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FISHERIES & AQUACULTURE

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NOTICE TO FISHERS

Marine Scalefish Fishery

Miscellaneous amendments to regulations

Dear Licence Holder,

I write to inform you of several miscellaneous amendments that have been made to regulations under the *Fisheries Management Act 2007* (the Act) that relate to the Marine Scalefish Fishery (MSF).

The amendments have been made to implement more efficient and flexible mechanisms for fishery management and to clarify, simplify and update current management arrangements. These amendments will help to increase the economic potential of these fisheries and reduce red tape for fishers. Important changes have also been made to increase the protection of key marine and aquatic animals.

These amendments to regulations came into effect on 1 May 2023. Of relevance to MSF licence holders are the following regulations:

Fisheries Management (General) (Miscellaneous) Amendment Regulations 2023

Fisheries Management (Demerit Points) (Miscellaneous) Amendment Regulations 2023.

These regulation amendments are published in the Government Gazette, No. 26, Thursday 20 April 2023 (pp. 799–858), available at:

https://governmentgazette.sa.gov.au/2023/April/2023_026.pdf

Key changes to regulations

The changes implemented relating to your fishery are described below.

Permanent closure to protect Giant Australian Cuttlefish

- The Giant Australian Cuttlefish (GAC) is an iconic species in South Australia. Each winter, tens of thousands of GAC aggregate on a discrete area of rocky reef in northern Spencer Gulf to spawn. This is the only known dense aggregation of spawning GAC in the world and attracts significant tourism to

the area. A permanent Cephalopod Fishing Closure Area at Point Lowly was implemented in 1998 to protect this species and additional temporary fishing closures were implemented from 2012 to provide additional protection.

- On 13 May 2022, a temporary fishing closure for the take of all Cuttlefish species in the Upper Spencer Gulf north of a line between Arno Bay and Wallaroo was implemented for 12 months.
- Following advice from the Giant Australian Cuttlefish Working Group and the latest science advice, the current temporary closure arrangement has been included into the *Fisheries Management (General) Regulations 2017* to permanently implement a closure for the take of all Cuttlefish species in the Upper Spencer Gulf. The Minister may, however, allow for the take of Cuttlefish for research or other purposes under the new arrangements.

Extension of the Snapper closure

- Further to correspondence dated 23 January 2023 regarding the initial extension of the Snapper closure via a temporary declaration notice issued under section 79 of the Act, amendments have now been made to the *Fisheries Management (General) Regulations 2017* to implement the Snapper closure through to 30 June 2026, as previously announced.
- The take and/or possession of Snapper within the Gulf St. Vincent and Kangaroo Island Fishing Zone, the Spencer Gulf Fishing Zone, the West Coast Fishing Zone, and the Port Adelaide River estuary has been prescribed as an offence in regulation 6(1)(c) of the *Fisheries Management (General) Regulations 2017* for the purposes of section 72(2) of the Act.
- PIRSA will be undertaking various administrative updates to transition to the amended regulations, including work to enable ongoing transit through the Snapper closed area with lawfully caught Snapper on board.

Other amendments to regulations

Several additional amendments to regulations have been implemented to improve the sustainable management of fish resources, provide for improved administration of authorities or to correct administrative errors.

Fisheries Management (General) Regulations 2017

- The definition of a lift net in regulation 3 has been amended to include a net consisting of 1 or 2 rings rather than only a net with two rings. This reflects the types of lift nets currently in use and allows for the transition from hoop and drop nets to lift nets in the commercial Marine Scalefish Fishery, Lakes and Coorong Fishery and Northern Zone Rock Lobster Fishery. PIRSA will write to effected licence holders with hoop and drop nets in the near future with further information about the transition to lift nets. The existing Ministerial exemption (ME9903241) regarding the interchangeable use of hoop nets and drop nets remains in effect, as communicated in the notice to fishers dated 18 April 2023.
- Regulation 3(3) describing the method for determining the mesh size of a net has been deleted as this method has been superseded by new technology

and is no longer necessary. New arrangements now allow the Minister to approve a measuring instrument for this purpose to ascertain more accurate mesh sizes of nets allowing for new measuring devices to be certified in the future in a timely manner.

- Regulation 18 has been varied to correct the spelling of Chondrichthyes and to allow the removal of the head of a shark to the definition of mutilation. This amendment allows for the removal of the head of shark at sea to support efficient fishing operations and to ensure effective enforcement of the appropriate management arrangements.
- The powers of the Minister to waive application fees in regulation 36 has been extended to allow for waiver of application fees for the transfer of quota entitlements where the application is part of an application of a licence holder to amalgamate two Marine Scalefish Fishery licences and consolidate the entitlements onto one licence.
- The opportunity has been taken to make amendments to the *Fisheries Management (General) 2017*, to update all coordinates from GDA94 to GDA2020 based on the Geocentric Datum of Australia 2020 (GDA2020) consistent with the Australian national standard.

If you have any queries regarding these arrangements or would like a copy of the amended regulations referred to above, you can contact Yolande Markey, Fishery Manager, on 0427 979 085 or email Yolande.Markey@sa.gov.au.

Yours sincerely



Prof Gavin Begg
EXECUTIVE DIRECTOR
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