

# Central Zone Abalone Fishery

## OPERATOR USER GUIDE

Updated June 2022

# Central Zone Abalone Fishery

Information current as of June 2022

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## Introduction

The aim of this document is to outline the legal obligations of licence holders, registered masters, and fish processors within the Central Zone (CZ) Abalone Fishery.

This information package is to be used as a guide only.

For further information or clarification please contact PIRSA Fisheries & Aquaculture, or FISHWATCH (1800 065 522).

The Central Zone Abalone Fishery is primarily managed through the use of output controls in the form of a Total Allowable Commercial Catch (TACC), which limits the amount of Abalone that is harvested in the fishery to ensure the sustainability of Abalone species on which the fishery is based.

## General information

Whilst engaging in any commercial fishing activity you are required to carry your fishing licence.

The maximum number of agents (deckhands) permitted on board a commercial fishing vessel can be found on the certificate of registration and entitlements.

If any rules are breached, the licence holder and the registered master may both be guilty of an offence under the *Fisheries Management Act 2007*, and can incur demerit points.

## Central Zone Abalone Fishery

The Central Zone Abalone Fishery consists of the taking of Abalone in South Australia within the waters of the Central Zone.

**'Central Zone'** means the waters adjacent to South Australia between the meridians of longitude 136°30' East and 139° East, but does not include the waters of the Coorong or any other waters inside the Murray Mouth (refer to page 3).

*Note: it is unlawful to fish while a licence has a Greenlip or Blacklip entitlement of less than 25 units.*

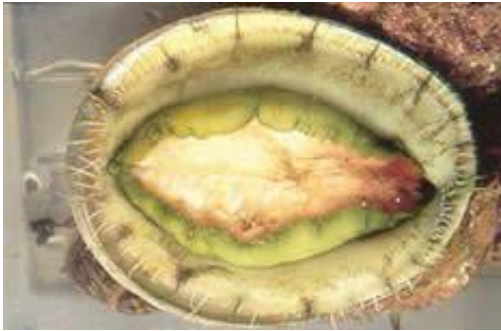
## Season

The Central Zone Abalone Quota period runs from 1 January until 31 December within a calendar year.

## Permitted Species

Only Abalone (*Haliotis* species) may be taken pursuant to a Central Zone Abalone Fishery Licence.

### *Haliotis* species



**Greenlip Abalone**  
*Haliotis Laevigata*



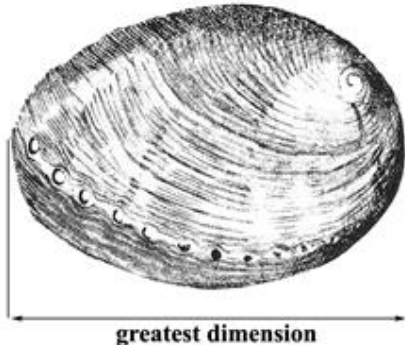
**Blacklip Abalone**  
*Haliotis Rubra*

Other species of Abalone are present in South Australian waters, however, they rarely reach the minimum legal shell length.

## Size Limits / Measuring Abalone

### Size Limits

Abalone is measured across the greatest dimension of the shell.



As of December 2020, Licence condition 14063 was introduced which stipulates that any Greenlip Abalone (*Haliotis laevigata*) taken from the Central Zone Abalone Fishery must not be less than 13.5cm in shell length.

Blacklip Abalone (*Haliotis Rubra*), and other *Haliotis* Species in the Central Zone has a minimum shell length of 13cm.

The minimum meat weight for Greenlip and Blacklip Abalone that has been taken taken in the Central Zone Fishery remains at 113 grams.



## Measuring and Handling Abalone

A diver who takes Abalone in the waters of the State must carry a suitable measuring device for measuring Abalone, and after detaching an Abalone from a rock or other place to which it was attached, immediately measure it, and then place any undersize back on that rock or other place to which it had been attached; as required under the regulations.

## Closed Areas

The taking of Abalone is prohibited in all:

- Marine Park Sanctuaries & Restricted Access Zones
- Aquatic reserves
- Intertidal reef areas

Contact your local PIRSA Fisheries Office for details of seasonal and temporary restrictions.

All Aquatic Reserves are attached to this Guide. See appendix A.

## Intertidal Rocky Reef Areas

The taking of Abalone and all bottom dwelling marine organisms from intertidal reefs (from high water mark to a water depth of 2 metres) is prohibited along the entire coastline of South Australia.

## Fishery Biosecurity

### Abalone Mortality: Discovery & Sampling Protocol

All registered masters and divers are reminded to be diligent in following the biosecurity protocol developed by the Abalone Virus Working Group and adopted by the Abalone Industry Association of South Australia (AIASA) upon discovery of dead or suspect Abalone. This protocol is in line with PIRSA Disease Response Plan for AVG.

This protocol describes the steps you should take in the event you discover ANY dead or dying abalone (other than occasional isolated ones you would consider a normal occurrence).

#### Alert phase level 1 / mortality investigation

- Unusually high mortality or five dead (with meat) / moribund (dying) Abalone, no obvious clinical signs of AVG (no protruding mouthparts or 'curled foot'); or unusual clusters of ten or more clean shells.

Discovery: collect samples, report event, decontaminate, resume fishing, provide samples to PIRSA (e.g. regional SARDI, Fisheries and Aquaculture compliance officer).

1. Place all catch into bins without drainage scuppers.
2. Close vessel scuppers (if possible, and only if safe to do so).

