Inland Fisheries (Recreational Fishing) Regulations 2009

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Inland Fisheries (Recreational Fishing) Regulations 2009
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Inland Fisheries (Recreational Fishing) Regulations 2009

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the Inland Fisheries Act 1995.

30 November 2009

PETER G. UNDERWOOD
Governor

By His Excellency's Command,

D. E. LLEWELLYN
Minister for Primary Industries and Water
PART 1 - Preliminary

1. **Short title**
   
   These regulations may be cited as the Inland Fisheries (Recreational Fishing) Regulations 2009.

2. **Commencement**
   
   These regulations take effect on 22 December 2009.

3. **Interpretation**
   
   (1) In these regulations, unless the contrary intention appears –

   - **Act** means the Inland Fisheries Act 1995;
   - **angling licence** means a licence referred to in section 37 of the Act;
   - [Regulation 3 Subregulation (1) amended by S.R. 2013, No. 30, Applied:12 Jun 2013] **artificial fly** means a visual representation of any fly, insect, small organism or fish that –
     - (a) is affixed to a single hook; and
     - (b) does not incorporate any lead or other weight to facilitate casting; and
     - (c) does not incorporate any device to impart a rotary or darting motion; and
     - (d) is not, in whole or in part, bait within the meaning of paragraph (c) or (d) of the definition of **bait**;
   - **bait** means –
     - (a) an animal that is stored alive or dead for the purpose of bait; or
     - (b) an animal that is used alive or dead as bait; or
     - (c) a product wholly or partially derived from animal product that –
       - (i) is capable of being affixed to a hook; and
       - (ii) is designed to attract, or is capable of attracting, fish by its scent; and
     - (d) a product wholly or partially derived from artificial product that –
       - (i) is capable of being affixed to a hook; and
       - (ii) is designed to attract, or is capable of attracting, fish by its scent;
   - **bank**, in relation to inland waters, includes land within 100 metres of –
     - (a) the bank of a river; or
     - (b) the edge or high-water mark of the inland waters;
   - **berry** means fertilised spawn that is carried externally on a freshwater crayfish;
   - **blackfish** means the species *Gadopsis marmoratus* of the family Gadopsidae;
   - **bream** means the species *Acanthopagrus butcheri* of the family Sparidae;
   - **brook trout** means the species *Salvelinus fontinalis* of the family Salmonidae;
   - **brown trout** means the species *Salmo trutta* of the family Salmonidae;

   [Regulation 3 Subregulation (1) amended by S.R. 2011, No. 72, Applied:03 Aug 2011]
Canal Bay means the waters in the bay of that name in the Great Lake, the outer limits of which are defined by an imaginary straight line drawn between grid reference E476050 N5362584 and grid reference E476072 N5361781;

carp means fish of the species Cyprinus carpio of the family Cyprinidae;

coastal lagoon means –
(a) any lagoon specified in Schedule 1 of the Act; and
(b) any lagoon adjacent to the sea that comes within the ebb and flow of the tides at ordinary spring tides only at irregular intervals;

day means the 24-hour period commencing at midnight on a calendar day;

eel trap means a trap that –
(a) does not exceed 500 millimetres in height; and
(b) does not exceed 2 metres in length; and
(c) does not exceed 500 millimetres in width; and
(d) does not have any wings or leaders; and
(e) has a mesh of at least 39 millimetres;

eligible pensioner means the holder of –
(a) a current pensioner concession card issued in accordance with the Social Security Act 1991 of the Commonwealth or as a fringe benefit under the Veterans' Entitlements Act 1986 of the Commonwealth; or
(b) a current Gold Card or White Card issued in accordance with the Veterans' Entitlements Act 1986 of the Commonwealth;

estuarine waters means the part of a river from its seaward limits upstream to 2 white posts;

estuary perch means fish of the species Percalates colonorum of the family Percichthyidae;

flounder means fish of the family Pleuronectidae;

freshwater crayfish means fish of the family Parastacidae;

frog means any member of the order Anura (also known as the order Salienta);

goldfish means fish of the species Carassius auratus of the family Cyprinidae;

grid reference means the grid reference taken from the Universal Grid Reference System used in Tasmania and based on the Geocentric Datum of Australia (also known as the "the GDA" or "GDA 94") as defined in the Commonwealth Gazette No. GN 35, 6 September 1995;

ground bait means any form of fish food or bait that –
(a) is reduced to small particles or a mixture by chopping, grinding, mashing or similar methods; and
(b) is not capable of being affixed to a hook; and
(c) is used, or is capable of being used, for attracting or alluring fish to facilitate their capture;

hand-held rod means a rod that is continuously held in the hands of a person whilst that person is fishing;

hand line means any length of line not attached to a rod;
junior angling development fishery means the waters specified in Schedule 2;

landing net means a hand-held net that –

(a) has a handle not more than 2 metres in length; and
(b) has a mesh of not less than 12 millimetres; and
(c) has an opening of not more than one metre in diameter;

live bait means any animal that –

(a) is stored alive for the purpose of bait; or
(b) is used alive as bait;

lure means an artificial representation, of an animal, that –

(a) is capable of being affixed to a hook; and
(b) [Regulation 3 Subregulation (1) amended by S.R. 2013, No. 30, Applied:12 Jun 2013] is designed to visually attract, or is capable of visually attracting, fish; and
(c) [Regulation 3 Subregulation (1) amended by S.R. 2013, No. 30, Applied:12 Jun 2013] is not, in whole or in part, bait within the meaning of paragraph (c) or (d) of the definition of bait;

mesh has the meaning given by regulation 4;
national park has the same meaning as in the Nature Conservation Act 2002;
possession includes control for the use or benefit of any person, whether or not that person has actual possession or custody;
prescribed waters, of the Western Lakes, means the waters of the Western Lakes other than the following waters:

