



**FISHERIES & AQUACULTURE**

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2 July 2021

## **NOTICE TO RESTRICTED FISH PROCESSOR REGISTRATION HOLDERS**

Dear registration holder

I write to inform you of several changes to determinations and registration conditions of a Restricted Fish Processor registration made under the *Fisheries Management Act 2007* (the Act) in order to implement arrangements for the reform of the Marine Scalefish Fishery (MSF) from 1 July 2021.

Final arrangements for the reform are now available on the Department of Primary Industries and Regions (PIRSA) website at

[pir.sa.gov.au/fishingreform](http://pir.sa.gov.au/fishingreform)

As outlined in this information, significant changes to the fishery have been approved by the Government to take effect from 1 July 2021, including:

- The separation of the Sardine and Vongole fisheries from the Marine Scalefish Fishery,
- The creation of four management zones for the four priority fish species – King George Whiting, Southern Garfish, Southern Calamari, Snapper,
- The introduction of a total allowable commercial catch (TACC) and individual transferable quota (ITQ) management system for the priority species.

To implement these changes, amendments have now been made to a range of regulations under the Act, including the *Fisheries Management (Fish Processors) Regulations 2017* via the *Fisheries Management (Fish Processors) (Marine Scalefish Fishery Reform) Variation Regulations 2021*.

These regulations, together with other amended and new regulations related to the reform of the MSF are available on the PIRSA website and copies can be provided upon request.

As a result of these regulatory amendments, many references to existing and new regulations will change as of 1 July 2021, requiring existing Ministerial determinations to be revoked or varied, and new determinations made.

## **Changes to determinations**

For Restricted Fish Processors, changes to determinations primarily relate to the introduction of a TACC and ITQ management for the priority species of the MSF – King George Whiting, Southern Garfish, Southern Calamari and Snapper – and the subsequent additional monitoring and reporting requirements for processors.

Other changes relate to the separation of the Sardine and Vongole fisheries from the MSF. From 1 July these fisheries will operate pursuant to the *Fisheries Management (Sardine Fishery) Regulations 2021* and the *Fisheries Management (Vongole Fishery) Regulations 2021* requiring determinations to be revoked and new determinations implemented under the new Sardine and Vongole Fishery regulations.

The new determinations are not intended to vary existing arrangements, other than those outlined in the reform. A summary of the determinations that have been revoked that are relevant to Restricted Fish Processor registration holders is provided in **Table 1** below. A summary of relevant determinations that have been introduced is provided in **Table 2** and are published in full on the PIRSA website at [pir.sa.gov.au/fishing-determinations](http://pir.sa.gov.au/fishing-determinations)

Processors should be aware that, new conditions for MSF fishers have been made to ensure that King George Whiting is treated consistently wherever a TACC applies. This has meant that conditions relating to catch and disposal requirements and information to be provided for the take of King George Whiting in the West Coast Fishing Zone have been introduced that mirror the determinations for King George Whiting in the other zones where a TACC is in place.

**Table 1. Determinations that have been revoked**

<b>Regulation Title</b>	<b>Regulation</b>	<b>Subject</b>	<b>Status</b>
<i>Fisheries Management (Fish Processors) Regulations 2017</i>	9	Processing vongole	Revoked
	13	Processing sardines	Revoked

**Table 2. New determinations**

<b>Regulation Title</b>	<b>Regulation</b>	<b>Subject</b>	<b>Status</b>
<i>Fisheries Management (Fish Processors) Regulations 2017</i>	9	Processing vongole	Implemented
	13	Processing sardines	Implemented
	15A, 15B, 15C and 15D	Requirements relating to King George whiting, snapper, southern calamari and southern garfish	Implemented

## **Changes to registration conditions**

As a result of the reforms to the MSF, changes have been made to the conditions of the restricted fish processor registration to enable Restricted Fish Processors

who are also MSF licence holders to sell their catch to any type of business, instead of just restaurants, pubs and clubs. This is an expansion of permitted activities which has been introduced to reduce red tape in the fishery. MSF licence holders will also be exempt from paying any fees for a restricted fish processor registration for 12 months.

These registration conditions are not intended to vary existing management arrangements, other than those outlined in the reform.

All the changes to Restricted Fish Processor registration conditions are listed in **Appendix A** and all current conditions can also be viewed through the myPIRSA portal and from the public register at

[https://www.pir.sa.gov.au/fishing/commercial\\_fishing/fisheries/public\\_register](https://www.pir.sa.gov.au/fishing/commercial_fishing/fisheries/public_register)

### **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 or would like a copy of the amended regulations referred to above, you can contact Sam Stone, Fisheries Manager, on phone 84292101 or email [sam.stone@sa.gov.au](mailto:sam.stone@sa.gov.au).

Yours sincerely



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

**Appendix A – The following licence conditions have been revoked or imposed on all Restricted Fish Processor registrations pursuant to s65 of the *Fisheries Management Act 2007***

**Revoke condition**

The registration holder may only process aquatic resources pursuant to this registration for sale to a person who: (i) is an unregistered fish processor; and (ii) carries on a business in the course of which aquatic resources are sold or supplied as a meal or part of a meal directly to the public.

**Impose new Condition**

The registration holder, who is also the holder of a Marine Scalefish Fishery licence, may only process aquatic resources taken pursuant to the same Marine Scalefish Fishery licence for the purposes of sale.

The registration holder who does not also hold a Marine Scalefish Fishery licence, may only process aquatic resources pursuant to this registration for sale to a person who is

- (i) not a registered fish processor; and
- (ii) carries on a business in the course of which aquatic resources are sold or supplied as a meal or part of a meal directly to the public.