3. Collect samples of at least 5 (preferable up to 15) either moribund (sick & dying) or (if moribund not available) 'healthy' looking animals amongst the dying. Note GPS coordinates of 'mortality site.' Place the samples into sealed plastic bags.
4. Complete the 'Biosecurity reporting form.' Place the form into the sealed bags with the abalone.
5. Wrap all bags of abalone samples in newspaper. Place bags on ice (if possible).
6. Take two water samples using bottles provided with the collection kit (one with and one without Lugol's iodide solution).
7. Take underwater pictures of the affected reef area (if possible).
8. Notify and report the event to FISHWATCH on 1800 065 522. This is important to officially record the event and provides a 24 hour service if no other contacts are available. Provide the following information:
  - Diver contact details;
  - Date, time and location;
  - Point of landing;
  - Map code and area description of where dead/moribund Abalone are located;
  - GPS coordinates (and datum);
  - Depth of water; and
  - Basis for suspecting incidence of disease (e.g. external signs of disease, number of dead or moribund abalone etc.).
  - Environmental conditions (e.g. water temperature)
9. Next, notify:
  - Your local regional PIRSA officer (e.g. SARDI, Fisheries and Aquaculture compliance officer) or the PIRSA Abalone Fisheries Manager.
  - Inform either of these contacts that you have samples to be collected. The report provided to FISHWATCH and/or the regional PIRSA officer will initiate an investigation.
10. Decontaminate the vessel and equipment in accordance with the Destruction, Disposal and Decontamination protocol (Section G of the Disease Response Plan: AVG).
11. Resume fishing following industry code of practice or advice from PIRSA
12. Provide Abalone and water samples to your local SARDI researcher or Fisheries and Aquaculture compliance officer as soon as possible (same day).
13. Samples should be sent to Vetlab (Gribbles pathology, Glenside, Adelaide) within 24 hours, and request to rule out AVG (PCR) and unknown infectious disease (histopathology).

Alert phase level 2 (AVG likely) or during Response phase.

- Unusually high and unexplained mortalities ('hundreds' of dead/dying) suspected to be disease or one abalone with obvious clinical signs of AVG (i.e. protruding mouthparts, 'curling of the foot').

Discovery: cease commercial fishing immediately.

1. Carry out steps 1-10 above.
2. Return to shore.
3. Ensure bins are sealed and not leaking water.
4. Carry out steps 12 and 13 above.
5. Carry out a full biosecurity wash-down procedure following Destruction, Disposal and Decontamination protocol, and in accordance with the *Biosecurity Code of Practice for AVG*.

These sampling methods may be amended by the Incident controller or State Controller at any time to assist surveillance/monitoring.

## Tiparra Catch Cap / Seasonal Closure

Consistent with a recommendation in the TACC meeting held in November 2020 and endorsed by industry, the Section 79 fishing notices under the Fisheries Management Act 2007, implementing the previous seasonal catch cap and fishing closure for Tiparra Reef will not be renewed in 2021 and 2022.

It is noted that there is the intention of industry to voluntarily manage fishing activities at Tiparra Reef.

PIRSA will continue to monitor fishing effort and catch at Tiparra throughout future seasons.

## Fisher obligations

### Registered Masters

The minimum requirement to be a registered master on a commercial vessel is a Coxswains certificate.

### Certificate of Competency

Section 47 of the Harbors and Navigation Act 1993 states that a person must not operate or accept employment in a key position in the crew of a commercial fishing vessel unless that person holds a Certificate of Competency of the appropriate class. For more information regarding the necessary qualifications to operate commercial vessels, contact the Australian Maritime Safety Authority (AMSA) on their General Contact line on 1800 627 484 (Mon – Fri 8am to 5pm).

# Catch and Disposal

## Catch Disposal Records (CDR1)

- Immediately after Abalone is landed and within 200 metres of the place of landing, the Licence Holder or Registered Master must complete Part A of the CDR1.
- If Abalone is landed and is to be delivered to a fish processor situated **within 200 metres** of the place of landing, then Part A of the CDR1 must be completed before the Abalone is delivered to the premises.
- If the Abalone is not landed on the day it is taken, then part A of the CDR1 must be completed before the end of the day on which the Abalone were taken.
  - Once Part A is completed, the white, yellow and pink copies of the CDR1 must then be secured in a pouch attached to one of the bins/bags containing the Abalone. The CDR1 must remain in the pouch until the Abalone is received at the Fish Processor's registered premises for weighing.

The following table is a summary of the CDR and who retains/gets each copy:

Colour carbon copy	Distribute to
White	Fish Processor with the Abalone. Processor completes Part B then sends to PIRSA Fisheries & Aquaculture
Yellow	Fish Processor retains
Pink	For the Licence Holder
Blue	Diver's log - Retained by the 2 <sup>nd</sup> Diver (i.e. Trainee diver situation)
Green	Diver's log – stays in book.

*Please note: CDR Books are allocated to individual licences and cannot be shared with other licences.*

Instructions on how to complete and treat each Catch and Disposal Record (CDR1) form can also be found on the inside of the front page of the book.

- If a mistake is made in the CDR book and the page is not going to be used, then the Licence Holder/ Registered Master must write "CANCELLED" across the page and post the white, blue and green copies to PIRSA Fisheries & Aquaculture; the form is still required to be signed and dated.
  - If the page is still going to be used, draw a single line through the mistake, correct the mistake, and initial the change.

## Ordering a new CDR1 book

One CDR book contains 50 CDR forms and must be retained by the licence holder as per Australian Tax Office Requirements.

