NOTICE TO FISHERS

To: Licence holders in the Marine Scalefish Fishery and Restricted Marine Scalefish 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 Similar to last year the aim of Simplify Day is to remove outdated and redundant laws and regulations and to consolidate and simplify rules and processes wherever possible.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 (Demat Point) 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. Amended and new licence conditions will be implemented on all Marine Scalefish 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 and 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 Jonathan McPhail, Fishery Manager, Marine Scalefish Fishery on 8429 0508 or jonathan.mcphail@sa.gov.au.

Yours sincerely

Peter Dietman
A/EXECUTIVE DIRECTOR
FISHERIES AND AQUACULTURE POLICY
SCHEDULE 1 (ATTACHMENT 1)

LICENCE CONDITIONS commence 15 January 2018

Licence condition amendments to address administrative needs

The following licence conditions have been deleted and included in relevant Ministerial determinations or have been deleted as they duplicate other conditions:

3150
At least 1 hour before the commencement of fishing activities involving the taking of pipi the holder of this licence must inform PIRSA Fisheries on 1800 065 522 of (a) the name of the person making the telephone call; and (b) the date on which, and the time at which, the fishing activities are to be engaged in; and (c) the location at which the fishing activities are to be engaged in; and (d) the number of the licence under which the fishing activities are to be engaged in; and (e) the name of the holder of the licence; and (f) if a registered boat is to be used for the purpose of engaging in the fishing activities ‘the name of the registered master of the boat.

7861
The amount of Pipi contained in an approved container sealed with a tag must not exceed the amount of whole fish that can be contained, level to the top, of a receptacle with a maximum volume of 20 litres.

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.

1337
The licence holder must notify or ensure that the registered master notifies PIRSA Fishwatch on 1800 065 522 prior to the commencement of each day’s blue crab quota fishing activity and provide the following information: (a) The name of the person making the call; (b) The commercial fishery licence number and the registered number of the boat; (c) The date and time of the fishing activity; and (d) Location at which the boat is to be launched and retrieved.

4127
Where the holder of this licence is entitled to harvest the daily limit of cockles (Katelysia spp.) from within a quota management zone(s) and for personal bait use only, as described in the Fisheries Management (Marine Scalefish Fisheries) Regulations 2006 and the Fisheries Management (Rock Lobster Fisheries) Regulations 2006, the licence holder is permitted to harvest a maximum of 10 kilograms in any one day.

4107
All blue swimmer crabs taken pursuant to this licence must be consigned to one of the registered fish processors listed on the Registrations and Entitlements register in relation to this licence for weighing within the State of South Australia.

4108
Blue swimmer crabs taken pursuant to a Blue Crab Fishery licence or a Marine Scalefish Fishery licence must not be returned to a registered boat or a holding cage or a corf in the waters of the state once the blue swimmer crabs have been weighed and the certified weight has been recorded on Part B of the form BSCF 1.

4083
All blue swimmer crabs taken pursuant to this licence must be consigned to one of the registered fish processors listed on the Registrations and Entitlements register in relation to this licence for weighing within the State of South Australia.

4084
Blue swimmer crabs taken pursuant to a Blue Crab Fishery licence or a Marine Scalefish Fishery licence must not be returned to a registered boat or a holding cage or a corf in the waters of the state once the blue swimmer crabs have been weighed and the certified weight has been recorded on Part B of the form BSCF 1

10982
Fishing must not occur in the Gulfs Zone and Outside Zone during the same fishing trip, subject to where fishing has occurred in Outside Zone and no catch has resulted, the fisher may fish in the Gulfs Zone on the return journey
but must notify PIRSA FISHWATCH on 1800 065 522 prior to leaving the Outside Zone.

10983
The licence holder or registered master must report to PIRSA FISHWATCH on 1800 065 522.

The following conditions have been amended to be standardised across all Marine Scalefish licences and to update species names and references to re-made Regulations (commencing 15 January 2018):

4101
The licence holder must not take blue swimmer crab during the term of this licence except in the Gulf St Vincent Blue Crab Fishing Zone as defined in the Fisheries Management (Blue Crab Fishery) Regulations 1998.

4103
The licence holder must not take blue swimmer crab during the term of this licence except in the Spencer Gulf Blue Crab Fishing Zone as defined in the Fisheries Management (Blue Crab Fishery) Regulations 1998.

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

The following condition applies in relation to a licence that is subject to a condition fixing a Blue Crab quota entitlement at the commencement of the quota period; Blue Crab must only be taken by the license holder from within the quota management zone to which the quota entitlement applies.

