leaving the area.

Schedule— Beachport Area 1

1—Extent of prohibition

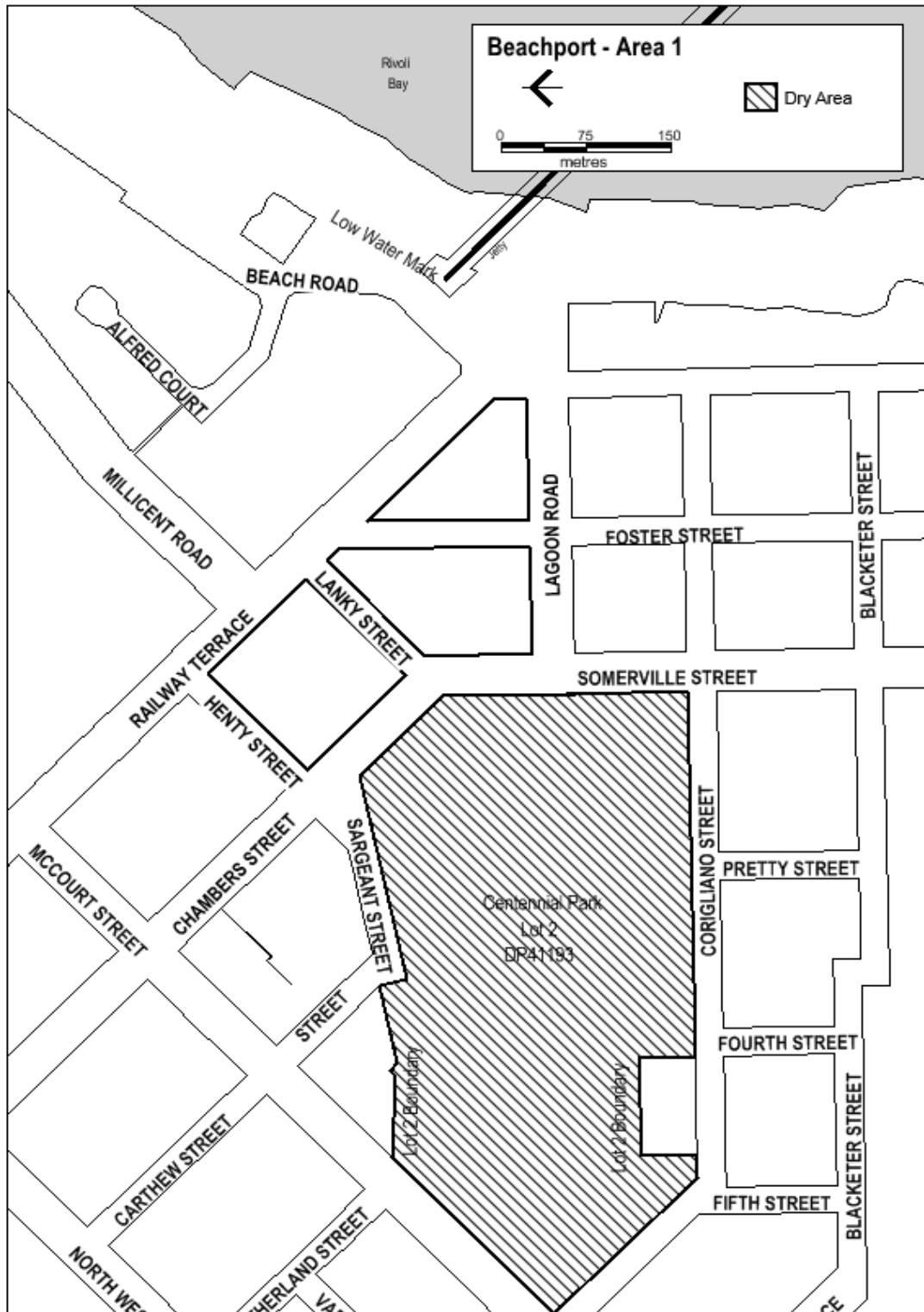
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

Between the hours of 12:01 AM to 7 AM on each day from Saturday 26 December 2020 (inclusive) to Thursday 31 December 2020.

3—Description of area

The area in Beachport, generally known as Centennial Park, comprising Lot 2 DP 41193.