A green tear out slip is located in the CDR book. This slip indicates that the book is nearing completion. The slip can be posted to PIRSA Fisheries & Aquaculture West Beach office and a new CDR book will be sent out once processed.

*Note: Ensure your postal details are kept up to date with PIRSA Fisheries and Aquaculture.*

## **Bin/Tags & Recording of tags on the CDR1**

Abalone must be secured in bins or bags, and within 200 metres of landing the catch. The bins or bags must be secure and prevent the removal of Abalone. Tag numbers used must be recorded on Part A of the CDR1.

Fishers are required to use tags in a sequential order. Only the first and last tag numbers need to be recorded on the CDR.

- If a new range of tags are being used (i.e. all previous allocated tags are used), then the start and finish of each range are to be recorded in Part A of the CDR.

## **Broken tags / bags**

In the event of a broken tag or broken bag, the licence holder or registered master must attach the broken / used tag to the next available tag and reseal the Abalone in another bin or bag. Both tag numbers need to be recorded on the CDR1. Please record which tag was broken on the CDR1.

## **Replacement tags**

If tag(s) are misplaced or lost they must immediately be reported to FISHWATCH on 1800 065 522 or via the commercial reporting App.

Tags are available from PIRSA Fisheries & Aquaculture West Beach Office (08) 8207 5332 and by appointment at local PIRSA Fisheries Compliance Offices, located in Kingscote (08) 8553 4949, Yorketown (08) 8852 1861, and Moonta (0409 204 129).

## **Marking of containers (fish bins)**

Licence holders / Registered Masters are required to mark all containers that are used to store, transport, consign or otherwise used to deal with fish. The licence number or the full name or the surname and initials of the licence holder, must be marked on the outside, or attached with a tag to the outside of all containers used.

# **Daily Fishing Obligations**

## **Prior to Fishing Report**

The Department must be notified via FISHWATCH (1800 065 522) or via the Commercial Reporting App, prior to a Fisher engaging in Abalone fishing. Fishers are required to provide the following information about the day's fishing activities including:

- The name of the person making the report and the applicable licence number
- The name of the registered master who will be conducting the fishing activity on that day
- The launching site to be used that day

Fishers are also required to answer 'Are you using an additional diver?' If using a trainee diver, respond 'Yes' and then provide the trainee diver's name and whether they are diving under the trainee diver provision.

At the conclusion of the report, a reference number will be issued. This reference number is then required to be recorded in Part A of the CDR1 form.

## Change of Information provided to the Department

If a report is made, and there is a change to any of the information provided, then another report must be made to the department notifying the particular change of information.

### Cancellation report

A cancellation report must be made if a fisher makes a prior to fishing report to fish but decides not to go fishing, or does not launch, or launches but does not take any Abalone on that day. This report must be made a minimum of thirty (30) minutes prior to leaving the launch/retrieval site.

### Change of location report

A change of landing location report must be made if the catch is going to be landed at a different location to the location that was listed in the prior to fishing report. The report must be made a minimum of 30 minutes before the catch leaves the place of landing.

## Catch Sampling (Shell Measurements)

Minister's Determinations are in place that require the measuring and recording of Abalone shell measurements, taken under a licence in the Central Zone Abalone Fishery.

These requirements include:

- The holder of the licence, or registered master must ensure that five (5) shells from each catch bag is measured and recorded in the form provided by SARDI.
- In the case that both Blacklip and Greenlip Abalone are taken, then five (5) of each species is to be measured and recorded from each catch bag.
  - The completed form must be posted or delivered to SARDI within 15 days of the end of the month to which it relates.

## Data Logging

A Determination was introduced in 2018;

*The holder of the licence or registered master must ensure - the diver uses the Data Logger System provided by the Executive Director, Fisheries and Aquaculture in the manner directed by the Executive Director Fisheries and Aquaculture in writing, when taking abalone pursuant to the licence.*

## Quota entitlements and transfer of quota

- Quota is transferred in whole units
- A licence must hold enough quota at all times for Abalone to be taken and deducted from their entitlement. It is an offence to exceed your quota entitlement.

- It is the Licence Holder's responsibility to monitor how much quota is remaining on a licence and fish within these quota limits.
- Quota balance statements are issued as a guide only.
- Quota balance statements are available to the licence holder from PIRSA Fisheries & Aquaculture.

The regulations provide for the transfer of quota entitlements between Licence Holders.

- Any transferred increase in quota must be approved before any fishing activity is continued or commenced.

## Registration of Vessels

Fishing from a vessel can only be undertaken on a vessel registered on the respective fishing licence. Only one (1) vessel may be used at a time.

## Marking of vessels

The commercial licence number must be displayed while undertaking commercial fishing activities.

The unique vessel identifier (your survey number) must also be visible at all times on your commercial vessel, regardless of your operational activity.

## Recreational Fishing from Registered Vessels

Recreational fishing from a commercially registered vessel is permitted subject to the following conditions:

- The vessel must be "de-registered" by contacting FISHWATCH (1800 065 522), or via the Commercial Reporting App and answering a series of questions accurately.
- A recreational fishing exemption has been approved by the Australian Maritime Safety Authority.

The commercial licence number must be covered while undertaking recreational activities/fishing.

## Tender vessels

A tender vessel does not need to be registered on the fishing licence if it is not going to be used in any fishing activity.

If a tender vessel is not registered on a licence, it must display the relevant commercial licence number preceded by a "T" e.g. "T-C01".

## Certificate of Operation (Survey)

Under the Australian Maritime Safety Authority (AMSA), all commercial vessels must carry a Certificate of Operation (Survey) issued by an Australian Marine Safety Agency.

