



FISH PROCESSOR REGISTRATION

Fisheries Management Act 2007

Fisheries Management (Fish Processors) Regulations 2017

APPLICATION FOR FISH PROCESSOR REGISTRATION

With this completed application:

(Please tick when complete)

- ☐ If in a company name, form to be completed by a company director and a copy of an **ASIC full company search** enclosed

PART 1 – TYPE OF FISH PROCESSOR REGISTRATION REQUIRED

Tick the type of Fish Processor Registration required.

- ☐ Full Fish Processor Registration ☐ Restricted Fish Processor Registration

Restricted Fish Processor Registrations

PLEASE NOTE:

Restricted Fish Processor Registrations can only be held by Commercial Fishery & Aquaculture Licence Holders.

The regulations provide that the concession is only available where the licence holder is the same person as the registered processor.

A restricted fish processor may **only** process their own catch and sell fish to a pub, restaurant, takeaway or café **that uses the product as part of a meal it sells to the public.**

Please list your Commercial Fishery or Aquaculture Licence Number(s).

Licence No.

Do you **only** process fish caught from this Commercial Licence No? **Yes/No**

Full Fish Processor Registrations

SPECIES TO BE PROCESSED (Tick which species will be processed)

- ☐ Prawn ☐ Rock Lobster ☐ Abalone ☐ Other species

PIRSA FISHERIES & AQUACULTURE
2 Hamra Avenue, West Beach. SA 5024
GPO Box 1625, Adelaide SA 5001
Telephone (08) 8207 5332 Facsimile (08) 8207 5331
Email PIRSA.FisheriesLicensing@sa.gov.au
<http://www.pir.sa.gov.au/fisheries/home>

Full Fish Processor Registrations

If processing any of the major species listed above, will any registered premises:

Hold live aquatic resources Yes / No

Discharge wastewater directly into State waters Yes / No

☐ I acknowledge that answering Yes to either of the above questions requires my application to undergo further consultation to ensure all activity is in line with relevant Acts and may result in an extended processing time

PART 2 – APPLICANT DETAILS

Name that registration is to be held in:

If the licence is to be held by an individual, **date of birth:**...../...../.....

☐ Residential ☐ Business Address

Please tick if this is a Business Address or Residential Address:

.....

.....Post Code

Postal Address

.....Post Code

Telephone number (home)..... (work) (mobile)

Fax number:

Email address

Do you wish to receive SMS reminders for payment of licence fees? Yes / No

Mobile phone number for SMS reminders

REGISTRATIONS HELD IN A COMPANY NAME

If the licence is to be held in a company name, **ACN:**

If the licence is to be held in a company name, please list all directors of that company:

.....

.....

.....

If the licence is to be held by a company, you must provide a copy of **an ASIC full company search**, no more than one month old from the date of lodging this application.

Is this document attached? Yes / No

PART 3 – REGISTERED PREMISES, VEHICLES, BOATS

I hereby apply to **register** the following assets on the fish processor certificate of registration:

Vehicles

Please list all **vehicle(s)** used to transport fish to, or from the processing premise for registration on the fish processor certificate of registration.

☐ Vehicle(s) Registration Number, Type & Make:
.....
.....

Boats

Please list all **boat(s)** used to process, or store fish, for registration on the fish processor certificate of registration.

☐ Boat(s) Name, Length & Registration Number:
.....
.....

Trading Names

Please list any **trading name(s)** used to operate the fish processing business for registration on the fish processor certificate of registration.

Please provide a copy of the Certificate of Registration for all businesses operating under a trading name.

☐ Trading Name(s):
.....
.....

Trading Address

Please list the **trading address (not postal)** of all premises where processing will be conducted and where fish are stored for registration on the fish processor certificate of registration.

☐ Trading Address:

Please tick if the premise is a Residential Address or a Business Address.