(a) Carter Lakes;
(b) Double Lagoon;
(c) East Rocky Lagoon;
(d) Emma Tarns;
(e) First Lagoon;
(f) Howes Lagoon Bay;
(g) Lake Agnes;
(h) Lake Baille;
(i) Lake Botsford;
(j) Lake Chipman;
(k) Lake Dudley;
(l) Lake Flora;
(m) Lake O’Dells;
(n) Lake Paget;
(o) Lake Tin Hut;
(p) Little Blue Lagoon;
(q) Rocky Lagoon;
(r) Sandy Lake;
(s) Second Lagoon;
(t) Talinah Lagoon;
(u) Third Lagoon;

**rainbow trout** means the species *Oncorhynchus mykiss* of the family Salmonidae;

**rod** means a piece of wood, metal or other semi-rigid material that is not less than one metre in length;

**seine net** means a net that is used to encircle or surround fish;

**set rod** means a rod that has a line with a bait or lure attached and is in or on the water;


**trolling** means fishing by towing a bait or lure from a boat under propulsion;

**Upper Mersey Lakes Rainbow Fishery** means –
(a) Lake Meston, Junction Lake and Lake Youd; and
(b) the main stem of the Mersey River that flows within the Western Lakes and the tributaries that flow off that main stem;

**Western Lakes** means –
(a) the Central Plateau Conservation Area west of the Lake Highway; and
(b) the Walls of Jerusalem National Park;

**whitebait licence** means a licence referred to in section 38 of the Act;

**whitebait net** means a net –
(a) no part of which exceeds 120 centimetres in circumference; and
(b) that has an opening not exceeding 120 centimetres in circumference; and
(c) that is not fitted with a funnel, screen, valve or other device that impedes or prevents fish from escaping from the net; and
(d) that is not fitted with, or used in conjunction with, any wings, leaders or other screens or structures capable of diverting fish into the net;

**world heritage area** means an area –
(a) defined as such in a management plan prepared under the National Parks and Reserves Management Act 2002; and
(b) described on Plan 1872 in the Central Plan Register.

(2) Unless the contrary intention appears, an expression used in these regulations has the same meaning as it has in the Inland Fisheries Act 1995.

4. **Meaning and measurement of mesh**

(1) Mesh is one of the spaces bounded by the threads of a net.

(2) Mesh is measured by being stretched diagonally, the average length of 10 adjoining meshes being taken when the diagonally opposite knots touch each other while the mesh is held taut.

5. **Application of regulations**

These regulations do not apply in relation to any holder of a commercial freshwater fishing licence, or fish farm licence, who is taking fish under that licence.
PART 2 - Taking Fish

6. Taking indigenous fish


7. Taking fish from inland waters

(1) Except where otherwise provided, a person may only take fish in inland waters by means of a rod and line.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units and a special penalty of 1 penalty unit for each fish.

(2) Subregulation (1) does not apply to the following fish:

(a) [Regulation 7 Subregulation (2) amended by S.R. 2011, No. 72, Applied:03 Aug 2011] live bait, other than whitebait, taken during the period commencing 7 days before the first Saturday in August in any year and ending on the Sunday nearest 30 April in the following year by –

(i) a landing net; or

(ii) a seine net that –

(A) is not more than 6 metres long and not more than one metre deep; and

(B) has a mesh of more than 12, but not more than 30, millimetres; and

(C) is being used to obtain bait in a coastal lagoon or estuarine waters, and is being emptied into the water without being drawn ashore;

(b) [Regulation 7 Subregulation (2) amended by S.R. 2011, No. 72, Applied:03 Aug 2011] . . . . . .

(c) eels taken in accordance with a commercial freshwater fishing licence;

(d) whitebait taken by a whitebait net in accordance with a whitebait licence.

(3) [Regulation 7 Subregulation (3) omitted by S.R. 2011, No. 72, Applied:03 Aug 2011] . . . . . .

8. Taking salmon from excepted waters

A person may only take salmon in any excepted waters by means of a rod and line.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units and a special penalty of 1 penalty unit for each fish.

9. Ground bait

A person must not –

(a) have possession of or use any ground bait; or

(b) fish within 100 metres of a place in which the person knows that ground bait has been placed within the preceding 14 days.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units.

10. Use of equipment

(1) A person, not referred to in subregulation (2), must not take fish using –

(a) more than one rod and line at a time; or

(b) more than 2 lures or 2 baits, or 1 lure and 1 bait, at a time; or

(c) more than 3 artificial flies on a line at a time; or
(d) 2 lures, or 2 baits, together with one or more artificial flies.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units and a special penalty of 1 penalty unit for each fish.

(2) A person must not take fish from Lake Augusta or Lake Mackenzie using –

(a) more than one hand-held rod and line at a time; or

(b) more than 2 baits, or one lure and one bait, at a time; or

(c) 2 baits, together with one or more artificial flies, at a time.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units and a special penalty of 1 penalty unit for each fish.

(3) Subregulation (1) does not apply if a person is taking bream in any waters specified in Schedule 1 using no more than –

(a) 2 rods and lines; and

(b) 2 lures or baits on each line.