A commercial fishing vessel is defined as a boat registered under the Fisheries Management Act 2007 by endorsement on a fishery licence to engage in a fishing activity. For more information regarding the

Survey of commercial vessels, contact AMSA via their general enquiries line on 1800 627 484, or via their website at [www.amsa.gov.au](http://www.amsa.gov.au).

## Fish Processors

Two types of fish processor registrations are available. They are:

### 1. Fish Processor Registration (Full)

As a licensed fish processor (full) you may buy product from:

- A licensed Aquaculture authority holder
- A licensed Commercial fisher
- A registered fish processor
- A fish wholesaler

You are not restricted in who you can sell the product to.

**Additional note:** In order to process Abalone, Prawn or Rock Lobster direct from the Commercial fisher (yourself included) you must pay an additional fee and have these species endorsed on your fish processor registration. This can be organised through PIRSA Fisheries & Aquaculture on (08) 8207 5332.

### 2. Fish Processor Registration (Restricted)

As a licensed fish processor (restricted) you may only purchase from:

- Your own fishing licence

You may then sell this product to:

A person who is an unregistered fish processor; and carries on a business where the product is sold or supplied as a meal or part of a meal, directly to the public. This includes restaurants.

**Note:** A “restricted” fish processor is not permitted to sell product to a “full” fish processor.

## Nominated Fish Processors

Abalone may only be delivered to a registered fish processor that you have nominated on your Registrations and Entitlements register.

To change your nominated processors, you are required to complete an application form, which is available from PIRSA Fisheries & Aquaculture.

## Consignment of Abalone to a Fish Processor

- Part A of the CDR1 must be completed within 200 metres of landing.
- The white, yellow and pink copies must be placed in a pouch attached to a bin containing Abalone whilst in transit to the Fish Processor.
- All Abalone must be sealed in bins or bags using PIRSA supplied tags within 200 metres of landing and recorded on Part A of the CDR1.



- All Abalone must remain sealed in bins or bags until delivery at to the Fish Processor nominated on the CDR1 and until commencement of weighing.
- All fish bins must be marked with the Fishing Licence number or the full name or surname and initials of the Licence Holder.
- All Abalone must be transported to the registered premises of the registered Fish Processor specified on the CDR1 with the appropriate copies of the CDR1.
- All Abalone landed must be delivered to the Fish Processor, and weighed, within 48 hours.
- All Abalone taken pursuant to a commercial Abalone licence must be consigned to one of the registered Fish Processors listed on the Registrations and Entitlements register in relation to that licence, for weighing within the State of South Australia
- Where Abalone have been consigned to a registered Fish Processor, the Licence Holder or Registered Master must retain a copy of that CDR1.

**Please note:** Fishers are not required to record the estimated weight of the catch on Part A of the CDR. Fishers may record this information if they wish to do so.

## Fish Processor's Obligations

### General information

Part B of the CDR1 is completed by the Fish Processor, or their Agent.

Part A and Part B of the CDR1 cannot be completed by the same person.

Any errors made on Part B of the CDR1 by an individual may result in action being taken against the individual and the Registered Fish Processor who they are acting on behalf of.

The Fish Processor must check the tag numbers and accurately record the numbers of the tags that were used to seal the bags of Abalone on Part B of the relevant CDR1. The Fish Processor must then weigh the catch and complete Part B of the CDR1 including the weight of Abalone within 1 hour of breaking of the tags.

### Core hours

Core hours are 7am to 6pm on all days of the week.

### Breaking tags inside core hours

Where tags are to be broken and Abalone weighed within core hours, the following process applies:

- Once the bag or bin tags are broken the Fish Processor must immediately record the time and date that the tags were broken on Part B the CDR1.
- The Fish Processor must then weigh the catch and complete Part B of the CDR1 including the weight of Abalone within 1 hour of breaking of the tags.

Where Abalone is consigned to the Fish Processor as whole Abalone, that is to be on-sold as meat only, the Fish Processor must record the whole weight of this Abalone on Part B of the CDR1 within 1 hour of breaking the tags. The meat weight derived of the Abalone must then be recorded on Part B of the CDR1 within 18 hours of having broken the tags on the catch.

Part B of the CDR1 must be completed, in all cases, within 48 hours of the Abalone being landed.

The completed CDR1 record must be forwarded to:

Primary Industries and Regions SA, Fisheries  
GPO Box 1625  
Adelaide SA 5001

in a reply paid envelope, within 7 days of taking delivery of the Abalone to which the record relates.

### **Breaking tags outside of core hours**

Where tags are to be broken and Abalone weighed outside of core hours, the following process applies;

- At least 1 hour prior to breaking a bag or bin tags the Fish Processor or their agent must make a prior to weighing report (via FISHWATCH 1800 065 522 or the Commercial Reporting App) and advise that they will be weighing Abalone outside of core hours.
- At the reported time, the bags or bin tags can be broken. The Fish Processor must immediately record the time and date that the tags were broken on Part B of the CDR1.
- Where Abalone is consigned to the Fish Processor as whole Abalone, that is to be on-sold as meat only, the Fish Processor must record the whole weight of this Abalone on Part B of the CDR1 within 1 hour of breaking the tags. The meat weight of this Abalone must then be recorded on Part B of the CDR within 18 hours of having broken the tags on this catch. Part B of the CDR1 must be completed accurately, in all cases, within 48 hours of the Abalone being landed.
- The completed CDR1 record must be forwarded to:

Primary Industries and Regions SA, Fisheries  
GPO Box 1625  
Adelaide SA 5001

in a reply paid envelope within 7 days of taking delivery of the Abalone to which the record relates.