If the premise is a **residential address or private dwelling**, please state which part of the premises relate to the processing activity. (For example, Shed at rear of property at Lot 123 Fish Road, ADELAIDE SA)

☐ Residential ☐ Business Address:
.....

☐ Residential ☐ Business Address:
.....

☐ Residential ☐ Business Address:
.....
.....

PART 4 - DECLARATION

I hereby apply for registration as a fish processor.

I (Natural Person/ Director)
(Full name of person completing this form – individual licence holder or company Director)

of (address)

Contact Telephone Number:

hereby certify that this application is to the best of my knowledge and belief true and accurate. I know that this information is to be used for the purpose of the administration of the *Fisheries Management Act 2007* and if it is false or misleading in a material particular (whether by reason of inclusion or omission of any particular) I may be guilty of an offence.

Dated the (day) of (month) , 20 (year)

Signed:

Witnessed by:
(Full Name)

of
(address)

Signature of Witness:

GUIDE TO REGISTRATION AS A FISH PROCESSOR

Definition of Fish Processing:

The *Fisheries Management Act 2007* defines a fish processor as:

“a person who for the purpose of trade or business process, purchases or obtains fish.”

and processing is defined as:

“scaling, gilling, gutting, filleting, freezing, chilling, packing or other activity involved in preparing fish for sale.”

This means that any person who purchases, for the purpose of trade or business, from a licence holder must register as a fish processor.

NOTE:

Processors may vary assets during the year by making an application to the Minister.

All application forms are available from:

https://www.pir.sa.gov.au/fishing/commercial_fishing/licensing_registration/forms

It is an offence to use any assets in connection with processing fish unless the assets are specified on the certificate of registration.

PLEASE NOTE:

This fee structure reflects the annual fee. Please contact Fisheries & Aquaculture on (08) 8207 5332 to obtain the relevant monthly pro-rata fee that will apply to your application.

FEE STRUCTURE

	Annual Fee
BASE FEE - trade in scalefish and associated species (not including other major species ie prawn, rock lobster, or abalone)	\$1414.00
1 x OTHER MAJOR SPECIES - trade in scalefish and associated species and one other major species (either prawn, rock lobster or abalone)	\$3248.00
2 x OTHER MAJOR SPECIES - trade in scalefish and associated species and two other major species (either prawn and rock lobster, prawn abalone or rock lobster and abalone)	\$5082.00
3 x OTHER MAJOR SPECIES - trade in scalefish and associated species and all three other major species (prawn, rock lobster and abalone)	\$6916.00
Commercial Fishery Licence Holders (restricted)	\$246.00
Additional Asset Fee	\$43.50



GUIDELINES RELATING TO FISH PROCESSING IN SOUTH AUSTRALIA

A **fish processor** is a person who, for a commercial purpose, processes, stores, transports or deals with fish or other aquatic resources.

ANY PERSON WHO TRADES IN FISH IS REQUIRED TO KEEP A RECORD OF ALL FISH PURCHASED OR OBTAINED.

(Section 17 of the *Fisheries Management [Fish Processors] Regulations 2017*)

There are three classes of fish processors in South Australia:

(Refer to Section 62 of the *Fisheries Management Act 2007* [attached] to determine whether registration is required):

1. REGISTERED FISH PROCESSOR (FP – Full Fee Paying)

A Registered Fish Processor may buy and sell product from:

- A licensed commercial fisher
- A licensed aquaculture authority holder
- Another registered fish processor (FP)

In order to process Abalone, Prawn or Rock Lobster (as a first receiver in the supply chain), these species must be endorsed on the FP registration. This can be organised through PIRSA Fisheries & Aquaculture Leasing & Licensing on (08) 8207 5332 by paying an additional fee.

Due to legislative requirements, wild caught quota species (i.e. Abalone, Blue Crab, Pipi, Mud Cockle, Rock Lobster, Sardine) must only be consigned by a commercial fisher directly to a registered fish processor in the first instance.

