



11 October 2021

NOTICE TO MARINE SCALEFISH FISHERY LICENCE HOLDERS CHANGES TO LICENCE CONDITIONS

Dear licence holder

I write to inform you of changes to Marine Scalefish Fishery (MSF) licence conditions, made under the *Fisheries Management Act 2007* (the Act) regarding the prior reporting requirements for King George Whiting (KGW) taken in the West Coast Fishing Zone (WCFZ), and a condition regarding fish net specifications.

Conditions regarding KGW taken in the WCFZ

As outlined in the Notice to Fishers dated 1 July 2021, as part of a package of changes to licence conditions to implement various aspects of the reform of the MSF, new conditions were made to ensure that KGW was treated consistently wherever a total allowable commercial catch (TACC) was in place, despite it not being managed under individual transferable quota (ITQ) in the WCFZ. This included the requirement to submit a Prior to Fishing Report 30 minutes before fishing activities and a Prior to Landing Report 30 minutes prior to landing.

Following a review of these requirements, the Government has determined that these prior reporting requirements for KGW taken in the WCFZ should be removed. As a result, the related licence conditions have been revoked and new, updated conditions introduced to apply immediately, as outlined in **Appendix A**. Other minor changes have been made to related licence conditions to streamline wording (**Appendix A**). Your licences will subsequently be updated and mailed out to you in due course.

The other compliance arrangements that are in place for KGW taken in the WCFZ, including completion of a Catch and Disposal Record (CDR) are to remain in place.

The Department of Primary Industries and Regions (PIRSA) will work closely with industry to undertake a review of the wider compliance arrangements in effect for the reformed MSF early in the new year to learn from the initial experiences of implementing the fishery reforms and ensure the measures are pragmatic, enforceable and cost-effective.

Condition regarding fish net specifications

It has been identified that MSF licence condition 14364 specifying the maximum length and mesh size of a fish net, has been erroneously applied on MSF licences. As the specifications of fish nets related to this condition are adequately outlined in

the *Fisheries Management (General) Regulations 2017* the condition is deemed redundant and has been revoked, as outlined in **Appendix A**.

Review and Appeal Rights

Licence holders have a right under section 111 of the Act 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 and 113 of the Act.

If you have any queries regarding these arrangements, you can contact Sam Stone, Fisheries Manager, on phone 8429 2101 or email sam.stone@sa.gov.au.

Yours sincerely



Prof Gavin Begg
EXECUTIVE DIRECTOR
FISHERIES AND AQUACULTURE

Appendix A – the following licence conditions have been revoked, maintained, or introduced on all Marine Scalefish Fishery licences pursuant to s55(2) of the *Fisheries Management Act 2007*

The following licence conditions directly relate to the prior reporting requirements for catches of King George Whiting taken in the West Coast Fishing Zone and have been revoked, further to the Government's determination to remove these requirements.

Revoke condition 14368:

The holder of the licence in respect of the fishery not subject to a condition fixing a King George Whiting quota entitlement, or registered master under such a licence, must comply with the following provisions within the West Coast Fishing Zone: (1) At least 30 minutes before the commencement of fishing activities in the West Coast Fishing Zone involving the take of King George Whiting, the holder of this licence or registered master must notify the Department of: (i) The name of the person conducting the fishing activity; and (ii) The contact number for the person making the telephone call or providing information via the App; and (iii) The licence number relating to the activity to be undertaken; and (iv) The closest landmark or port of departure; and (v) The date and time at which the fishing activities are to be engaged in; and (vi) The fishing zone in which the fishing activities are to be engaged in; and (vii) The name of the registered master of the boat.

Revoke condition 14369

The holder of the licence in respect of the fishery not subject to a condition fixing a King George Whiting quota entitlement, or registered master under such a licence, must comply with the following provisions. (1) At least 30 minutes before departing the point of landing after taking King George Whiting from the West Coast Fishing Zone the holder of this licence or registered master must notify the Department of: (i) The name of the person who conducted the fishing activity; and (ii) The date and time when departing the point of landing; and (iii) The port or closest landmark to place of landing; and (iv) The nomination of intention to apply one of the following actions: (a) To seal receptacles with a tag (s) issued by the Department before departing the point of landing and to provide the tag numbers used; or (b) To provide an estimated total weight of all King George Whiting taken before departing the point of landing. The fisher is to ensure the estimated weight is within 10% of the actual landed weight.