### **Duty to check for undersize**

Fish Processors have an obligation to check for undersize Abalone. Any undersize Abalone must be rendered unsuitable for sale or consumption and disposed of as waste.

When whole Abalone is consigned to a fish processor and the shell length meets the minimum legal length, the minimum meat weights are not applicable and therefore the Abalone shall be considered saleable.

# Periodic (SARDI) Returns

## Catch and effort logbook

Periodic (SARDI) Returns are used to monitor and manage the sustainability of South Australia's fisheries. Periodic Returns detailing the catch for the month must be submitted within 15 days of the end of that month to which it relates.

If no fish are taken during a particular calendar month a return indicating no fish were taken (NIL return) is to be lodged.

Copies of returns submitted must be retained for a period of 12 months.

## Wildlife Reporting Logbook

In addition to your catch and effort logbook, there is a logbook for reporting interactions with threatened, endangered and protected species (TEPS) across all South Australian commercial fisheries. Licence holders are reminded that these wildlife interaction logbooks are required to be submitted when an interaction occurs with a threatened, endangered or protected species (e.g. seahorse, White Shark, etc). If you do not have a TEPS logbook please contact SARDI - Fisheries Information Services Group on (08) 8207 5400 or via email at [pirsa.fisheriesinformationservices@sa.gov.au](mailto:pirsa.fisheriesinformationservices@sa.gov.au).

# Licensing information

## Licence transfers

The *Fisheries Management (Abalone Fisheries) Regulations 2017* provide that a licence in respect of the Central Zone Abalone Fishery may be transferred with the consent of the Minister. An application for consent must be in writing and must be made on a form, which has been approved by the Minister.

The *Fisheries Management (Abalone Fisheries) Regulations 2017* provide that: The Minister may only consent to a transfer of a licence if satisfied as to the following:

- that any fees or other amounts payable in relation to the licence under the Act have been paid in full;
- that the licence to be transferred has not been suspended;
- that no proceedings alleging an offence against the Act are pending or likely to be commenced in the State against the holder of the licence;
- that the transferee is a natural person of at least 15 years of age and is a fit and proper person to hold a licence in respect of an Abalone fishery;
- if the transferee is a company, that each director of the company is a fit and proper person to be a director of a company that holds a licence in respect of an Abalone fishery;
- if a boat registered for use under the licence is the subject of, or registered for use under, or is otherwise referred to in, a licence, permit, authority or other entitlement to take fish granted under a law of the Commonwealth or a corresponding law—

- (i) that the entitlement is either to be transferred together with the licence to the transferee or to be surrendered on or before the transfer of the licence; or
- (ii) that—
  - a) the transfer of the licence separately from the entitlement is not likely to result in fishing activities that over-exploit or endanger the aquatic resources of the State; and
  - b) the person or body that granted the entitlement concurs with the separate transfer of the licence.

## Quota transfers

Note that any quota transfers take effect from the time that you receive written confirmation from PIRSA Fisheries & Aquaculture that the application has been approved. You must not fish quota entitlements subject to the application until that time.

***Please note: Quota is transferred in whole uncaught units.***

## Deceased estate

Upon the death of a licence holder, the licence will become vested in the personal representative of the deceased, as part of the estate of the deceased. The requirements that apply in this situation are set out in section 57 of the *Fisheries Management Act 2007*.

## Registering a third party interest

Fisheries legislation provides for the Minister, upon application and payment of the prescribed fee by the licence holder, to make a notation on the register that a third party has an interest in the licence. The Minister is required to refuse an application for surrender or transfer of a licence without the consent of the registered third party. A licence holder may nominate more than one third party, but a separate application is required for each third party.

## Change of address

Licence holders are reminded that if they change their address, either postal or residential, notification is required to be sent to the Leasing & Licensing Section of PIRSA Fisheries and Aquaculture, within 30 days, with their current fishery licence.

## Replacement licence

A copy of a licence may be issued if a current fishery licence is lost or destroyed. An application form with the prescribed fee will need to be completed and paid before the replacement is issued.

## Public register

*The Fisheries Management Act 2007* provides that a public register of authorities (including licences) issued under the Act must be kept. This register must include, among other things, a notation that a specified person has a registered interest in a licence. This notation will be made upon application by the holder of the relevant licence, and on payment of the prescribed fee.

If you are in the process of acquiring a licence under the *Fisheries Management Act 2007* you are advised to make independent enquires of the licence holder as to any demerit points that are recorded on that licence. The Public Register may not be up to date at the time of your search as there are sometimes delays in the allocation process and so should not be relied upon in isolation from other enquiries. Any demerits that are incurred by the licence as at the time of the transfer will be attributed to the relevant licence in the ordinary course of business regardless of any transfers occurring in that period. If you require further clarification of the actual demerits held by a licence prior to any transfer you will need to request that from PIRSA Fisheries & Aquaculture in writing and as part of that process you will need written consent of the licence holder for that information to be released to you.

## Demerit Points

Under the demerit points scheme, if a person or body corporate is found guilty of an offence by a court or pays an on-the-spot fine, they and the relevant authority will also accrue a number of demerit points.

The number of demerit points applied will vary depending on the severity of the offence.

Demerit points have a lifespan of five years from the date that they are accrued. After five years the demerit points are removed.

If a person or body corporate accrues 200 points within five years, there are a range of penalties that can apply, including disqualification from holding an authority issued under the *Fisheries Management Act 2007* (the Act) and disqualification from being a registered master on any boat, or both for a period of ten years. An authority will remain disqualified until it is transferred or compulsorily acquired.

