



Our Ref: A5613471

8 September 2022

**FISHERIES & AQUACULTURE**

2 Hamra Ave  
West Beach SA 5024  
GPO Box 1625  
Adelaide SA 5001  
DX 210  
Tel (08) 8207 5333  
[www.pir.sa.gov.au](http://www.pir.sa.gov.au)

## **NOTICE TO SARDINE FISHERY LICENCE HOLDERS**

Dear licence holder

### **Under-catch and Over-catch quota arrangements for the South Australian Sardine Fishery (SASF)**

On 1 September 2022, the legislative amendments to enact the carry-over of uncaught quota entitlements and the over-catch of quota entitlements at the individual licence holder level in the Sardine Fishery was made by the Governor and published in the South Australian Government Gazette.

These legislative amendments vary the *Fisheries Management (Sardine Fishery) Regulations 2021* (the regulations) and provide standardised administrative powers for the Minister to carry-over uncaught quota entitlements and manage over-catch of quota entitlements in the above-mentioned fisheries. 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.

#### 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 Policy Paper, PIRSA will seek advice from a relevant Management Advisory Committee or Industry Association in regard to these arrangements during normal consultation on the setting of the Total Allowable Commercial Catch.

Consistent with the 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

In relation to over-catch arrangements, the amendments will allow the Minister to administratively manage the quota entitlements on individual 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. PIRSA will seek advice from a relevant Management Advisory Committee or Industry Association in regard to these arrangements during normal consultation on the setting of the Total Allowable Commercial Catch.

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.

These new over-catch arrangements will apply to over-catch of 2023 quota entitlements.

#### Adjustments to licences

The PIRSA Fisheries and Aquaculture licencing unit will assess uncaught or over-caught quota entitlements 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.

Should you have any queries in regard to these matters please contact Dr Annabel Jones, General Manager Fisheries Management on (08) 8429 0165 or at [annabel.jones@sa.gov.au](mailto:annabel.jones@sa.gov.au)

Yours sincerely



Prof Gavin Begg  
**EXECUTIVE DIRECTOR**  
**FISHERIES AND AQUACULTURE**