Revoke condition 14370

The holder of the licence in respect of the fishery not subject to a condition fixing a King George Whiting quota entitlement, or registered master under such a licence, must immediately notify the Department of any change to information already submitted to the Department.

Revoke condition 14371

Where holder of the licence in respect of the fishery not subject to a condition fixing a King George Whiting quota entitlement, or a registered master under such a licence has completed a Prior to Landing Report to FISHWATCH, detailing King George Whiting taken from the West Coast Fishing Zone they must: (a) Within 100

metres of landing, secure King George Whiting in receptacles using a registered tag issued by the Department in a manner that will ensure that no fish can be removed or added to the receptacle without breaking the tag until the point of weighing; and (b) If the tag is damaged in the process of sealing the receptacle ensure the damaged tag is threaded onto a replacement tag used to seal the receptacle and that the number of the damaged tag and the replacement tag are recorded on the MSF-CDR; and (c) If a tag is lost, ensure that the Department is immediately notified of the loss by calling FISHWATCH on 1800 065 522 or by using the Commercial Fishing SA App; and (d) Complete a separate MSF-CDR for each Fish Processor where the catch is being consigned to more than one Fish Processor; and (e) Immediately after breaking the tags, weigh the King George Whiting, record the accurate weight on the MSF-CDR and complete the MSF-CDR to which the catch relates within 24 hours of departing the place of landing or before the catch leaves the licence holder or registered masters possession.

Revoke condition 14372

Where holder of the licence in respect of the fishery not subject to a condition fixing a King George Whiting quota entitlement, or a registered master under such a licence has nominated in the Prior to Landing report an estimated weight to FISHWATCH of King George Whiting taken from the West Coast Fishing Zone he or she must: i. Weigh the catch, record the weight of the King George Whiting on the MSF-CDR and complete the CDR before the catch leaves the Registered Master or Licence Holders possession; or ii. Weigh the catch, record the weight of the King George Whiting on the MSF-CDR and complete the CDR before processing the catch; or iii. Weigh the catch and record the weight of the King George Whiting on the MSF-CDR within 24 hours of landing the catch; and Complete a separate MSF-CDR for each Fish Processor where the catch is being consigned to more than one Fish Processor.

The requirement to complete the MSF-CDR for catches of King George Whiting taken in the West Coast Fishing Zone is to remain in place. The following new licence condition has been introduced to retain important elements of conditions 14371 and 14372, above, that relate to this requirement.

Introduce replacement condition

On any fishing trip where the licence holder or registered master has taken King George Whiting from the West Coast Fishing Zone they must:

- i) Weigh the catch, record the weight of the King George Whiting on the MSF-CDR and complete the CDR before the catch leaves the Registered Master or Licence Holders possession; or
- ii) Weigh the catch, record the weight of the King George Whiting on the MSF-CDR and complete the CDR before processing the catch; or
- iii) Weigh the catch and record the weight of the King George Whiting on the MSF-CDR within 24 hours of landing the catch.

No changes have been made to the following condition as the requirement to complete the MSF-CDR for catches of King George Whiting taken in the West Coast Fishing Zone is to remain in place.

Maintain condition 14373

The licence holder or registered master must ensure that all King George Whiting taken from the West Coast Fishing Zone that have been recorded on a CDR are removed from the vessel before commencing a new fishing trip.

The requirement to consign all catches of King George Whiting taken in the West Coast Fishing Zone to a registered processor is to remain in place; however, an addition to condition 14374 has been made in order to retain an important element of condition 14372 that relates to this. As a result, condition 14374 has been revoked and replaced with this addition.