(4) Subregulation (1) does not apply to a person who –

(a) is fishing by trolling or in waters where the use of live bait is permitted; and

(b) uses no more than –

(i) 2 rods and lines at a time; or

(ii) 2 lures or baits on each line; and

(c) has paid the applicable fee specified in Schedule 3.

(5) The holder of an angling licence may land fish caught on a rod and line with a landing net or gaff consisting of a plain metal hook without a barb or similar device.

(6) The holder of a whitebait licence must not –

(a) use more than one whitebait net at any one time; or

(b) use a whitebait net unless the net has attached to it a tag bearing the number of the whitebait licence; or

(c) be more than 8 metres away from the whitebait net while it is in use.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units.

11. Securing whitebait nets

(1) A person must not use a severed limb from a tree or bush, or any part of a severed limb from a tree or bush, to secure a whitebait net to the bank or bed of a river.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units.

(2) A person must not use the dislodged trunk of a tree or bush, or any part of the dislodged trunk of a tree or bush, to secure a whitebait net to the bank or bed of a river.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units.

(3) Subregulations (1) and (2) have effect regardless of –

(a) when the severance or dislodgment occurred; or

(b) whether the severance or dislodgment occurred as a result of human intervention or natural causes.
(4) Nothing in this regulation is to be taken as prohibiting the use of implements containing or consisting of timber that has been legally harvested or imported into the State.

(5) In this regulation –

- **dislodged** means no longer rooted to the ground;
- **natural causes** includes, but is not limited to, ageing, disease, wind action, flood action, lightning strike and animal activity.

### 12. Use of other equipment

(1) A person, while fishing, must not –

(a) when using his or her rod and line, have possession of another person’s rod and line; or

(b) use a bottle, jar, can or similar object made of plastic, glass or metal in conjunction with a rod or line to indicate movement in the rod and line.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units.

(2) [Regulation 12 Subregulation (2) omitted by S.R. 2011, No. 72, Applied: 03 Aug 2011]

### 13. Possession of equipment

A person, whether or not he or she is the holder of an angling licence, must not have possession of an assembled rod, reel and line, whether or not there is any bait or lure attached to it –

(a) at any place and during any time when the taking of fish is prohibited; or

(b) at any place and during any time when the taking of acclimatised fish or indigenous fish is prohibited.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units.

### 14. Unattended equipment

(1) A person must not take fish using an unattended set rod –

(a) in any inland waters; or

(b) and bait in Lake Augusta or Lake Mackenzie.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units and a special penalty of 1 penalty unit for each fish.

(2) Subregulation (1)(a) does not apply to a person if –

(a) the set rod is under that person’s control; and

(b) the person is at all times within 8 metres of the set rod and is able to see whether a fish takes the bait and lures; and

(c) the person is able to take up the set rod when a fish takes the bait and lures.

### 15. Possession of crayfish

A person must not –

(a) take or have possession of any freshwater crayfish; or

(b) have possession of any berry of a freshwater crayfish; or

(c) remove any berry from a freshwater crayfish.

Penalty: Fine of not less than 3 penalty units and not more than 10 penalty units and a special penalty of 1 penalty unit for each fish.
16. Minimum size limits

(1) [Regulation 16 Subregulation (1) amended by S.R. 2018, No. 46, Applied:25 Jul 2018] A person must not take from inland waters or excepted waters –

   (a) a blackfish that is less than 220 millimetres in length; or
   (b) a flounder that is less than 250 millimetres in length; or
   (c) a bream that is less than 250 millimetres in length.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units and a special penalty of 1 penalty unit for each fish.

(2) [Regulation 16 Subregulation (2) substituted by S.R. 2018, No. 46, Applied:25 Jul 2018] A person must not take a salmon that is less than 220 millimetres in length from any of the following waters:

   (a) Huntsman Lake;
   (b) Lake Burbury;
   (c) Lake Gordon;
   (d) Lake King William;
   (e) Lake Pedder;
   (f) any river.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units and a special penalty of 1 penalty unit for each fish.

(3) [Regulation 16 Subregulation (3) amended by S.R. 2016, No. 39, Applied:01 Aug 2016] [Regulation 16 Subregulation (3) amended by S.R. 2011, No. 72, Applied:03 Aug 2011] [Regulation 16 Subregulation (3) amended by S.R. 2014, No. 55, Applied:04 Jun 2014] [Regulation 16 Subregulation (3) substituted by S.R. 2018, No. 46, Applied:25 Jul 2018] A person must not take a salmon that is less than 400 millimetres in length from any of the following waters:

   (a) Bruisers Lagoon;
   (b) Camerons Lagoon;
   (c) Lake Crescent;
   (d) Penstock Lagoon.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units and a special penalty of 1 penalty unit for each fish.

(3A) [Regulation 16 Subregulation (3A) inserted by S.R. 2018, No. 46, Applied:25 Jul 2018] Subject to subregulations 2 and 3, a person must not take a salmon that is less than 300 millimetres in length from any natural or artificial lake, reservoir, tarn, pond, pool, swamp, marsh, dam or waterhole containing water.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units and a special penalty of 1 penalty unit for each fish.