4088 and 1327
Blue crabs may be taken pursuant to this licence from waters of the fishery west of longitude 135°E, unless this licence is endorsed with blue crab quota entitlements, in which case blue crabs may only be taken from the authorised Blue Crab Fishing Zone in accordance with quota entitlements.

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

Blue crabs may be taken pursuant to this licence from waters of the fishery west of longitude 135°E, unless this licence is endorsed with blue crab quota entitlements, in which case blue crabs may only be taken from the authorised Blue Crab Fishing Zone in accordance with quota entitlements.

4125 and 2529
If this licence is endorsed with conditions providing blue crab quota entitlements when taking blue swimmer crab the registered boat, registered hoop nets, drop nets and crab nets endorsed on the front of this licence must be marked with the letter KM.

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

If this licence is endorsed with conditions providing blue crab quota entitlements when taking blue swimmer crab the registered boat, registered
hoop nets, drop nets and crab nets endorsed on the front of this licence must be marked with the letter “KM” followed by the licence number.

1323
Snapper (Pagrus auratus) must not be taken by using fish traps, nets or leatherjacket traps.

2541
Snapper (Pagrus auratus) must not be taken by using fish traps, nets or ocean jacket traps.

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

Snapper (Chrysophrys auratus) must not be taken by using fish traps, nets or ocean jacket traps.

1311
During the term of this licence the licence holder shall take no more than 1,000 kilograms of Mulloway (Argyrosomus hololepidotus) from the waters west of the meridian of longitude 135°37' east (Cape Carnot, Eyre Peninsula).

This licence condition has been replaced by the following licence condition:

No more than a maximum of 1,000 kilograms of Mulloway (Argyrosomus japonicus) may be taken each financial year from the waters west of the meridian of longitude 135°37.084' east (Cape Carnot, Eyre Peninsula).

6141
Pipi (Donax spp) may only be taken for commercial purposes within the area of the Lakes and Coorong Fishery as defined by the Fisheries Management (Marine Scalefish Fisheries) Regulations 2006.

This licence condition has been replaced by the following licence condition:

Pipi (Donax spp) may only be taken for commercial purposes within the area of the Lakes and Coorong Fishery as defined by the Fisheries Management (Marine Scalefish Fisheries) Regulations 2017.

12422
A Restricted Cockle Rake means a cockle rake as described in section 3 of the Fisheries Management (General) Regulations 2007 that may only be used to take Pipi (Donax spp.) quota entitlement.

And

11522
A Restricted Cockle Rake means a cockle rake as described in section 3 of the Fisheries Management (General) Regulations 2007 that may only be used to take cockle (Vongole - Katalysia spp.) quota entitlement.
These licence conditions (12422 and 11522) have been replaced by the following licence condition:

A Restricted Cockle Rake means a cockle rake as described in section 3 of the Fisheries Management (General) Regulations 2017 that may only be used to take Vongole (Katalysia spp.) or Pipi (Donax spp.) quota entitlement.

6441
A Sardine net may only be used for the taking of Australian Sardines and Australian Anchovies.

This licence condition has been replaced by the following licence condition:

A Sardine net may only be used for the taking of Australian Sardine (Sardinops Sagax), Australian Anchovy (Engraulis australis), Maray (Clupea sagax), Sandy Sprat (Hyperlophus vittatus) and Blue Sprat (Spratelloides robustus).

11821
No large mesh net or large mesh monofilament net may be used from or carried on board any vessel registered under the licence in State waters unless the licence holder or registered master has prior reported the intended use of the net through PIRSA Fishwatch on 1800 065 522 (or the Fisheries and Aquaculture Commercial Reporting App) and has provided the following information;

(a) the name of the person making the call and the applicable licence number,
(b) the location where the fishing activity with either net is to occur.

This licence condition has been replaced with:

No large mesh net or large mesh monofilament net may be used from or carried on board any vessel registered under the licence in State waters unless the licence holder or registered master has prior reported the intended use of the net by use of PIRSA Ecatch via the PIRSA website www.pir.sa.gov.au/ecatch or telephoning 1800 322 824 (1800 eCatch) and has provided the following information;

(a) the name of the person making the call and the applicable licence number,
(b) the location where the fishing activity with either net is to occur.

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.
SCHEDULE 2 (ATTACHMENT 2)

REGULATION DETERMINATIONS
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*)).