Made on behalf of the Liquor and Gambling Commissioner

on 20 October 2020

NATIONAL ELECTRICITY (SOUTH AUSTRALIA) ACT 1996

NATIONAL ELECTRICITY LAW—SECTION 90F

Making of National Electricity Amendment (Retailer Reliability Obligation trigger) Rule 2020

I, Daniel Cornelis van Holst Pellekaan, Minister for Energy and Mining for the Crown in right of the State of South Australia, as the Minister administering the *National Electricity (South Australia) Act 1996* of South Australia, hereby make the National Electricity Amendment (Retailer Reliability Obligation trigger) Rule 2020 under section 90F of the *National Electricity (South Australia) Law* on the recommendation of the Energy Ministers sitting as the Ministerial Council on Energy for the purposes of that section.

This Rule has been signed by me for the purposes of identification of the National Electricity Amendment (Retailer Reliability Obligation trigger) Rule 2020 and commences operation on 26 November 2020.

Dated: 18 November 2020

HON DANIEL CORNELIS VAN HOLST PELLEKAAN MP
Minister for Energy and Mining

NATIONAL PARKS AND WILDLIFE (NATIONAL PARKS) REGULATIONS 2016

Dogs in Reserves

PURSUANT to Regulation 26(1) of the *National Parks and Wildlife (National Parks) Regulations 2016*, I, Stuart Anthony Maxwell Paul, Director of Regional Operations, hereby grant permission for members of the public to bring dogs into the following Reserves proclaimed under the *National Parks and Wildlife Act 1972*;

Greenhill Recreation Park

Sturt Gorge Recreation Park

Totness Recreation Park

Glenthorne National Park - Ityamaitpinna Yarta

Para Wirra Conservation Park

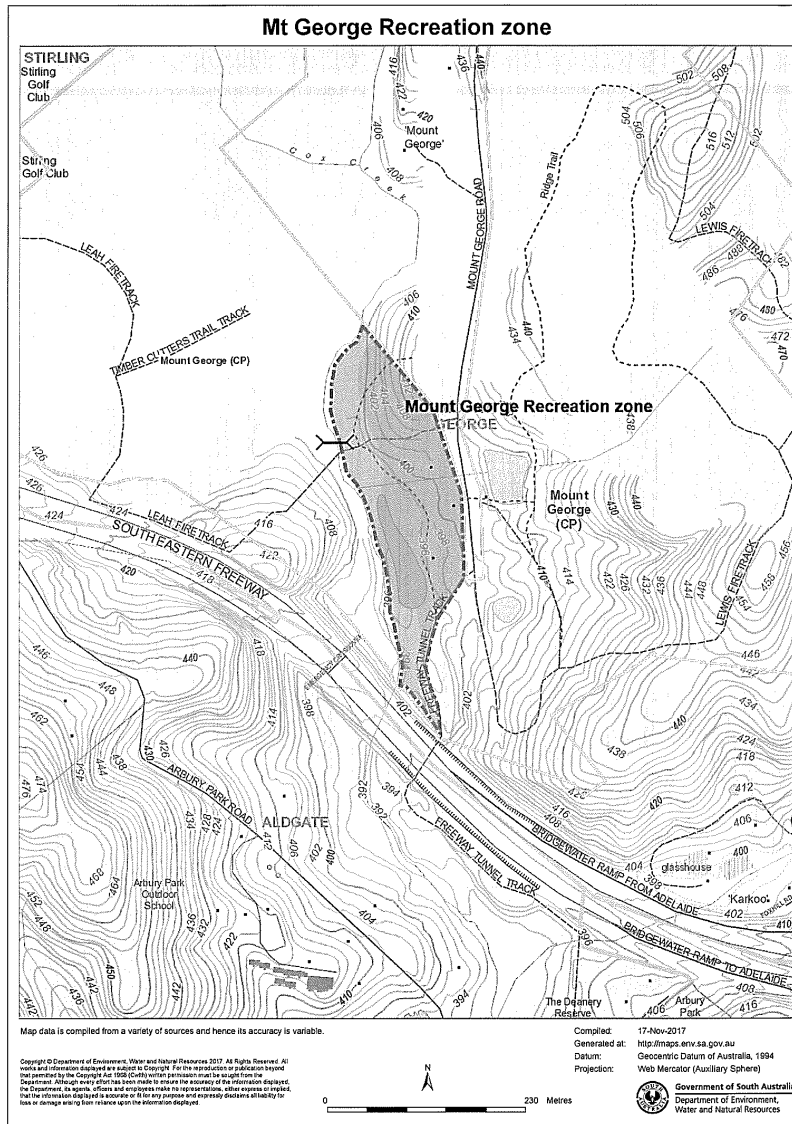
Mount George Conservation Park within the designated recreation zone as shown in map A.