(4) A person must not take a salmon that is less than 420 millimetres in length from any of the following waters:

   (a) Carter Lakes;
   (b) Double Lagoon;
   (c) Emma Tarns;
   (d) Howes Lagoon Bay;
(e) Lake Agnes;
(f) Lake Baille;
(g) [Regulation 16 Subregulation (4) amended by S.R. 2011, No. 72, Applied:03 Aug 2011]. . . . . .
(h) Lake Chipman;
(i) Lake Flora;
(j) Lake O’Dells;
(k) Lake Paget;
(l) Little Blue Lagoon;
(n) Rocky Lagoon;
(o) Sandy Lake;
(p) Second Lagoon;
(q) Talinah Lagoon;
(r) Third Lagoon.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units and a special penalty of 1 penalty unit for each fish.

(5) A person must not take a salmon that is less than 500 millimetres in length from any of the following waters:

(a) First Lagoon;
(ab) [Regulation 16 Subregulation (5) amended by S.R. 2011, No. 72, Applied:03 Aug 2011] Lake Botsford;
(b) Lake Dudley;
(c) Lake Tin Hut.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units and a special penalty of 1 penalty unit for each fish.

(6) [Regulation 16 Subregulation (6) substituted by S.R. 2018, No. 46, Applied:25 Jul 2018] A person must not take a rainbow trout that is less than 400 millimetres in length from the waters of Great Lake.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units and a special penalty of 1 penalty unit for each fish.

(7) For the purposes of this regulation –

(a) the length of a fish, other than a bream, is to be measured in a straight line from the tip of the snout to the end of the centre of the tail fin; and

(b) the length of a bream is to be measured from the forwardmost point of the fish to the end of the tail; and

(c) a fish from which the head or any part of the tail has been removed is taken to be less than the relevant length specified in this regulation unless the part of the fish that remains is not less than that length.

17. Daily bag limit for salmon from certain waters

[Regulation 17 Subregulation (1) amended by S.R. 2015, No. 52, Applied:29 Jul 2015] [Regulation 17 Subregulation (2) amended by S.R. 2014, No. 55, Applied:04 Jun 2014] [Regulation 17 Subregulation (2) amended by S.R. 2011, No. 72,
(1) A person, on any one day from any of the waters specified in column 2 of the table in Schedule 6, must not take more than 2 salmon that are equal to or more than 500 millimetres in length.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units, and a special penalty of 1 penalty unit for each fish taken in excess of 2.

(2) A person, on any one day, must not take more than one salmon that is equal to or more than 500 millimetres in length from any of the following waters:
   (a) Bruisers Lagoon;
   (b) Camerons Lagoon;
   (c) Lake Crescent;
   (d) Penstock Lagoon;
   (e) a junior angling development fishery.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units, and a special penalty of 1 penalty unit for each fish taken in excess of 1.

(3) For the purposes of this regulation, the length of a salmon is to be measured in a straight line from the tip of the snout to the end of the centre of the tail fin.

18. Bag limits

(1) A person, on any one day from inland waters or excepted waters, must not take more than –
   (a) a total of 12 blackfish; or
   (b) a total of 12 salmon.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units and a special penalty of 1 penalty unit for each fish.

(2) A person, on any one day, must not –
   (a) take more than a total of 10 bream; or
   (b) [Regulation 18 Subregulation (2) amended by S.R. 2011, No. 72, Applied:03 Aug 2011] . . . . . . . .

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units and a special penalty of 1 penalty unit for each fish.

(3) A person, on any one day from any of the waters specified in column 2 of the table in Schedule 5, must not take more salmon than the number specified, in column 3 of that table, in respect of those waters.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units and a special penalty of 1 penalty unit for each fish.

(4) [Regulation 18 Subregulation (4) omitted by S.R. 2011, No. 72, Applied:03 Aug 2011] [Regulation 18 Subregulation (4) inserted by S.R. 2018, No. 46, Applied:25 Jul 2018] A person, on any one day, must not take more than 2 salmon from the same dam or the same lake in a junior angling development fishery.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units and a special penalty of 1 penalty unit for each fish.
Subject to subregulations (3) and (4), a person, on any one day, must not take more than 5 salmon from the same river or the same watercourse.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units and a special penalty of 1 penalty unit for each fish.

(5) A person, on any one day from the waters of Great Lake, must not –
   (a) take more than a total of 12 salmon including a maximum of 3 rainbow trout; or
   (b) take more than a total of 12 salmon including a maximum of 3 rainbow trout;
   (c) take more than a total of 12 salmon including a maximum of 3 rainbow trout.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units and a special penalty of 1 penalty unit for each fish.

(6) A person must not –
   (a) have possession of more than 24 eels at any one time without the written approval of the Director; or
   (b) take and have possession of more than 12 eels on any one day.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units and a special penalty of 1 penalty unit for each fish.

(7) A person must not –
   (a) remove, kill, destroy, dredge for or carry away an estuary perch; or
   (b) cause or permit an estuary perch to be removed, killed, destroyed, dredged for or carried away; or
   (c) possess an estuary perch at or on the bank of any waters.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units and a special penalty of 1 penalty unit for each fish.

(8) A person, on any one day from inland waters or excepted waters, must not –
   (a) take more than a total of 2 brook trout; or
   (b) take more than a total of 5 Atlantic salmon.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units and a special penalty of 1 penalty unit for each fish.

(9) For the purposes of subregulations (1), (2), (3), (4), (4A), (5), (6) and (8), a person who is in possession of fish at or on the bank of any inland waters or excepted waters is taken to have taken the fish from those waters.

