

Operating multiple licences from one registered boat in the South Australian commercial Marine Scalefish Fishery

Policy Statement

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Government
of South Australia

Department of Primary
Industries and Regions

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1. Definitions

Registered boat	Means a boat registered under Part 6 Division 1 of the <i>Fisheries Management Act 2007</i> (the Act) for use under a licence or permit in respect of a fishery.
Replacement master	Means a person acting in place of the master of a boat with the consent of the Minister in accordance with the conditions of that consent (s53 of the Act).
Replacement Masters Guidelines¹	Means the Guidelines which set out the arrangements to engage a replacement master to operate in place of the licence holder through a Certificate of Consent and in line with the conditions that apply to that consent.
Registered master	Means a person registered under Part 6 Division 1 of the Act as a master of a boat that may be used under a licence or permit in respect of a fishery.

2. Purpose

This Policy Statement defines the principles that will be applied by the Department of Primary Industries and Regions (PIRSA) in managing the use of multiple MSF licences on one registered boat in a single fishing trip in the commercial Marine Scalefish Fishery (MSF).

This Policy Statement does not apply to other fisheries accessing the MSF resource nor does it apply to the use of Replacement Masters. Allowing multiple licences to operate from one registered boat has the potential to provide industry with greater flexibility to better utilise and maximise their access to and take of permitted species and increase their operating efficiency.

3. Background

The State Government has previously not supported the use of multiple licences from the one registered boat (or “the activity”) as outlined in section 13 of the previous (2013) *Management Plan for the South Australian Commercial Marine Scalefish Fishery* (the “2013 Management Plan”) which states -

13.1.4 Registered boats - The number of boats that may be registered on an MSF licence at any one time is not restricted; however only one boat may fish pursuant to a licence at any one time. Whilst the same boat may be registered on multiple licences, multiple licences cannot be operated from one boat at the same time.

Notwithstanding the statement in the 2013 Management Plan, there is currently no licence condition or regulation that explicitly prevents the activity.

The MSF has undergone significant change since the 2013 Management Plan was implemented, including large reforms implemented in 2021. In development of a replacement Management Plan

¹ https://pir.sa.gov.au/data/assets/pdf_file/0004/393439/replacement-masters-guidelines-july-2021.pdf

between 2021 and 2025 industry sought clarification on the use of multiple licences from one registered boat, with interests in undertaking the activity to improve operational efficiencies.

Whilst the activity may increase efficiencies for operators, it may also present management challenges such as maintaining data integrity, attribution of gear, catch and effort, and appropriateness of other management measures that were intended to apply to one licence being operated at a time.

PIRSA wrote to MSF licence holders on 23 October 2023 regarding the intention to review and finalise a policy on the use of multiple licences from the one registered boat. Subsequent to this, PIRSA prepared a draft policy discussion paper which set out the various scenarios where the use of multiple licences from the one registered boat may be sought, and the possible implications for the sustainable management of the MSF. Comments on the discussion paper were invited from the peak bodies representing MSF licence holders and these comments were considered and incorporated (where appropriate) in this final Policy Statement.

3.1. Legislative framework

Management Plan

The 2013 Management Plan indicated the Government at the time was not supportive of the use of multiple licences from the one registered boat in the MSF. Section 50 of the Act provides that the Minister must manage commercial and recreational fishing activities and aquatic reserves in accordance with any relevant management plan adopted by the Minister.

Considering this position outlined in the 2013 Management Plan, existing licence conditions and regulations relating to input and output controls for the MSF are written in the context of only one licence being operated from the one registered boat at any one time.

A replacement Management Plan *Management Plan for the South Australian Commercial Marine Scalefish Fishery (2025)* was adopted by the Minister and came into effect on 1 July 2025. The replacement Management Plan (2025) includes significant changes to the management of the fishery, in particular large reforms implemented in 2021, however, is silent on the use of multiple licences from the one registered boat.

Considering the change to the Management Plan and fisheries management policy PIRSA has prepared the following Policy Statement to describe the principles that will be applied by PIRSA in managing the use of multiple MSF licences on one registered boat in a single fishing trip in the MSF.