Revoke condition 14374

The licence holder or registered master must ensure that all King George Whiting taken from the West Coast Fishing Zone are consigned or delivered to a registered fish processor located within the State of South Australia.

Impose replacement condition

The licence holder or registered master must ensure that all King George Whiting taken from the West Coast Fishing Zone are consigned or delivered to a registered fish processor located within the State of South Australia and where the catch is being consigned to more than one Fish Processor complete a separate MSF-CDR for each individual Fish Processor.

The requirement to fish in only one fishing zone per trip when fishing for King George Whiting in the West Coast Fishing Zone is to remain in place; however, to remove the reference to the prior to fishing report, the following condition has been revoked and replaced without this reference.

Revoke condition 14375

The licence holder or registered master must only fish in one fishing zone per fishing trip, as nominated in the "Prior to Fishing" report.

Impose replacement condition

The licence holder or registered master must only fish in one fishing zone per fishing trip when fishing for King George Whiting.

No changes have been made to the following conditions as the requirement to complete the MSF-CDR for catches of King George Whiting taken in the West Coast Fishing Zone is to remain in place.

Maintain condition 14376

The holder of a licence in respect of a Marine Scalefish Fishery must ensure that the MSF-CDRs are completed in consecutive order and that all CDRs in an MSF-CDR book are completed before a new MSF-CDR book is used.

Maintain condition 14377

The licence holder or registered master must make a copy of each MSF-CDR relating to King George Whiting taken from the West Coast Fishing Zone that he or she completes before the MSF-CDR is sent or delivered to the Department and the licence holder must ensure that the yellow copies of MSF-CDR and the MSF-CDR book are kept for 3 years once the CDR book is completed.

No material changes have been made to conditions 14378 and 14379; however, to simplify the text and be consistent with the others, these conditions have been revoked and replaced with updated wording.

Revoke condition 14378

The licence holder in respect of the fishery not subject to a condition fixing a King George Whiting quota entitlement, or a registered master under such a licence who has reported taking King George Whiting from the West Coast Fishing Zone must within 48 hours of completing a MSF-CDR- (a) Submit or cause to be submitted a copy of the completed white copy of the MSF-CDR to the Department electronically to pirsa.fisherieslicensing@sa.gov.au; or (b) Submit or cause to be submitted a copy of the completed white copy of the MSF-CDR to the Department by fax to 08 8207 5331; or (c) Deliver or cause to be delivered the completed white copy of the MSF-CDR to the Department within 48 hours of completing the CDR in a reply-paid envelope

Impose replacement condition

The licence holder or registered master must within 48 hours of completing a MSF-CDR- (a) Submit or cause to be submitted a copy of the completed white copy of the MSF-CDR to the Department electronically to pirsa.fisherieslicensing@sa.gov.au; or (b) Submit or cause to be submitted a copy of the completed white copy of the MSF-CDR to the Department by fax to 08 8207 5331; or (c) Deliver or cause to be delivered the completed white copy of the MSF-CDR to the Department within 48 hours of completing the CDR in a reply-paid envelope.

Revoke condition 14379

The licence holder in respect of the fishery not subject to a condition fixing a King George Whiting quota entitlement, or a registered master under such a licence who has reported taking King George Whiting from the West Coast Fishing Zone must ensure that if an MSF-CDR is cancelled, all copies of the record are marked with the word "cancelled" and the cancelled white copy of the MSF-CDR is delivered within 7 days.

Impose replacement condition

The licence holder or registered master under the licence who has reported taking King George Whiting from the West Coast Fishing Zone must ensure that if a MSF-CDR is cancelled, all copies of the record are marked with the word "cancelled" and the cancelled white copy of the MSF-CDR is delivered to the Department within 7 days.

The following condition relates to the specifications of a fish net. As these specifications are adequately outlined in regulations, the condition has been revoked from all MSF licences.

Revoke condition 14364

A fish net that is used pursuant to this licence must not: (a) exceed 150 metres in length (including the length of any rope attached to the ends of a net); or (b) have a mesh size of less than 5 centimetres or greater than 9 centimetres.