3 January 2018

NOTICE TO FISHERS

Dear: Licence holders in the Blue Crab Fishery

Simplify Day 2017 - Amendments under the Fisheries Management Act 2007

The Premier’s second ‘Simplify Day’ initiative was held on 10 August 2017, with ideas for change being put forward by business and the community. Similar to last year the aim of Simplify Day is to remove outdated and redundant laws and regulations and to consolidate and simplify rules and processes wherever possible.

As a part of this initiative amendments have been made to 17 of 18 regulations made under the Fisheries Management Act 2007 (the Act). Ten of the regulations amended in this process were also remade as they were approaching the 10th anniversary of the date they were made. These regulations commence on 15 January 2018. The regulations are:

Fisheries Management (Abalone Fisheries) Regulations 2017
Fisheries Management (Fees) Regulations 2017
Fisheries Management (Fish Processors) Regulations 2017
Fisheries Management (General) Regulations 2017
Fisheries Management (Marine Scalefish Fisheries) Regulations 2017
Fisheries Management (Prawn Fisheries) Regulations 2017
Fisheries Management (River Fishery) Regulations 2017
Fisheries Management (Demerit Points) Regulations 2017
Fisheries Management (Rock Lobster Fisheries) Regulations 2017
Fisheries Management (Vessel Monitoring Scheme) Regulations 2017
Fisheries Management (Blue Crab Fishery)(Simplify No 2) Variation Regulations 2017
Fisheries Management (Charter Boat Fishery)(Simplify No 2) Variation Regulations 2017
Fisheries Management (Lakes and Coorong Fishery)(Simplify No 2) Variation Regulations 2017
Fisheries Management (Miscellaneous Broodstock and Seedstock Fishery)(Simplify No 2) Variation Regulations 2017
Fisheries Management (Miscellaneous Developmental Fishery)(Simplify No 2) Variation Regulations 2017
Fisheries Management (Miscellaneous Fishery)(Simplify No 2) Variation Regulations 2017
Fisheries Management (Miscellaneous Research Fishery)(Simplify No 2) Variation Regulations 2017
As a result of these legislative changes many references to existing and new powers and functions have or will change as of 15 January 2018.

It should be noted that there is no intention to vary existing fishery administrative arrangements other than to standardise them wherever possible.

The majority of amendments to the fishery regulations above were to remove the prescribed procedural requirements for reporting, delivering, consigning and recording matters to and for the Minister. All determinations for the new regulations will be published on the PIRSA website for your reference.

To simplify arrangements, where possible licence conditions relating to the prescribed procedural requirements have been incorporated into the relevant Ministerial determination and deleted from licences. In some instances, existing licence conditions have been amended to update species name, date, or name of personnel. Amended and new licence conditions will be implemented on all Blue Crab Fishery licences.

Other than Ministerial determinations, a small number of regulatory changes were also made through Simplify Day to a number of fisheries. In these instances, new licence conditions have been included on relevant licences to compliment the regulatory amendments. Some of these amendments to management arrangements have already been communicated to relevant licence holders. Those that have not are as follows:

- A definition of squid jig has been inserted into regulations.
- The maximum mesh size of a sardine net has been removed.
- Marking requirements for commercial fish receptacles has been simplified.
- The rules for Berley have been clarified.
- Provision has been made to allow for the take of Sandy Sprat, Blue Sprat and Maray in the Marine Scalefish Fishery.
- To maximise the benefits of licence amalgamation in the Marine Scalefish Fishery, the retention of accrued demerit points will apply to the licence with the least amount of demerit points.
- Fish name references have been updated consistent with the Australian Fish Names Standard.

Changes to licence conditions are detailed in Schedule 1 (Attachment 1), a copy of the Ministerial determinations made in place of regulation where required and are detailed in Attachment 2 and regulatory amendments are found in Attachment 3.

The new regulatory amendments and licence conditions take effect from 15 January 2018.

**REVIEW AND APPEAL RIGHTS**

Licence holders have a right under section 111 of the *Fisheries Management Act 2007* to seek a review of a variation or imposition of a licence condition or refusal to issue, renew or consent to the transfer of an authority. Appeal rights also exist under sections 112 of the *Fisheries Management Act 2007* to the District Court.
If you have any queries regarding these arrangements or would like a copy of the amended regulations referred to above, please contact Keith Rowling, Program Leader, Community Based Fisheries on (08) 8429 0513.

Yours sincerely

Peter Dietman
A/EXECUTIVE DIRECTOR
FISHERIES AND AQUACULTURE POLICY
SCHEDULE 1 (ATTACHMENT 1)

LICENCE CONDITIONS commence 15 January 2018

Licence condition amendments to reflect the introduction of Ministerial determinations

The following conditions have been deleted from your licence and have been included in relevant Ministerial determinations:

4083
All blue swimmer crabs taken pursuant to this licence must be consigned to one of the registered fish processors listed on the Registrations and Entitlements register in relation to this licence for weighing within the State of South Australia

4084
Blue swimmer crabs taken pursuant to a Blue Crab Fishery licence or a Marine Scalefish Fishery licence must not be returned to a registered boat or a holding cage or a corf in the waters of the state once the blue swimmer crabs have been weighed and the certified weight has been recorded on Part B of the form BSCF 1

The following licence conditions have been deleted and redrafted to be standardised (commencing 15 January 2018):

4081
The licence holder must not take blue swimmer crab during the term of this licence except in the Gulf St Vincent Blue Crab Fishing Zone as defined in the Fisheries Management (Blue Crab Fishery) Regulations 1998.

4082
The licence holder must not take blue swimmer crab during the term of this licence except in the Spencer Gulf Blue Crab Fishing Zone as defined in the Fisheries Management (Blue Crab Fishery) Regulations 1998.

These two licence conditions have been replaced by the following licence condition:

The following condition applies in relation to a licence that is subject to a condition fixing a Blue Crab quota entitlement at the commencement of the quota period; Blue Crab must only be taken by the license holder from within the quota management zone to which the quota entitlement applies.

The following licence conditions have been added to compliment the regulatory amendments (commencing 15 January 2018):

No more than a maximum of 3 Samson fish (Seriola hippos) may be taken in any one day from any registered boat from waters of the State.
ATTACHMENT 3

OTHER REGULATORY AMENDMENTS

The following administrative amendments to the *Fisheries Management Act 2007* subordinate Regulations commence on 15 January 2018:

- The specie name for Snapper has been updated from *Pagrus auratus* to *Chrysophrys auratus*.

- The species name for mulloway has been updated from *Argyrosomus hololepidotus* to *Argyrosomus japonicus*.

- The species name for Goulds Squid has been updated from *Notothenius gouldii* to *Notothenius gouldi*.

- The species name for Trevally has been updated from *Caranginae spp* to *Carangidae spp*.

- Bluethroat Wrasse (*Notolabrus tetricus*) has been amended to Wrasse (*Labridae*) (other than Western Blue Groper (*Achoerodus gouldii*)).