19. The holder of a whitebait licence must not –
   (a) take more than 2 kilograms of whitebait on any one day; or
(b) take more than 10 kilograms of whitebait during the currency of the licence; or
(c) have possession of more than 10 kilograms of whitebait at any one time.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units and a special penalty of 1 penalty unit for each kilogram of whitebait.

21. Prohibition on taking crayfish

A person must not take any freshwater crayfish at any time.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units and a special penalty of 1 penalty unit for each fish.

22. Taking fish from boats

(1) A person must not take fish using a mechanically propelled boat in the following waters:
   (a) Lake Ashford;
   (b) Lake Bantic;
   (c) Lake Bellinger;
   (d) Lake Garcia;
   (e) Little Pine Lagoon;

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units and a special penalty of 1 penalty unit for each fish.

(2) A person must not take fish using a boat propelled in any manner other than by oars in the following waters:
   (a) Ada Lagoon;
   (b) Lake Lea.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units and a special penalty of 1 penalty unit for each fish.

(3) A person must not take fish in the Curries River Reservoir using a boat propelled in any manner other than by oars or electric motor.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units and a special penalty of 1 penalty unit for each fish.

(4) A person must not take fish by trolling in –
   (a) Penstock Lagoon; or
   (b) Little Pine Lagoon.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units.


(6) [Regulation 22 Subregulation (6) amended by S.R. 2011, No. 72, Applied:03 Aug 2011] Subject to subregulation (7), a person must not take fish from a boat –
(a) [Regulation 22 Subregulation (6) amended by S.R. 2011, No. 72, Applied:03 Aug 2011] in Brumbys Creek, including any impounded water and any tributary or tailrace entering the creek above the uppermost of the 3 weirs on that creek; or

(b) [Regulation 22 Subregulation (6) amended by S.R. 2011, No. 72, Applied:03 Aug 2011] in Carter Lakes, Howes Lagoon Bay, Lake Botsford, Lake Dudley, Rocky Lagoon or East Rocky Lagoon; or

(c) [Regulation 22 Subregulation (6) amended by S.R. 2011, No. 72, Applied:03 Aug 2011] . . . . . . .

(d) in Pet and Guide Reservoir.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units and a special penalty of 1 penalty unit for each fish.

(7) [Regulation 22 Subregulation (7) substituted by S.R. 2011, No. 72, Applied:03 Aug 2011] A person may take fish from Weir No. 1 and Weir No. 3 on Brumbys Creek from a boat that is propelled by oars or an electric motor.

(8) A person who is within 100 metres of an angler who is fishing from the bank of a lake or a riverbank or by wading must not take fish from a boat that is not securely moored.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units and a special penalty of 1 penalty unit for each fish.

23. Use of boats

(1) A person must not, in any lake –

(a) take an assembled rod, reel and line out on to the lake by means of a boat; and

(b) [Regulation 23 Subregulation (1) amended by S.R. 2011, No. 72, Applied:03 Aug 2011] drop a lure or bait that is attached to that rod, reel and line; and

(c) then return to the shore of that lake.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units.

(2) [Regulation 23 Subregulation (2) amended by S.R. 2011, No. 72, Applied:03 Aug 2011] A person must not take the lure or bait attached to another person’s assembled rod, reel and line out on to a lake by means of a boat and drop that lure or bait into the lake.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units.

(3) A person must not use a boat to set and haul a whitebait net in any waters except –

(a) the Pieman River; or

(b) the Derwent River; or

(c) the Huon River; or

(d) the Henty River.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units.

24. Use of baits and lures

(1) A person must not have possession of any bait or any lure that is not wholly artificial at any inland waters specified in subregulation (2) or (3).

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units.

(2) [Regulation 24 Subregulation (2) amended by S.R. 2016, No. 39, Applied:01 Aug 2016] A person must not take fish from any of the following waters except by means of a lure:
(a) Argent Dam, Zeehan;

(b) [Regulation 24 Subregulation (2) amended by S.R. 2011, No. 72, Applied:03 Aug 2011] Brumbys Creek and all its tributaries between No. 1 Weir and Saundridge Road;

(c) Canal Bay and Tods Corner in the Great Lake;

(d) Dee Lagoon;

(e) Edgar Pond;


(g) Knights Lagoon;


(i) Lake Dobson;

(j) Lake Gordon;

(k) Lake Leake;

(l) Lake Pedder;

(m) Lake Sorell;

(n) Monpeelyata Canal, between the Ouse River Weir and Lake Echo;

(o) Risdon Brook Reservoir;

(p) any inland waters within a world heritage area, other than Lake Augusta and Lake Mackenzie;

(q) any waters between the Pine Tier Dam (including Bronte Lagoon) and the canals between that dam and Bronte Lagoon;

(r) any waters in a national park;

(s) the canal and waterways leading from Bronte Lagoon and discharging into Bradys Lake.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units and a special penalty of 1 penalty unit for each fish.

(3) [Regulation 24 Subregulation (3) amended by S.R. 2016, No. 39, Applied:01 Aug 2016] A person must not take fish from any of the following waters except by means of an artificial fly:

(a) Bruisers Lagoon, Little Pine Lagoon and Penstock Lagoon;

(b) Calverts Lagoon in the municipal area of Clarence;

(c) Howes Lagoon Bay, East Rocky Lagoon, Rocky Lagoon and Second Lagoon;

(d) Lake Kay and associated lagoons;

(e) the canal by which water is conveyed from Little Pine Lagoon to the Ouse River;

(f) that portion of No. 1 canal and No. 2 canal conveying water from Shannon Lagoon to Penstock Lagoon below 2 white posts on opposite banks of those canals.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units and a special penalty of 1 penalty unit for each fish.