The legislation defining the demerit point scheme is located in the Act. The list of offences and respective number of demerit points incurred is located in the *Fisheries Management (Demerit Points) Regulations 2017*.

'Authority' means a licence, permit, registration, authorisation or authority under the *Fisheries Management Act 2007*.

## Demerit Points frequently asked questions

### What happens if I accrue 200 demerit points?

If a person accumulates 200 demerit points within a 5 year period they are liable to be disqualified from holding any authority issued under the *Fisheries Management Act 2007* (the Act) including:

- A commercial fishing licence
- A fish processor registration
- A recreational registration (pot or net)
- Operating as a Director in a body corporate that holds an authority
- Operating as a registered master on a boat used pursuant to an authority

The disqualification period applies for 10 years.

An authority held by a disqualified person will be immediately suspended and must be transferred. If a transfer does not take effect within 180 days, the Minister may compulsorily acquire the licence. If the disqualified person holds a non-transferrable fishing licence, the licence will be cancelled.

### What happens if a company (body corporate) accrues 200 demerit points?

If a body corporate accumulates 200 points within five years, then each Director is disqualified from holding or obtaining an authority for ten years.

The authority is also suspended and must be transferred within 180 days. If a transfer does not take effect within the required timeframe the Minister will compulsorily acquire the licence. If the disqualified body corporate holds a non-transferrable fishing licence, the licence will be cancelled.

[Will I be notified if I am close to accumulating 200 demerit points?](#)

The Minister will send a letter to any person or body corporate when they, or the authority they hold, accumulates 100 demerit points. The letter will provide a demerit points balance. The letter will be updated and re-sent for any subsequent offence.

[Do I incur demerit points for verbal or written warnings?](#)

No. Demerit points are only incurred if a person or body corporate is found guilty of an offence by a court or pays an expiation fee.

[If a registered master commits an offence while operating my fishing licence, does the licence accumulate points also?](#)

The Act provides that the holder of an authority is responsible for an offence committed by a registered master (or agent) and therefore liable to the same penalty.

Where an authority holder is subsequently found guilty of an offence in court or pays an expiation fee, demerit points will apply to the licence.

[What happens if multiple offences have been committed?](#)

If multiple offences have been committed arising from the same incident, demerit points are only applied pursuant to the one offence that attracts the most demerit points.

[If I am found guilty of a recreational offence, will the demerit points affect my commercial fishing licence?](#)

Demerit points for a recreational offence will be accrued under your name as a natural person; however they will not be accrued on your commercial licence. Should you accumulate 200 demerit points you will be disqualified from holding any Authority issued under the Act and also operating as a registered master for a period of ten years.

[Do demerit points affect my marine qualifications or my driver's licence?](#)

No. Demerit points only affect authorities issued under the Fisheries Management Act 2007. These authorities include commercial fishing licences, fish processor registrations, recreational rock lobster pot registrations and recreational net registrations.

[My authority has a number of demerit points recorded against it. If I wish to sell the licence will the demerit points be removed?](#)

No. The demerit points will stay with the authority until they expire after five years. As a person or body corporate you will also retain demerit points until they expire after this period. Prospective buyers can obtain information on the number of demerit points accrued by a licence on the details below.

[Where can I check my demerit point balance?](#)

Demerit point balances are available by:

- (a) Contacting PIRSA Fisheries & Aquaculture on (08) 8207 5332
- (b) Viewing the Fisheries Public Register online at:  
[www.pir.sa.gov.au/fisheries/public\\_register](http://www.pir.sa.gov.au/fisheries/public_register)

## Contact Information

### Licensing & Quota Enquiries

2 Hamra Avenue, WEST BEACH SA 5024  
GPO Box 1625, ADELAIDE SA 5001  
Phone: (08) 8207 5332  
Fax: (08) 8207 5331  
Email: [pirsa.fisherieslicensing@sa.gov.au](mailto:pirsa.fisherieslicensing@sa.gov.au)

### Fisheries Management and Policy

Annabel Jones (08) 8429 0165

### Manager Aquatic Animal Health

Matthew Bansemer (08) 8429 2100

### Compliance State Co-ordinator

Aaron Jakaitis: 0476 829 422

For any issues relating to compliance matters, please contact your local Fisheries Office:

Kingscote: (08) 8853 4949

West Beach: (08) 8429 2422

Yorketown: (08) 8852 1861

Moonta: 0409 204 129

### South Australian Research and Development Institute (SARDI)

2 Hamra Ave, WEST BEACH  
PO Box 120  
HENLEY BEACH SA 5024  
Phone: (08) 8207 5400  
Fax: (08) 8207 5406

### FISHWATCH

Please report any illegal activity through the FISHWATCH service on 1800 065 522.