This permission is conditional on the dog remaining on designated walking trails, under effective control of a person, and the dog being restrained by a lead not exceeding 3m in length whilst in the reserve.

Dated 5 November 2020

STUART ANTHONY MAXWELL PAUL
Delegate of the Director of National Parks and Wildlife

MAP A: MOUNT GEORGE CONSERVATION PARK RECREATION ZONE



PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

Statement of Environmental Objectives—5 Year Review

PURSUANT to section 104(1) of the *Petroleum and Geothermal Energy Act 2000* (the Act) I, **Barry Goldstein**, Executive Director Energy Resources Division, Department for Energy and Mining do hereby publish the following document as having been approved as a statement of environmental objectives under the Act.

Documents:

- J.P Commodities, Cooper Basin Logistics Support Hub - Statement of Environmental Objectives, November 2020

This document is available for public inspection on the Environmental Register section of the following webpage - (www.energymining.sa.gov.au/petroleum/legislation_and_compliance/environmental_register) or at the Public Office determined pursuant to section 107 (1) of the Act to be at:

Energy Resources Division
 Customer Services
 Level 4
 11 Waymouth Street
 Adelaide SA 5000

Dated: 17 November 2020

BARRY GOLDSTEIN
 Executive Director
 Energy Resources Division
 Department for Energy and Mining
 Delegate of the Minister for Energy and Mining

ROADS (OPENING AND CLOSING) ACT 1991

SECTION 24

*Notice of Confirmation of Road Process Order
Road Closure—Old Coach Road, Gulnare*

BY Road Process Order made on 10 September 2020, the Northern Areas Council ordered that:

1. Portion of Old Coach Road, Gulnare, situated adjoining Section 196, Hundred of Yackamoorundie, more particularly delineated and lettered portion of 'A' in Preliminary Plan 19/0049 be closed.
2. Transfer the whole of the land subject to closure to Stephen John Kitschke and Vicki Louise Kitschke in accordance with the Agreement for Transfer dated 29 May 2020 entered into between the Northern Areas Council and Stephen John Kitschke and Vicki Louise Kitschke.

On 12 November 2020 that order was confirmed by the Attorney-General conditionally upon the deposit by the Registrar-General of Deposited Plan 124366 being the authority for the new boundaries.

Pursuant to section 24 of the Roads (Opening and Closing) Act 1991, NOTICE of the Order referred to above and its confirmation is hereby given.

Dated: 19 November 2020

M. P. BURDETT
Surveyor-General

DPTI: 2019/16617/01

SHOP TRADING HOURS ACT 1977

Trading Hours—Exemption

NOTICE is hereby given that pursuant to section 5(9)(b) of the *Shop Trading Hours Act 1977* (the Act), I, Rob Lucas MLC, Treasurer, on my own initiative, do hereby declare:

- Non-exempt shops, excluding shops the business of which are solely or predominantly the retail sale of motor vehicles or boats, in the Greater Adelaide Shopping District exempt from the provisions of the Act from Wednesday, 25 November 2020 up to and including Wednesday, 2 December 2020, between the hours of:
 - 9:00 pm and 12 midnight on every weekday;
 - 5:00 pm and 9:00 pm on a Saturday, and
 - 9:00 am and 11:00 am, and 5:00 pm and 9:00 pm on a Sunday.

This exemption is subject to the following conditions:

- Normal trading hours prescribed by section 13 of the Act shall apply at all other times.
- All employees working during these extended hours will do so on a strictly voluntary basis.
- Any and all relevant industrial instruments are to be complied with.
- All work health and safety issues (in particular those relating to extended trading hours) must be appropriately addressed.