2. REGISTERED FISH PROCESSOR (FX – Restricted/Concessional)

A person or company may process fish taken under a:

- Fishing authority (commercial fishing licence); or
- Aquaculture licence

All fish processed/consigned under this form of registration must be sold directly to:

- Pubs, clubs, hotels, restaurants, cafes etc. **(where the product is on-sold directly as a meal or part of a meal)**

NOTE: A person or company must NOT sell this product to a registered fish processor (FP).

3. UN-REGISTERED FISH PROCESSOR

A person or company may only purchase fish from:

- A Registered Fish Processor (Full Fee paying Registration - FP)
- A Fish Wholesaler (provided the fish were sourced from an FP processor during the processing chain)

Further enquiries may be directed to PIRSA Fisheries & Aquaculture Leasing & Licensing on (08) 8207 5332 in business hours.

PIRSA Fisheries and Aquaculture staff are not able to provide legal advice or interpret legislation. You should obtain your own independent advice in relation to those matters.

Fisheries Management (Fish Processors) Regulations 2017

17—Records to be kept

- (1) A fish processor must comply with the following provisions in relation to each of the premises, places, boats or vehicles used by the fish processor for, or in connection with, the processing, storage, transport of, or other dealing with, aquatic resources:
 - (a) The fish processor must, in the manner and form, at such places and at such times, as determined by the Minister, record such information in connection with the purchasing or obtaining, processing, storage or transport of, or dealing with, aquatic resources as determined by the Minister;
 - (b) The fish processor must provide the information recorded under paragraph (a) to the Department in the manner and form, and at such times, as determined by the Minister.
- (2) A fish processor must comply with the following provisions in relation to each consignment or batch of aquatic resources received for storage, processing or transport, or other dealing with:
 - (a) The fish processor must, in the manner and form, at such places and at such times, as determined by the Minister, record such information in connection with the receipt of the aquatic resources as determined by the Minister;
 - (b) The fish processor must provide the information recorded under paragraph (a) to the Department in the manner and form, and at such times, as determined by the Minister.
- (3) If a determination of the Minister made for the purposes of subregulation (1) or (2) is not complied with, the fish processor is guilty of an offence.
Maximum penalty: \$2500.
Expiation fee: \$210.
- (4) A fish processor must keep records made under subregulation (1) or (2) in the manner, at such place, and for such period, as determined by the Minister.
Maximum penalty: \$2500.
Expiation fee: \$210.
- (5) The holder of a fishery authority or aquaculture licence is not required to comply with this regulation in relation to aquatic resources taken or farmed under the fishery authority or aquaculture licence.

Fisheries Management Act 2007

62—Obligation of fish processors to be registered

- (1) A person must not act as a fish processor unless he or she is registered as a fish processor under this Division.

Maximum penalty:

- (a) in the case of a body corporate—\$50000;
- (b) in the case of a natural person—\$10000.

- (2) However, a person is not required to be registered as a fish processor if—

- (a) the person only processes aquatic resources obtained from a registered fish processor; or
- (b) the person—
 - (i) is the holder of a fishery authority or aquaculture licence; and
 - (ii) only processes aquatic resources taken under the fishery authority, or aquatic resources farmed under the aquaculture licence (as the case may be) for sale to a registered fish processor or directly to persons who consume such aquatic resources; or
- (c) the person belongs to a prescribed class of persons.

- (3) A registered fish processor must not use any premises, place, boat or vehicle for or in connection with processing, storing, transporting or dealing with aquatic resources unless the premises, place, boat or vehicle is specified in the certificate of registration.

Maximum penalty:

- (a) in the case of a body corporate—\$50000;
- (b) in the case of a natural person—\$10000.

Expiation fee: \$500.

- (4) Aquatic resources present in any premises, place, boat or vehicle specified in the certificate of registration of a registered fish processor will be taken to be present for a commercial purpose.