(4) A person who takes fish in any inland waters specified in subregulation (3) must not use a float or sinker in conjunction with an artificial fly.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units and a special penalty of 1 penalty unit for each fish.
(5) [Regulation 24 Subregulation (5) amended by S.R. 2011, No. 72, Applied:03 Aug 2011] A person must not use the whole or part of a fish as a bait to take fish in any inland waters that are not subject to tidal movement.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units and a special penalty of 1 penalty unit for each fish.


(7) A person who fishes in any inland waters must not have possession of or use any carp, frog or goldfish, whether alive or dead.

Penalty: Fine of not less than 3 penalty units and not more than 10 penalty units and a special penalty of 1 penalty unit for each fish.

(8) A person at any inland waters must not have possession of a device of an electric, electronic, sonic or ultrasonic nature that is capable of being used for the purpose of attracting or influencing the movement of fish.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units.

25. Fish not caught by licensee

The holder of a recreational licence must not –

(a) at any inland waters, receive or hide any fish caught by a person who is not the holder of a licence; or

(b) falsely represent that any fish have been caught by the holder of a licence.

Penalty: Fine of not less than 1 penalty unit and not more than 5 penalty units and a special penalty of 1 penalty unit for each fish.

26. Use of nets

(1) A person who is on the bank of any inland waters or is in any inland waters, or is in or on a boat on any inland waters, must not possess or use a net other than –

(a) a landing net; or

(b) a seine net that –

(i) is not more than 6 metres long and not more than one metre deep; and

(ii) has a mesh of more than 12, but not more than 30, millimetres; and

(iii) is being used to obtain bait in a coastal lagoon or estuarine waters, and is being emptied into the water without being drawn ashore.

Penalty: Fine of not less than 3 penalty units and not more than 10 penalty units.

(2) Subregulation (1) does not apply to –

(a) a net used only in a tidal river (other than Ansons River, Scamander River or Swan River) by a person –

(i) on a fishing boat to which a fishing licence (vessel) under the Fisheries Rules 2009 relates; or

(ii) on any other boat or ship in transit to or from any waters beyond the seaward limits of a river; or

(iii) in accordance with a permit issued under the Act; or

(b) the holder of a whitebait licence using a whitebait net in the waters specified in the licence.
PART 3 - Miscellaneous

27. Fees

The fees specified in Schedule 3 are prescribed in respect of licences issued under the Act.

28. Infringement notice offences and penalties

For section 186 of the Act –

(a) the offences specified in column 1 of Schedule 4 are prescribed as offences for the purposes of infringement notices; and

(b) the penalties specified in column 2 of Schedule 4 are the penalties applicable to those prescribed offences.
SCHEDULE 1 - Waters for Taking Indigenous Fish

[Schedule 1 Substituted by S.R. 2011, No. 72, Applied: 03 Aug 2011]

Regulation 6

Division 1 - Lagoons

[Division 1 of Schedule 1 Inserted by S.R. 2011, No. 72, Applied: 03 Aug 2011]

1. Big Lagoon
2. Fortescue Bay Lagoon
3. Freshwater and saltwater lagoons at Friendly Beach
4. Grants Lagoon
5. Hendersons Lagoon, at Falmouth
6. Old Mines Lagoon, near Bicheno
7. Sloop Rock Lagoon
8. The Gardens Lagoon
9. Wrinklers Lagoon

Division 2 - Rivers and creeks

[Division 2 of Schedule 1 Inserted by S.R. 2011, No. 72, Applied: 03 Aug 2011] [Division 2 of Schedule 1 Amended by S.R. 2014, No. 55, Applied: 04 Jun 2014]

1. Ansons River, downstream from the St Helens-Eddystone Point Road Bridge
2. Arthur River, downstream from the bridge over that river that connects the Arthur River Road to Temma Road
3. Blythe River, downstream from an imaginary line drawn between grid reference E414414 N5452064 and grid reference E414414 N5452173
4. Bream Creek, downstream from an imaginary line drawn between grid reference E570959 N5261529 and grid reference E570982 N5261529
5. Browns River and its tributaries, downstream from the Channel Highway
6. Buxton River, downstream from the tidal limit posts
7. Cam River, downstream from an imaginary line drawn between grid reference E402393 N5455851 and grid reference E402482 N5455819
8. Coal River, downstream from the weir immediately below the town of Richmond
9. D’Entrecasteaux River, downstream from the road bridge
10. Derwent River, downstream from the Bridgewater Bridge
11. Esperance River, downstream from the A6 road bridge
12. Four Mile Creek, East Coast, downstream from the Four Mile Creek Road Bridge
13. Franklin River, downstream from the Exeter Highway Bridge
14. Great Musselroe River, downstream from the first rapids marked by a post
15. Huon River, downstream from the bridge at Huonville
16. Inglis River, downstream from Springboard Point
17. Jordan River, downstream from the Cove Hill Road Bridge
18. Lisdillon River, downstream from the road bridge on the Tasman Highway
19. Little Swanport River, downstream from posts approximately 800 metres above the Tasman Highway Bridge
20. Lune River, downstream from the first rapids
21. Meredith River, downstream from the main road bridge
22. North Esk River, downstream from the Charles Street Bridge
23. Pieman River, downstream from an imaginary line at right angles to the stream from the end of the jetty nearest the mouth on the southern shore to a point on the opposite shore
24. Prosser River, downstream from the Prosser River Dam
25. Sandspit River, downstream from the road bridge
26. Scamander River, downstream from the posts near Mason’s windmill
27. Swan River, downstream from the white tidal limit posts
28. The Arm, St Helens, downstream from the road crossing marked by 2 posts
29. Tomahawk River, downstream from the main road bridge
30. Any other river consisting of estuarine waters
SCHEDULE 2 - Junior Angling Development Fishery


