NOTICE TO FISHERS

Dear: Licence holder in the Southern Zone Rock Lobster 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 Similar to last year the aim of Simplify Day is to remove outdated and redundant laws and regulations and to consolidate and simplify rules and processes wherever possible.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 making 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 all 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. New licence conditions have been included to compliment regulatory amendments. Amended and new licence conditions will be implemented on all Southern Zone Rock Lobster 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 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 Dr Annabel Jones, Program Leader – Commercial Fisheries; phone 08 84290165, email annabel.jones@sa.gov.au.

Yours sincerely

[Signature]

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:

1381
The licence holder must notify PIRSA Fishwatch at least 24 hours prior to mooring or to unloading any rock lobster at any place other than their nominated weigh station.

1384
If rock lobster or giant crabs are stored on board a registered boat that is endorsed on this licence and that registered boat is moved from a point of mooring for any purpose other than for undertaking fishing activity, the licence holder or the registered master must telephone 1800 065 522 and provide the following information:
   The name of the person making the call;
   The fishery licence number on which the registered boat is endorsed;
   The name of the registered boat;
   The purpose for moving the boat;
   The destination of the boat.

1582
On the last day that rock lobster is taken pursuant to this licence during the rock lobster season, one bin may be unsealed if all of the following conditions are met:
   (i) a report is provided by phoning 1800 065 522 at least 1 hour prior to landing to advise that the trip is the final trip for the season; and
   (ii) only one tag may be broken; and
   (iii) the tag may only be broken for the purposes of removing rock lobster to reconcile the final quota balance for the season; and
   (iv) once the rock lobster are removed, the bin must be immediately sealed with a replacement tag and the broken tag attached to the bin by threading it through the replacement tag;

2961
The following requirements apply in relation to the storage of rock lobster on board the registered boat:
   •The registered master must complete Part A of the SZRL1-CDR form prior to leaving a registered boat on which any rock lobster are left on board; and
   •The registered master must ring Fishwatch on 1800 065 522 prior to leaving a registered boat where rock lobster are left on board and answer a series of questions in relation to the licence, the boat and the number of rock lobster left on board the boat.

2964
The registered master of a boat from which rock lobster is taken pursuant to this licence must ensure that, before the rock lobster is removed from the boat: (i) that
the rock lobster to which a completed SZRL1 form relates that is to be consigned or delivered to a registered fish processor is transported in bins of a kind approved by a PIRSA Regional Manager or Senior Fisheries Officer; and (ii) that before a bin containing rock lobster is removed from the boat, the bin is sealed with an approved tag issued by the Director of Fisheries; and (iii) that the bin remains sealed until the rock lobster are consigned to a registered fish processor and the SZRL2 form relating to that consignment is completed in accordance with the regulations; and (iv) that if a tag is broken while a bin is being sealed or transported— (A) the bin is sealed with a replacement tag of a different colour issued by the Director of Fisheries; and (B) the broken tag is attached to the bin by threading it through the replacement tag; and (C) the number of the replacement tag is recorded on the SZRL1 form; and (v) if a tag is lost—that PIRSA is immediately notified of the loss by phoning 1800 065 522.

12485
One hour prior to engaging in the taking of vongole subject to a condition fixing a vongole quota entitlement from a vongole quota fishing zone, PIRSA Fisheries Compliance must be notified on 1800 065 522 or via the PIRSA Commercial reporting application with the following information; (a) the name of the person making the call and the applicable licence number, (b) the name of the registered master who will be conducting the fishing activity on that day, (c) the launching site to be used that day, (d) the anticipated time of landing that day and (e) if the retrieval site is different to launching site PIRSA Fisheries Compliance must be notified on 1800 065 522 thirty (30) minutes before leaving the retrieval site.

Where the licence holder of a licence subject to a condition fixing vongole quota entitlement intends to return vongole to the water for purging or storage, then the licence holder or registered master must prior to returning vongole to the water, (a) complete Part B of the V-CDR, and (b) report to PIRSA Fisheries Compliance on 1800 065 522 or via the PIRSA Commercial reporting application the following information; (a) the number of containers of vongole being placed into the water for storage or purging (b) the number of containers of vongole taken under the licence that are already in the water for storage or purging (c) the latitude and longitude of the stored vongole.

Where the licence holder of a licence subject to a condition fixing vongole quota entitlement intends to land vongole taken under the licence that has been returned to the water for storage or purging, prior to landing vongole, the licence holder or registered master must; (a) Report to PIRSA Fisheries Compliance on 1800 065 522 or via the PIRSA Commercial reporting application and provide the following information (a) the name of the person making the call and the applicable licence number, (b) the location where the stored vongole are going to be landed (c) the number of containers being landed (d) the tag numbers of the containers being landed (e) the number of containers remaining in the water (f) the tag numbers of containers remaining in the water (g) the anticipated time of landing that day.