Dated: 19 November 2020

HON ROB LUCAS MLC
Treasurer

SUMMARY OFFENCES ACT 1953

SECTION 21OD

Notice of Designated Areas

I, VICKIE CHAPMAN, Attorney-General, hereby give notice that I designate the following areas of land as designated areas under section 21OD of the *Summary Offences Act 1953*.

Land within 20 kilometres outside of the boundary of:

1. Yalata Reserve, being the whole of the land contained in Certificate of Title Register Book Volume 5834 Folio 851, is the designated area in respect of that land; and
2. "the lands" within the meaning of the *Anangu Pitjantjatjara Yankunytjatjara Land Rights Act 1981* is the designated area in respect of that land; and

Land within 10 kilometres outside of the boundary of:

1. "the lands" within the meaning of the *Maralinga Tjarutja Land Rights Act 1984* is the designated area in respect of that land.

This notice has effect from the day on which it is published in the Gazette or the day that section 4 of the *Summary Offences (Liquor Offences) Amendment Act 2018* comes into operation, whichever is the later.

Dated: 5 November 2020

VICKIE CHAPMAN MP
Attorney-General

LOCAL GOVERNMENT INSTRUMENTS

CITY OF ADELAIDE

ADELAIDE PARK LANDS ACT 2005 AND LOCAL GOVERNMENT ACT 1999

Amendment of Charter for the Adelaide Park Lands Authority

The City of Adelaide at its meeting on 11 August 2020 resolved to amend section 4.8.2 of the Charter of the Adelaide Park Lands Authority, established as a subsidiary of the City of Adelaide pursuant to section 42 of the *Local Government Act 1999*.

Pursuant to section 13 (a) of the *Adelaide Park Lands Act 2005*, the City of Adelaide has consulted on the amendment with the Minister responsible for the administration of the *Adelaide Park Lands Act 2005* and obtained the approval of the Minister responsible for the administration of the *Local Government Act 1999* on 12 November 2020.

Pursuant to Clause 3 of Part 1 of Schedule 2 of the *Local Government Act 1999*, the Charter of the Adelaide Park Lands Authority, is amended as follows.

Dated: 13 November 2020

MARK GOLDSTONE
Chief Executive Officer

AMENDMENT OF CHARTER

4.8. Meetings of the Board / Authority

4.8.1. An ordinary meeting of the Board will constitute an ordinary meeting of the Authority and the Board shall administer the business of the ordinary meeting.

~~4.8.2. Subject to the Park Lands Act and the provisions of this Charter the procedure to be observed at a meeting of the Board will be:~~

- ~~(a) as prescribed by the Local Government (Procedures at Meetings) Regulations 2013 (SA) ('Meeting Regulations') and any related code of practice; and~~
- ~~(b) insofar as the procedure is not prescribed by the Meeting Regulations, as determined by the Board.~~

To be replaced with

4.8.2 Subject to the Adelaide Park Lands Act 2005 and the provisions of this Charter the Board may determine its own procedures for meetings, which must be fair and contribute to free and open decision making.

CITY OF ADELAIDE

ADELAIDE PARK LANDS AUTHORITY (A Subsidiary of The City of Adelaide)

Notice of Appointments

The City of Adelaide, pursuant to Division 2 of Part 2 of the *Adelaide Park Lands Act 2005* (the Act) and Council resolution 20569 of 13 October 2020, having undertaken the required consultation with the Minister for Planning and Local Government, appoints the following persons as members of the Board of Management of the Adelaide Park Lands Authority:

For the purposes of section 6 (1) (a) (ii) of the Act:

Jessica Davies-Huynh
Councillor Alexander Hyde, with Councillor Arman Abrahamzadeh as deputy
Rob Brookman
Allison Bretones

Pursuant to section 7 (2) of the Act, Council appoints the above persons for the period commencing 1 January 2021 and concluding 31 December 2022.

Dated: 17 November 2020

MARK GOLDSTONE
Chief Executive Officer

CITY OF ADELAIDE

LOCAL GOVERNMENT ACT 1999—SECTION 194

Public Consultation: Revocation of the Classification of James Place Public Toilet as Community Land

The City of Adelaide gives notice of its proposal to revoke the following area of community land from the classification as community land:

James Place Public Toilet Land
Address: 23-25 James Place, Adelaide SA 5000
Certificate of Title: Volume 5883/Folio 435

Under the *Local Government Act 1999*, Council is required to undertake public consultation in accordance with its public consultation policy before it revokes the community land classification of land.