Registration requirements under the Act

Section 53(1) of the Act sets out that a person must not, for a commercial purpose, use a boat, or cause, suffer or permit a boat to be used, for the purpose of engaging in a fishing activity of a class that constitutes a fishery unless the boat is registered for use under a licence or permit in respect of the fishery held by him or her or a person for whom he or she is acting as an agent. MSF licences may have up to five boats registered by virtue of the Application to Register a Boat form and there is no restriction preventing a boat from being registered on multiple licences.

Further the boat must be in the charge of a natural person who is registered as the master of a boat that may be used under the licence or permit or is being used in the place of a boat registered on the licence with the consent of the Minister and in accordance with the conditions of that consent (i.e.,

consent to use a replacement boat). As an exception to this, section 53 of the Act also provides that a registered boat may be used if it is in the charge of a person who is acting in the place of a registered master with the consent of the Minister (i.e., a replacement master) and in accordance with the conditions (if any) of that consent.

Section 53(2) of the Act sets out that a person must not, for a commercial purpose, use a device, or cause or suffer or permit a device to be set, for the purpose of engaging in a fishing activity of a class that constitutes a fishery unless the device is registered for use under a licence or permit in respect of the fishery held by him or her or a person for whom he or she is acting as an agent.

Owner-operator arrangements for the MSF – Registered Masters

As outlined in the Fisheries Management (Marine Scalefish Fishery) Regulations 2017 a person other than the holder of a licence in respect of the fishery cannot be registered as the master of a boat used under that licence unless the licence holder is already the licence holder of another licence or, the licence has pipi quota, or the licence authorises the use of ocean jacket traps or sand crab pots.

Further to this, if a person only holds one licence in respect of the fishery, a registered master other than the holder of the licence must not engage in fishing activities under the licence other than, in the case of a licence subject to a condition fixing pipi quota entitlement – the taking of pipi under the licence; or in the case of a licence, a licence that authorises the use of ocean jacket traps or sand crab pots – fishing activities involving the use of those devices. Up to two registered masters, for this purpose, may be registered pursuant to a MSF licence. The exception to this is if the person is acting as a replacement master in the place of the holder of the licence with the consent of the Minister (and in accordance with any conditions of that consent).

Replacement masters provisions

Licence holders are able to apply for Ministerial consent for a replacement master to fish their licences in their place pursuant to section 53(1)(b)(ii) of the Act. These provisions have typically been for the purposes of relief, official duties and sickness as outlined in the Replacement Masters Guidelines (“the Guidelines”). Up to four persons may currently be nominated on a licence to act as a replacement master under that licence during the period of consent. Applications for a replacement master are authorised by the Minister (or delegate) through a Certificate of Consent either for 28 days for general relief or official business, or for a specified period of time for sickness. The consent to use a replacement master includes several conditions relating to the use of the licence and specifies that only one master (being either the licence holder or a nominated replacement master) may operate the licence on any single day.

The ability to use a replacement master pursuant to section 53 of the Act has not been previously contemplated in the context of multiple licences being operated from one registered boat, and the Guidelines do not specifically address any requirements or limitations with regard to operating more than once licence from one boat, nor the implications of activating effort resulting from the use of replacement masters to utilise additional licences.

Marking of gear and receptacles

Regulation 17 of the Fisheries Management (General) Regulations 2017 (the “General Regulations”) requires a registered boat to display distinguishing marks. Regulation 13 of the General Regulations requires certain fishing devices to be marked with the relevant licence number except for devices held in hand such as dab nets, rods and handlines. Additionally, regulation 27 of the General Regulations

requires aquatic resources taken pursuant to a licence to be contained in bins marked with the relevant licence number during transport, consignment and sale.

4. PIRSA position

A number of scenarios exist where it may be appropriate for more than one licence to operate from one registered boat. Each scenario, key considerations and PIRSA position in relation to each scenario are described in **Table 1**. In developing these positions, PIRSA has considered feedback from the peak bodies for the MSF in conjunction with the Objects of the Act, in particular the need to manage aquatic resources of the State in a manner that is consistent with Ecologically Sustainable Development.