The following licence conditions have been deleted and redrafted to be update references to Regulation or update species name (commencing 15 January 2018):

2541
Snapper (Pagrus auratus) must not be taken by using fish traps, nets or ocean jacket traps
This licence condition has been replaced with:

_Snapper_ (Chrysophrys auratus) _must not be taken by using fish traps, nets or ocean jacket traps_

4145
The licence holder may only take the following species for the purpose of trade or business:
- Southern rocklobster (_Jasus edwardsii_);
- Octopus (_Octopus spp._);
- Giant Crabs (_Psuedocarcinus gigas_).
Any other species listed in Schedule 1 of the Fisheries Management (Rock Lobster Fisheries) Regulations 2006 may be taken for bait only and must not be sold.

This licence condition has been replaced with:

_The licence holder may only take the following species for the purpose of trade or business:_
- _Southern rock lobster_ (_Jasus edwardsii_);
- _Octopus_ (_Octopus spp._);
- _Giant Crabs_ (_Psuedocarcinus gigas_).
Any other species listed in Schedule 1 of the Fisheries Management (Rock Lobster Fisheries) Regulations 2017 may be taken for bait only and must not be sold.

4146
Species listed in Schedule 1 of the Fisheries Management (Rock Lobster Fisheries) Regulations 2006 other than:
- Southern rocklobster (_Jasus edwardsii_);
- Octopus (_Octopus spp._);
- Giant Crab (_Psuedocarcinus gigas_).
that are taken in the course of fishing activities conducted pursuant to this licence may be retained for the purposes of bait only and must not be sold.

This licence condition has been replaced with:

_Species listed in Schedule 1 of the Fisheries Management (Rock Lobster Fisheries) Regulations 2017 other than:_
- _Southern rock lobster_ (_Jasus edwardsii_);
- _Octopus_ (_Octopus spp._);
- _Giant Crab_ (_Psuedocarcinus gigas_).
_that are taken in the course of fishing activities conducted pursuant to this licence may be retained for the purposes of bait only and must not be sold._

4164
When fishing for a non commercial purpose using a registered boat endorsed on this licence under regulation 126(2) of the Fisheries Management (General) Regulations 2007, a person must not set a recreational rock lobster device or be in possession of Southern rocklobster.

This licence condition has been replaced with:
When fishing for a non commercial purpose using a registered boat endorsed on this licence under regulation 126(2) of the Fisheries Management (General) Regulations 2017, a person must not set a recreational rock lobster device or be in possession of Southern rock lobster.

Licence conditions 4137 and 4147;

4137
Subject to trip limits and quota restrictions, the following species may be taken for the purposes of trade or business pursuant to this licence:
- Southern rocklobster (*Jasus edwardsii*);
- Octopus (*Octopus spp.*);
- Giant Crabs (*Psuedocarcinus gigas*).

4147
Subject to trip limits and quota restrictions, species listed in Schedule 1 of the Fisheries Management (Rock Lobster Fisheries) Regulations 2006 may be taken for the purposes of trade or business pursuant to this licence.

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

Subject to trip limits and quota restrictions, the following species may be taken for the purposes of trade or business pursuant to this licence:
- Southern rock lobster (*Jasus edwardsii*);
- Octopus (*Octopus spp.*);
- Giant Crabs (*Psuedocarcinus gigas*).

And any other species listed in Schedule 1 of the Fisheries Management (Rock Lobster Fisheries) Regulations 2017.

The following licence conditions have been deleted and re-drafted to compliment the regulatory amendments (commencing 15 January 2018):

4163
Definitions of terms used in these conditions:
- "certification station" means those scales located at Beachport, Robe, Blackfellow Caves, Southend, Cape Jaffa, Carpenters Rocks and Port MacDonnell, and used for the purpose of weighing catches of rock lobster. In cases where more than one certification station exists at any port only one certification station is required to be used.
- "conclusion of fishing trip" is: (a) when rock lobster taken during a fishing trip are unloaded from the registered boat; or (b) if rock lobster taken during a fishing trip are stored on the registered boat, when the boat is moored and secured at the end of a fishing trip.
- "fishing trip" means when a registered boat is moved from a point where it is moored and secured and is then used to undertake any type of fishing activity and is then moored and secured.
- "GCCDR" means a form known as a giant crab Catch and Disposal Record produced by PIRSA Fisheries.
- "rock lobster" means Southern rocklobster (*Jasus edwardsii*).
- "SZRL1" means a form known as a Rock Lobster Catch and Disposal Record produced by Primary Industries (SA) Fisheries.
"SZRL1 book" means the book containing SZRL1 forms part A and B, or the book containing SZRL1 forms part C and D.

This licence condition has been replaced with:

Definitions of terms used in these conditions:
"conclusion of fishing trip" is: (a) when rock lobster taken during a fishing trip are unloaded from the registered boat; or (b) if rock lobster taken during a fishing trip are stored on the registered boat, when the boat is moored and secured at the end of a fishing trip.
"fishing trip" means when a registered boat is moved from a point where it is moored and secured and is then used to undertake any type of fishing activity and is then moored and secured.
"rock lobster" means Southern rock lobster (Jasus edwardsii).

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 *Nototodarus gouldii* to *Nototodarus 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*)).