The consultation documents and copies of the report on the proposal are available at the Council's Customer Centre, 25 Pirie Street Adelaide SA 5000 and any of its libraries or community centres.

To view all relevant consultation information and/or to provide feedback on the proposal you can visit: yoursay.cityofadelaide.com.au

Consultation opens on 19 November 2020. **All submissions must be received by 5pm, 11 December 2020.**

Dated: 19 November 2020

MARK GOLDSTONE
Chief Executive Officer

CITY OF ADELAIDE

LOCAL GOVERNMENT ACT 1999—SECTION 198

Proposal to Amend Community Land Management Plan

The City of Adelaide gives notice of its proposal to amend a Community Land Management Plan (CLMP) for the *Adelaide Oval Precinct/ part of Tarntanya Wama (Park 26)*.

Under the *Local Government Act 1999*, Council is required to undertake public consultation in accordance with its public consultation policy before it amends a CLMP.

Copies of the proposed CLMP are available at the Council's principal office, 25 Pirie Street Adelaide SA 5000 and the following Council libraries/centres: City Library; Hutt Street Library; Tynte Street Library; North Adelaide Community Centre; South West Community Centre, and Box Factory.

For further information in relation to the consultation process or to provide feedback on the proposal you can visit: yoursay.cityofadelaide.com.au anytime or the Council's principal office or any of the libraries/centres during ordinary office hours.

Consultation is open from 19 November 2020 to 25 January 2021. All submissions must be received by 5:00pm on Monday, 25 January 2021.

Dated: 19 November 2020

MARK GOLDSTONE
Chief Executive Officer

CITY OF MARION

Revocation and Disposal of Community Land

Pursuant to Section 194 of the *Local Government Act 1999*, the Corporation of the City of Marion proposes to revoke the classification as Community Land of the land located at Lot 189 in Deposited Plan 2909 and situated at Lot 189, McConnell Avenue, Marino – commonly known as the western portion of McConnell Avenue Reserve, subject to the Minister's approval.

A portion of the western portion of McConnell Avenue Reserve would be used for road purposes and Council is considering disposal of the balance of the land, subject to Minister's approval. The net proceeds from the sale of the land will be used for the development of open space facilities in line with Council's Open Space Policy and as approved by Council.

Any interested person may inspect the plan of the land to be disposed of and the report containing a description of the land, the reasons for the proposal, any Dedication, Reservation or Trust to which the land is subject, the intention of Council once the revocation has occurred and its effect on the community at the Council's offices at 245 Sturt Road, Sturt and 935 Marion Road, Mitchell Park and at Council's Libraries during business hours.

Any representations in relation to this matter must be lodged in writing to the Council at PO Box 21, Oaklands Park SA 5047 or the Making Marion website www.makingmarion.com.au within 21 days from the publication of this notice.

Council contact: Heather Carthew, Land Asset Officer, Phone (08) 7420 6584

Date: 19 November 2020

ADRIAN SKULL
Chief Executive Officer

CITY OF SALISBURY

ROADS (OPENING AND CLOSING) ACT 1991

Road Closing—Park Way, Mawson Lakes

NOTICE is hereby given, pursuant to section 10 of the *Roads (Opening and Closing) Act 1991*, that the council proposes to make a Road Process Order to close and sell to the adjoining owner the portion of the road named Park Way adjoining allotment 501 in DP71311 more particularly delineated and lettered A on Preliminary Plan 20/0044.

The Preliminary Plan and Statement of Persons Affected is available for public inspection at the office of the City of Salisbury located at 34 Church Street Salisbury and the Adelaide Office of the Surveyor-General during normal office hours. The Preliminary Plan can also be viewed at www.sa.gov.au/roadsactproposals.

Any application for easement or objection must set out the full name, address and details of the submission and must be fully supported by reasons. The application for easement or objection must be made in writing to the City of Salisbury at PO Box 8 Salisbury SA 5108, WITHIN 28 DAYS OF THIS NOTICE and a copy must be forwarded to the Surveyor-General at GPO Box 1354, Adelaide 5001. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

Council contact for enquiries is Liz Lynch ph 8406 8216

Dated: 19 November 2020

JOHN HARRY
Chief Executive Officer

CLARE & GILBERT VALLEYS COUNCIL

Resignation of Councillor

Notice is hereby given in accordance with section 54(6) of the *Local Government Act 1999*, that a vacancy has occurred in the office of Area Councillor, due to the resignation of Councillor Nedd Golding, effective Monday, 26 October 2020.