Regulation 3

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<th>Column 2</th>
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<td>Item</td>
<td>Water</td>
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<tr>
<td>2.</td>
<td>Frombergs Dam</td>
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<tr>
<td>3.</td>
<td>Hiscutt Park Dam</td>
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<tr>
<td>4.</td>
<td>Lake Waverley</td>
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<td>5.</td>
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### SCHEDULE 3 - Fees

**Regulations 10(4) and 27**


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<td><strong>Angling licence</strong></td>
<td></td>
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<tr>
<td>1. Application for –</td>
<td></td>
</tr>
<tr>
<td>(a) a person who is 18 years of age or more and is not a person referred to in paragraph (b) or (c) –</td>
<td></td>
</tr>
<tr>
<td>(i) for the use of one rod and line for one season</td>
<td>49</td>
</tr>
<tr>
<td>(ii) for the use of one rod and line for 5 consecutive seasons</td>
<td>245</td>
</tr>
<tr>
<td>(b) a person who is in receipt of a card entitled a Seniors Card that is approved by the Director –</td>
<td></td>
</tr>
<tr>
<td>(i) for the use of one rod and line for one season</td>
<td>39</td>
</tr>
<tr>
<td>(ii) for the use of one rod and line for 5 consecutive seasons</td>
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</tr>
<tr>
<td>(c) an eligible pensioner –</td>
<td></td>
</tr>
<tr>
<td>(i) for the use of one rod and line for one season</td>
<td>27</td>
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<tr>
<td>(ii) for the use of one rod and line for 5 consecutive seasons</td>
<td>135</td>
</tr>
<tr>
<td>(d) a person who is at least 14 years of age and under 18 years of age for the use of one rod and line for one season</td>
<td>10</td>
</tr>
<tr>
<td>(e) for the use of one rod and line for 48 hours for a person who is 18 years of age or more</td>
<td>15</td>
</tr>
<tr>
<td>(f) for the use of one rod and line for 7 consecutive days for a person who is 18 years of age or more</td>
<td>25</td>
</tr>
<tr>
<td>(g) for the use of one rod and line for 28 consecutive days for a person who is 18 years of age or more</td>
<td>39</td>
</tr>
<tr>
<td>(h) a person referred to in paragraph (a) of this item for the use of an additional rod and line for one season</td>
<td>10</td>
</tr>
<tr>
<td>(ha) a person referred to in paragraph (a) of this item for the use of an additional rod and line for 5 consecutive seasons</td>
<td>50</td>
</tr>
<tr>
<td>(i) a person referred to in paragraph (b), (c) or (d) of this item for the use of an additional rod and line for one season</td>
<td>5</td>
</tr>
<tr>
<td>(ia) a person referred to in paragraph (b) or (c) of this item for the use of an additional rod and line for 5 consecutive seasons</td>
<td>25</td>
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<tr>
<td>(j) replacement licence</td>
<td>2</td>
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<tr>
<td><strong>Whitebait licence</strong></td>
<td></td>
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<tr>
<td>2. Application</td>
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**SCHEDULE 4 - Infringement Notice Offences**


