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FISHERIES & AQUACULTURE

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NOTICE TO LICENCE HOLDERS IN THE SOUTHERN ZONE ROCK LOBSTER FISHERIES RE UNDER-CATCH/OVER-CATCH QUOTA ARRANGEMENTS AND EARLY START TO THE 2022/23 SEASON

Dear licence holder

Recently, legislative amendments to enable the effective management of under-catch and over-catch of quota entitlements in the Southern Zone Rock Lobster Fishery (SZRLF) were made and published in the South Australian Government Gazette. These new arrangements implement the provisions described in the Department of Primary Industries and Regions (PIRSA) Policy Paper “Managing under-catch and over-catch in South Australian Fisheries” released in December 2021.

Under-catch Carry Over

The level of carry-over of uncaught quota entitlements has been set in regulations at 10%, unless determined by the Minister for Primary Industries and Regional Development prior to the commencement of the subsequent quota period in which the uncaught quota entitlements will be fished.

Consistent with the PIRSA Policy Paper, any quota entitlements carried over to the subsequent quota period must be used by the same licence in the quota period they have been carried over to and cannot be transferred.

Over-catch Deductions

In relation to over-catch arrangements, the amendments will allow the Minister to administratively manage the quota entitlements on licences where the catch has exceeded the quota entitlements held on the licence at two levels:

1. Where an over-catch amount is equal to or less than 10% of the quota entitlements held on a licence, each kilogram in excess of the quota allocation may be deducted from the quota entitlements on that licence by the Minister in the subsequent quota period at a rate of 1:1.
2. Where an over-catch amount exceeds 10% of the quota entitlements held on a licence, each kilogram in excess of the quota allocation may be deducted from the quota entitlements on that licence in the subsequent quota period at a rate of 2:1.

These new arrangements also provide the capacity to set the over-catch provisions at less than 10% of the quota entitlements held on a licence or a corresponding kilogram amount.

It should be noted that even though the former third level of administrative action has been removed from the regulations, the Minister still has the ability to commence prosecution action for significant over catch occurrences should they occur.

Licence holders in the SZRLF, through the Rock Lobster Fishery Management Advisory Committee, requested over-catch provisions be set at a rate of 1:1 up to a maximum of 50 kg rather than at 10%. These arrangements are considered to be less than the 10% of quota entitlements described in the Policy Paper, and consistent with the regulations.

PIRSA will seek the necessary Ministerial determination to be made to enable these arrangements in the SZRLF prior to the beginning of the 2022/23 quota period on 1 September 2022. Licence holders should note that once such a determination is in place and where over-catch exceeds 50 kg of the entitlements on a licence, each kilogram in excess of the quota allocation may be deducted from their quota entitlements provided in the subsequent quota period at a rate of 2:1 under these arrangements.

These new over-catch arrangements will apply to any over-catch of the 2022/23 quota entitlements.

Adjustments to licences

The PIRSA Fisheries and Aquaculture licencing unit will assess uncaught or over-caught quota entitlements across all relevant fisheries as at the end of each quota period. Adjustments to quota entitlements would be applied to licences as soon as practicable following the beginning of the next quota period. Licence holders will be advised of the changes at the time the adjustments are made in quota statements.

Early Start to 2022/23 Quota Period

The recent legislative amendments also allow for the 2022/23 quota period to commence on 1 September 2022 and end on 30 September 2023 as requested by the South Eastern Professional Fishermen's Association and recommended by the RLFMAC. These arrangements will allow for quota entitlements to be applied to the SZRLF on that date.

Licence holders are reminded that the normal fishing closure for Giant Crab will remain in place and any Giant Crab incidentally caught in rock lobster pots in the period between 1 September and 1 October 2022 must be released as soon as practicable.

The legislative amendments can be found in the South Australian Government Gazette at:

https://governmentgazette.sa.gov.au/sites/default/files/public/documents/gazette/2022/June/2022_039.pdf

Should you have any queries in relation to the legislative amendments to enact the carry-over of uncaught quota entitlements and the over-catch of quota entitlements in the SZRLF please contact Steve Shanks, A/ Program Leader – Community Based Fisheries on (08) 8429 0197 or via email at steve.shanks@sa.gov.au.

Yours sincerely



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