Dated: 19 November 2020

HELEN MACDONALD
Chief Executive Officer

CLARE & GILBERT VALLEYS COUNCIL

Close of Roll for Supplementary Election

Due to the resignation of a member of the council, a supplementary election will be necessary to fill the vacancy of Area Councillor.

The voters roll for this supplementary election will close at 5.00pm on Monday, 30 November 2020.

You are entitled to vote in the election if you are enrolled on the State electoral roll for the council area. If you have recently turned 18 or changed your residential or postal address you must complete an electoral enrolment form available online at www.ecsa.sa.gov.au

If you are not eligible to enrol on the State electoral roll you may still be entitled to enrol to vote if you own or occupy a property in the council area. Contact the council to find out how.

Nominations to fill the vacancy will open on Thursday, 14 January 2021 and will be received until 12 noon on Thursday, 28 January 2021.

The election will be conducted entirely by post with the return of ballot material to reach the Returning Officer no later than 12 noon on Monday, 1 March 2021.

Dated: 19 November 2020

MICK SHERRY
Returning Officer

DISTRICT COUNCIL OF KIMBA

Change of Meeting Date

Notice is hereby given that the District Council of Kimba resolved at its meeting held on 11 November 2020 to change the scheduled January 2021 Council Meeting from Wednesday, 13 January, 2021 commencing at 2 pm to Wednesday, 20 January, 2021 commencing at 2 pm.

Dated: 19 November 2020

DEB LARWOOD
Chief Executive Officer

DISTRICT COUNCIL OF KIMBA

Road Closure Pageant 2020

Notice is hereby given that at a meeting of Council held on Wednesday, 11 November 2020 the District Council of Kimba exercise the power subject to Sec 33 of the *Road Traffic Act 1961* and Clause F of the instrument of general approval of the Minister dated 22 August 2013 to make an order that High Street from Martin Terrace to the southern side of North Terrace remain closed between 5pm & 8.30pm and that High St between Cross St and the southern side of North Terrace remain closed between 8.30pm and 12am on Saturday, 19 December 2020 for the purpose of holding Kimba's Christmas pageant and festivities.

That pursuant to Section 33 (1) (b) of the *Road Traffic Act 1961*, make an order directing that persons taking part in the event be exempted, in relation to roads from the duty to observe the Australian Road Rules specified and attached to the exemption.

Rule 230 – Crossing a road – General

Rule 298 – driving with a person in a trailer provided the speed of the vehicle does not exceed 25km.

Dated: 19 November 2020

DEBRA LARWOOD
Chief Executive Officer

DISTRICT COUNCIL OF KIMBA

South Australia

Liquor Licensing (Dry Areas) Notice 2020Under section 131(1a) of the *Liquor Licensing Act 1997***1—Short Title**This notice may be cited as the *Liquor Licensing (Dry Areas) Notice 2020*.**2—Commencement**

This notice comes into operation on 31 December 2020.

3—Interpretation

(1) In this notice—

principal notice means the *Liquor Licensing (Dry Areas) Notice 2015* published in the *Gazette* on 5.1.15, as in force from time to time.

(2) Clause 3 of the principal notice applies to this notice as if it were the principal notice.

4—Consumption etc of liquor prohibited in dry areas

- (1) Pursuant to Section 131 of the Act, the consumption and possession of liquor in the area described in the Schedule is prohibited in accordance with the provisions of the Schedule.
- (2) The prohibition has effect during the periods specified in the Schedule.
- (3) The prohibition does not extend to private land in the area described in the Schedule.
- (4) Unless the contrary intention appears, the prohibition of the possession of liquor in the area does not extend to—
 - (a) a person who is genuinely passing through the area if—
 - (i) the liquor is in the original container in which it was purchased from licensed premises; and
 - (ii) the container has not been opened; or
 - (b) a person who has possession of the liquor in the course of carrying on a business or in the course of his or her employment by another person in the course of carrying on a business; or
 - (c) a person who is permanently or temporarily residing at premises within the area or on the boundary of the area and who enters the area solely for the purpose of passing through it to enter those premises or who enters the area from those premises for the purpose of leaving the area.