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<tr>
<th>Item No.</th>
<th>Section or Regulation</th>
<th>Description</th>
<th>Penalty units</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Section 37(1)</td>
<td>Taking acclimatised fish or indigenous fish without an angling licence</td>
<td>2</td>
</tr>
<tr>
<td>2.</td>
<td>Section 37(2)</td>
<td>Possessing assembled rod, reel and line at specified time and place without an angling licence</td>
<td>2</td>
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<tr>
<td>3.</td>
<td>Section 38(1)</td>
<td>Taking or possessing whitebait without a whitebait licence</td>
<td>2</td>
</tr>
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<td>4.</td>
<td>Section 53</td>
<td>Failing to produce licence to officer within 14 days</td>
<td>1</td>
</tr>
<tr>
<td>5.</td>
<td>Section 140</td>
<td>Obstructing a public boat ramp or access to a public boat ramp</td>
<td>1</td>
</tr>
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<td>6.</td>
<td>Section 197(3)</td>
<td>Failing to comply with Ministerial order about taking fish</td>
<td>2</td>
</tr>
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<td>7.</td>
<td>Regulation 7(1)</td>
<td>Taking fish in inland waters by means other than a rod and line</td>
<td>1</td>
</tr>
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<td>8.</td>
<td>Regulation 9(a)</td>
<td>Possessing or using ground bait</td>
<td>1</td>
</tr>
<tr>
<td>9.</td>
<td>Regulation 10(1)(a)</td>
<td>Fishing with more than one rod and line at a time</td>
<td>1</td>
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<tr>
<td>10.</td>
<td>Regulation 10(1)(b)</td>
<td>Using more than 2 lures or baits at a time</td>
<td>1</td>
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<tr>
<td>11.</td>
<td>Regulation 10(1)(c)</td>
<td>Using more than 3 artificial flies on a line at a time</td>
<td>1</td>
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<td>12.</td>
<td>Regulation 10(1)(d)</td>
<td>Using 2 lures, or 2 baits, together with one or more artificial flies</td>
<td>1</td>
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<td>13.</td>
<td>Regulation 10(6)(a)</td>
<td>Holder of whitebait licence using more than one whitebait net at any one time</td>
<td>1</td>
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<td>14.</td>
<td>Regulation 10(6)(b)</td>
<td>Holder of whitebait licence using whitebait net without attached tag bearing whitebait licence number</td>
<td>1</td>
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<td>15.</td>
<td>Regulation 10(6)(c)</td>
<td>Holder of whitebait licence being more than 8 metres away from whitebait net while it is in use</td>
<td>1</td>
</tr>
<tr>
<td>16.</td>
<td>Regulation 11(1)</td>
<td>Using severed limb, or part of severed limb, from tree or bush to secure whitebait net to bank or bed of river</td>
<td>1</td>
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<tr>
<td>17.</td>
<td>Regulation 11(2)</td>
<td>Using dislodged trunk, or part of dislodged trunk, of tree or bush to secure whitebait net to bank or bed of river</td>
<td>1</td>
</tr>
<tr>
<td>18.</td>
<td>Regulation 12(1)(a)</td>
<td>Having possession of rod and line of another person when using own</td>
<td>1</td>
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<td>19.</td>
<td>Regulation 12(1)(b)</td>
<td>Using bottle, jar, can or similar object to indicate movement in rod or line</td>
<td>1</td>
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<tr>
<td>20.</td>
<td>Regulation 13</td>
<td>Possession of assembled rod, reel and line when taking fish prohibited</td>
<td>1</td>
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<tr>
<td>21.</td>
<td>Regulation 14(1)</td>
<td>Taking fish with unattended set rod as prescribed</td>
<td>1</td>
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<td>22.</td>
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<td>1</td>
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<td>23.</td>
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<td>Taking from certain waters undersize salmon</td>
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<td>24.</td>
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<td>Taking from the waters of Great Lake undersize rainbow trout</td>
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<td>25.</td>
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<td>Taking from certain waters on one day more than 2 salmon that are equal to or more than 500 mm in length</td>
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<td>26.</td>
<td>Regulation 17(2)</td>
<td>Taking from certain waters on one day more than 1 salmon that is equal to or more than 500 mm in length</td>
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<td>27.</td>
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Regulation 28
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<th>Regulation</th>
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<td>Regulation 18(3), (4), (4A) or (8)</td>
<td>Taking more salmon than the number specified in one day</td>
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<td>Regulation 20(a)</td>
<td>Taking more than 2kg of whitebait in one day</td>
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<td>Taking fish in Curries River Reservoir using a boat propelled in manner other than by oars or electric motor</td>
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<td>32.</td>
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<td>Taking fish by trolling in Penstock Lagoon or Little Pine Lagoon</td>
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<td>33.</td>
<td>Regulation 22(8)</td>
<td>Taking fish from a boat that is within 100 metres of an angler who is fishing from the bank of a lake or river or by wading, when the boat is not securely moored</td>
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<td>34.</td>
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<td>Using any thing other than an artificial fly to take fish in specified waters</td>
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<td>37.</td>
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## SCHEDULE 5 - Bag Limits


Regulation 18

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<th>Column 3 Bag limit (number of salmon)</th>
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<tr>
<td>2.</td>
<td>Big Waterhouse Lake</td>
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<td>3.</td>
<td>Blackmans Lagoon</td>
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<td>4.</td>
<td>Bradys Lake</td>
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<tr>
<td>5.</td>
<td>Briseis Hole</td>
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<td>6.</td>
<td>Bruisers Lagoon</td>
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<td>7.</td>
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<td>8.</td>
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<td>9.</td>
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<td>10.</td>
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<td>11.</td>
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<td>13.</td>
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<td>Emma Tarns</td>
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<td>16.</td>
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<td>18.</td>
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<td>Huntsman Lake</td>
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<td>23.</td>
<td>Lake Bailie</td>
<td>2</td>
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<td>24.</td>
<td>Lake Barrington</td>
<td>5</td>
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<tr>
<td>25.</td>
<td>Lake Binney</td>
<td>5</td>
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<td>26.</td>
<td>Lake Botsford</td>
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<td>27.</td>
<td>Lake Burbury</td>
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<td>28.</td>
<td>Lake Chipman</td>
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<tr>
<td>29.</td>
<td>Lake Crescent</td>
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<tr>
<td>30.</td>
<td>Lake Dudley</td>
<td>1</td>
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<tr>
<td>31.</td>
<td>Lake Dulverton</td>
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<td>32.</td>
<td>Lake Duncan</td>
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<td>33.</td>
<td>Lake Flora</td>
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<tr>
<td>35.</td>
<td>Lake Gordon</td>
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<td>36.</td>
<td>Lake Kara</td>
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<td>73.</td>
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## SCHEDULE 6 - Daily Bag Limits for Salmon from Certain Waters


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<td>1. Big Lagoon (Bruny Island)</td>
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<tr>
<td>41. Tooms Lake</td>
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<td>42. Woods Lake</td>
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</tbody>
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Displayed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 9 December 2009

These regulations are administered in the Department of Primary Industries, Parks, Water and Environment.