# APPENDIX A

## Aquatic Reserves

Aquatic reserves have been established to protect the habitat, ecosystems and communities of the rich variety of underwater organisms found in the marine and estuarine waters of South Australia. Fishing and other activities might be prohibited or restricted within these areas. More information on the aquatic reserves can be found at: [http://www.pir.sa.gov.au/fisheries/closures/aquatic\\_reserves](http://www.pir.sa.gov.au/fisheries/closures/aquatic_reserves)

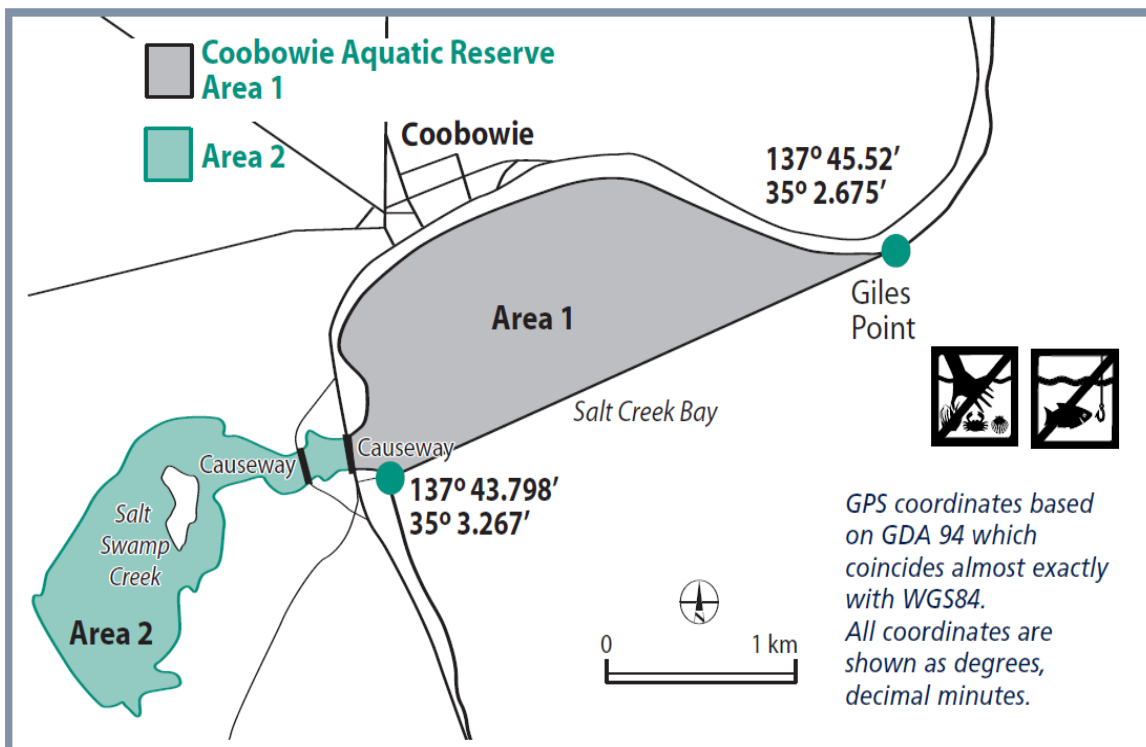
### 1. Coobowie Aquatic Reserve

#### Permitted Activities

Fishing is permitted only from boat or shore using only rod and line or handline in Area 1, Salt Creek Bay. Collecting of bait from the beach, boating and diving are all permitted.

#### Prohibited Activities

Fishing, collecting or removing any marine organisms is prohibited throughout Area 2, being all the waters of Salt Swamp Lagoon west of the main road causeway.