Schedule – Kimba Area 1**1—Extent of prohibition**

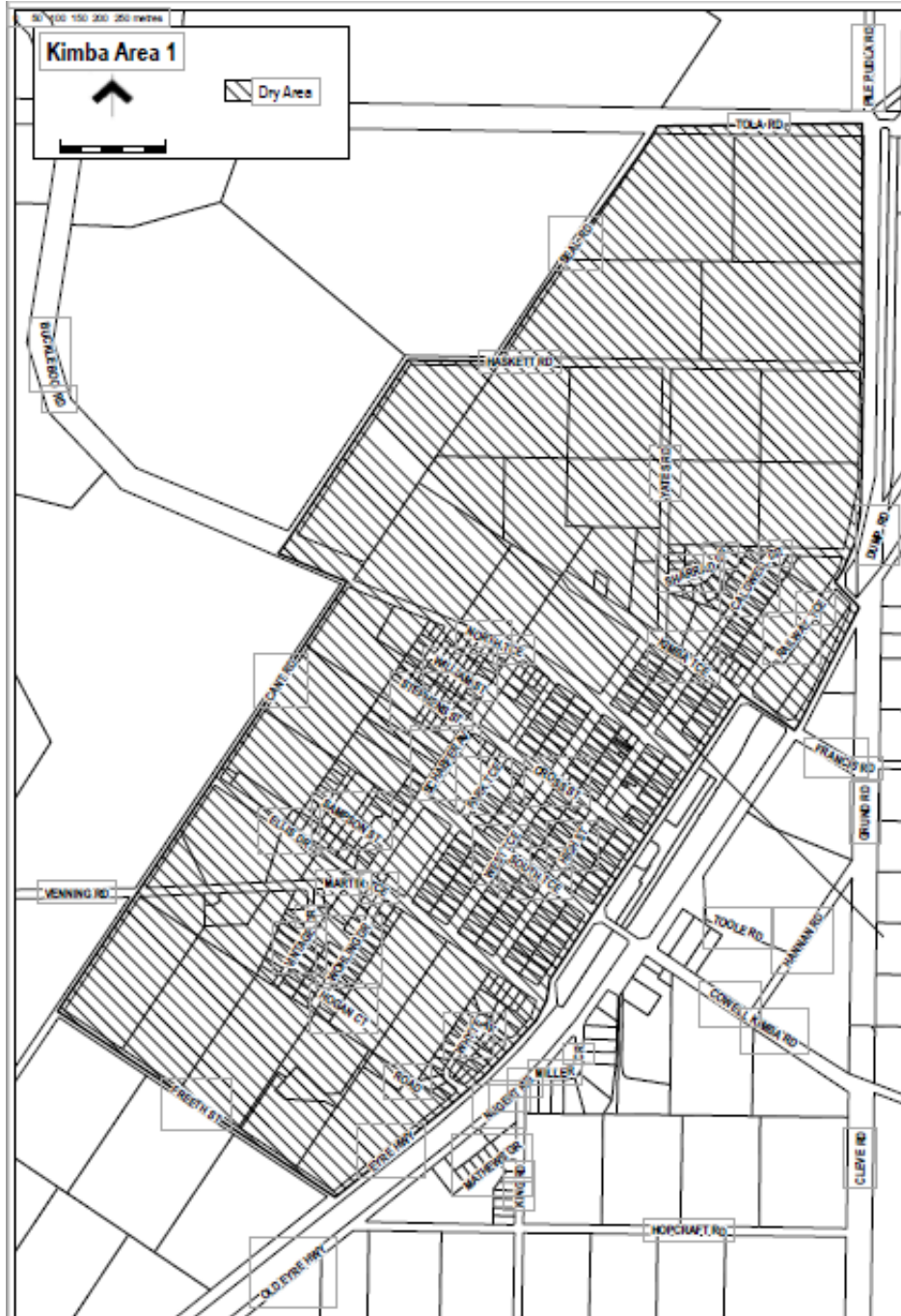
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of Prohibition

From 9pm on 31 December 2020 until 8am 1 January 2021.