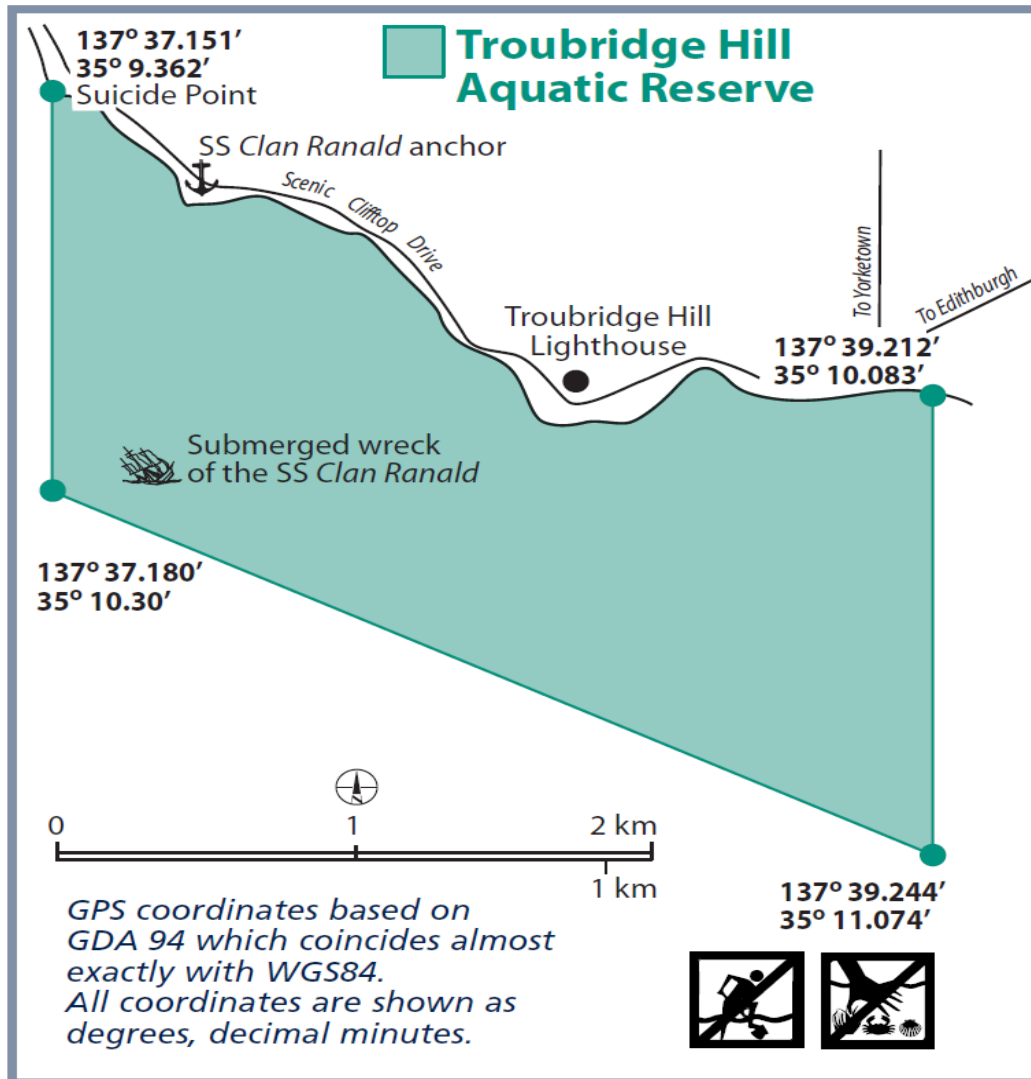
## 2. Troubridge Hill Aquatic Reserve

### Permitted Activities

Boating, diving, swimming and line fishing are all permitted in the Troubridge Hill Aquatic Reserve.

### Prohibited Activities

The collection or removal of any marine organism by any method other than line fishing from the Troubridge Hill Aquatic Reserve is not permitted.



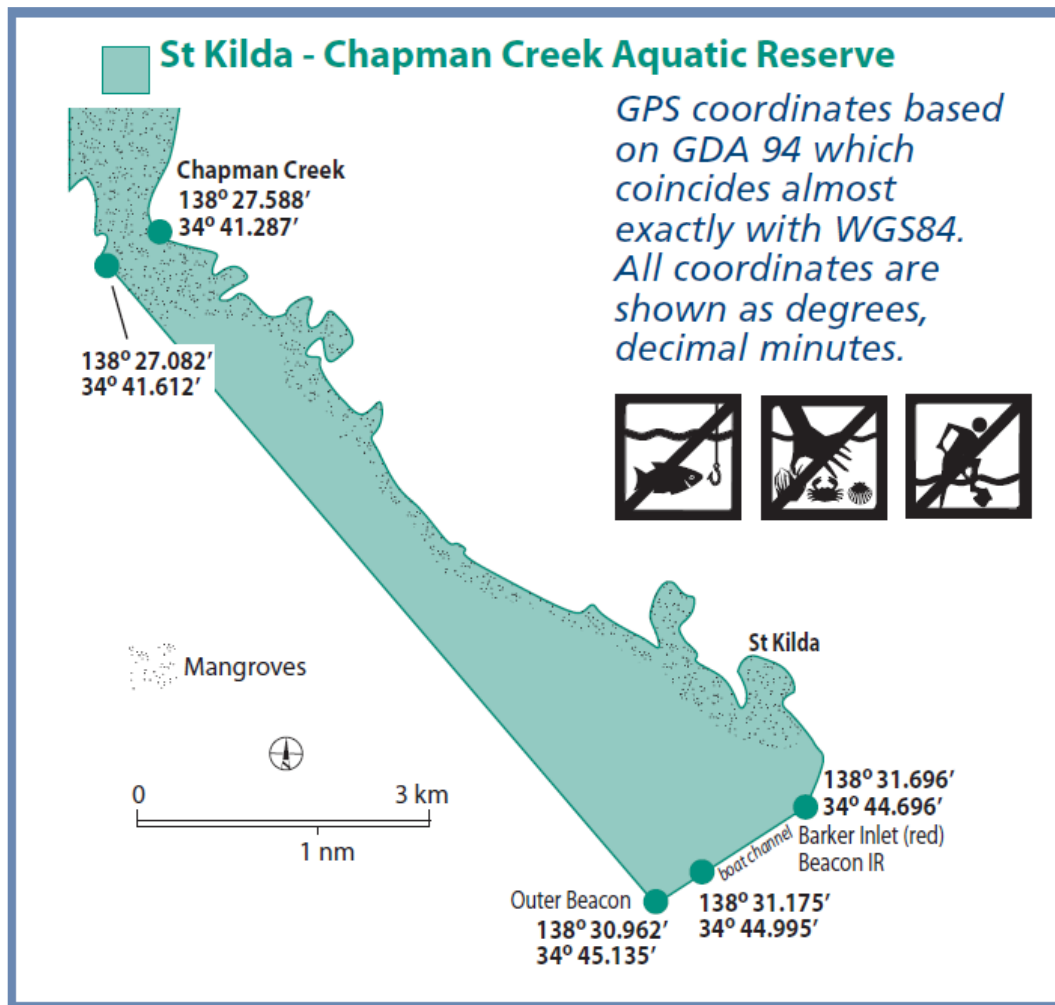
### 3. St Kilda – Chapman Creek Aquatic Reserve

#### Permitted Activities

Boating and swimming are allowed, as is the taking of blue swimmer crab by hand, crab rake or hoop net only and land-based line fishing from the breakwater.

#### Prohibited Activities

Bait digging, fishing (other than land based fishing from the breakwater) and collecting or removing any marine organism (other than blue swimmer crabs) is not permitted.



#### 4. Barker Inlet – St Kilda Aquatic Reserve

##### Permitted Activities

Boating, the removal of fish by rod and line or handline and the collecting of blood worms for bait by use of a hand net is permitted.

##### Prohibited Activities

Collecting or removing any other marine organism, except by rod and line or handline or collecting bloodworms by hand net is not permitted.