3—Description of area**Kimba Area 1**

The area in and adjacent to Kimba bounded as follows: commencing at the point at which the prolongation in a straight line of the eastern boundary of Railway Terrace intersects the northern boundary of Tola Road, then westerly along the northern boundary of Tola Road to the point at which it is intersected by the prolongation in a straight line of the north-western boundary of Seal Road, then south-westerly along that prolongation and boundary of Seal Road to the northern boundary of Haskett Road, then westerly and south-westerly along that boundary of Haskett Road, and the prolongation in a straight line of that boundary, to the southern boundary of Buckleboo Road, then south-easterly along that boundary of Buckleboo Road to the north-western boundary of Cant Road, then south-westerly along that boundary of Cant Road to the point at which it is intersected by the prolongation in a straight line of the south-western boundary of Freeth Road, then south-easterly along that prolongation and boundary of Freeth Road, and the prolongation in a straight line of that boundary, to the south-eastern boundary of Eyre Highway, then generally north-easterly along that boundary of Eyre Highway to the southern side of the intersection at which Eyre Highway, South Terrace and Railway Terrace meet, then in a straight line by the shortest route (across the intersection) to the south-western end of the south-eastern boundary of Railway Terrace, then generally north-easterly along the south-eastern boundary of Railway Terrace to the south-western boundary of Kimba Terrace, then south-easterly along that boundary of Kimba Terrace to the north-western boundary of Eyre Highway, then generally north-easterly along that boundary of Eyre Highway to the south-western boundary of Grund Road, then north-westerly along that boundary of Grund Road to the south-eastern boundary of Railway Terrace, then generally north-easterly and northerly along that boundary of Railway Terrace, and the prolongation in a straight line of that boundary, to the point of commencement.



Dated: 19 November 2020

DEBRA LARWOOD
Chief Executive Officer

PUBLIC NOTICES

NATIONAL ELECTRICITY LAW

Publication of Final Determination and Final Rule

Publication of Draft Determination and Draft Rule

The Australian Energy Market Commission (AEMC) gives notice under the National Electricity Law as follows:

Under ss 102 and 103, the making of the *National Electricity Amendment (Transparency of unserved energy calculation) Rule 2020 No. 16* (Ref. ERC0279) and related final determination. Schedule 1 will commence on 17 December 2020. Schedule 2 commences on 19 November 2020.

Under s 99, the making of a draft determination and related draft rule on the *Semi-scheduled generator dispatch obligations* proposal (Ref. ERC0313). Written requests for a pre-determination hearing must be received by **26 November 2020**. Submissions must be received by **14 January 2021**.

Submissions can be made via the AEMC's website. Before making a submission, please review the AEMC's privacy statement on its website. Submissions should be made in accordance with the AEMC's *Guidelines for making written submissions on Rule change proposals*. The AEMC publishes all submissions on its website, subject to confidentiality.

Written requests should be sent to submissions@aemc.gov.au and cite the reference in the title. Before sending a request, please review the AEMC's privacy statement on its website.

Documents referred to above are available on the AEMC's website and are available for inspection at the AEMC's office.

Australian Energy Market Commission

Level 15, 60 Castlereagh St
Sydney NSW 2000

Telephone: (02) 8296 7800

www.aemc.gov.au

Dated: 19 November 2020

NOTICE SUBMISSION

The South Australian Government Gazette is compiled and published each Thursday.

Notices must be submitted before 4 p.m. Tuesday, the week of intended publication.

All submissions are formatted per the gazette style and proofs are supplied as soon as possible. Alterations must be returned before 4 p.m. Wednesday.

Requests to withdraw submitted notices must be received before 10 a.m. on the day of publication.

Gazette notices should be emailed as Word files in the following format:

- Title—name of the governing Act/Regulation
- Subtitle—brief description of the notice
- A structured body of text
- Date of authorisation
- Name, position, and government department/organisation of the person authorising the notice

Please provide the following information in your email:

- Date of intended publication
- Contact details of at least two people responsible for the notice content
- Name of the person and organisation to be charged for the publication (Local Council and Public notices)
- Request for a quote, if required
- Purchase order, if required

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All instruments appearing in this gazette are to be considered official, and obeyed as such