4.1. Other jurisdictions

This Policy Statement does not extend to scenarios that involve operating an MSF licence (or licences) concurrently with a fishing authority (or authorities) from another jurisdiction (e.g. an MSF licence being operated at the same time as an AFMA Southern and Eastern Shark Fishery permit from the same boat in the same trip). For these scenarios, PIRSA will work with the relevant jurisdiction to develop a joint position as needed. MSF licences should not be operated concurrently with a fishing authority from another jurisdiction without prior written approval from both authorities.

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Table 1. Scenarios and conditions where the operation of multiple MSF licences from the one registered boat is or is not supported

Scenario	Evaluation	Supported / Not supported
<p>1. Two or more separate MSF licence holders operate their licences from the one registered boat concurrently</p>	<p>Two or more people who are each a licence holder may operate from one registered boat, where the same boat is registered to each licence. This scenario can reduce costs such as fuel, wear and tear, and enable fishers to work together and act as each other's agent/deckhand. In this scenario, all licence holders would be present on the fishing trip.</p>	<p>PIRSA is generally supportive of these activities occurring provided the following requirements are met:</p>
<p>2. The holder of multiple MSF licences operate their licences from one boat concurrently</p>	<p>A licence holder may operate multiple licences owned by them concurrently from the one registered boat, negating the need to employ a second (or more) person[s] to operate as the registered master on the additional licence[s]. By operating multiple licences, a licence holder can increase their efficiency and catch from their fishing operations.</p> <p>This scenario would allow the gear entitlements on each licence to be used concurrently, and allow the take of fish up to any applicable limit on each licence concurrently (Subject to 5.1).</p> <p>Under this scenario, the boat would need to be registered on all applicable licences that are being operated.</p>	<ul style="list-style-type: none"> - All fishing gear on each licence being fished is marked appropriately (i.e. licence number on all devices used except those held in the hand) - the boat is registered on each licence being operated - the boat is marked with all licence numbers being operated on the fishing trip - catch retained under each licence is kept in separate marked bins, each labelled with relevant licence number from the point of take, during transport, consignment and delivery to the Fish Processor and declared against the relevant licence. This is necessary to determine ownership of catch at all times.
<p>3. The Holder of one MSF licence operates their own licence and also operates another MSF licence (held by another person) as a master registered on the other licence from one boat</p>	<p>Where a licence holder owns more than one MSF licence, they may use a registered master to operate their second and subsequent licences. This registered master is not restricted by the Replacement Masters Guidelines and can operate in the same way that the licence holder operates. Only one registered master, other than the licence holder, is able to be registered to each of these applicable commercial MSF licences.</p> <p>A licence holder who is also a registered master on a separate licence may operate these licences at the same time where the same boat is registered to each licence,</p> <p>This scenario would allow gear entitlements on each licence to be used concurrently, and allow the take of fish up to any applicable limit on each licence concurrently (Subject to 5.1). Note - a licence can only be operated by one registered master at any one time.</p>	<p>PIRSA does not support this activity as it will be complex to administer, can exponentially increase effort in a small area and will be difficult to manage and enforce.</p>
<p>4. Holder of one MSF licence operates their own licence and additional MSF licences as a replacement master concurrently from the same boat</p>	<p>There is potential for a licence holder to be a replacement master on an unlimited number of other MSF licences, and in doing so, operate the devices on their own licence and the devices endorsed on the other licences being operated as a replacement master at the same time. This could increase the amount of gear used and the amount of fish that can be taken from the one boat, particularly where there are restrictions on gear and the take of certain species that apply to each licence. The use of additional licences on a registered boat through the replacement master provisions, is not considered to be consistent with the intent of the Replacement Masters Guidelines and is not supported by the peak industry bodies for the MSF.</p>	<p>PIRSA does not support this activity as it will be complex to administer, can exponentially increase effort in a small area and will be difficult to manage and enforce.</p>

5. Application

This Policy Statement provides guidance to PIRSA and licence holders when considering the use of multiple MSF licences from one registered boat in the MSF. Noting that pre-existing management arrangements do not contemplate the use of multiple licences from the one boat, relevant licence conditions, regulations, determinations, and other management arrangements are intended to be reviewed and updated consistent with this Policy where necessary, and subject to further assessment as described below. Among other things, this may include updates to gear and receptacle marking arrangements where PIRSA has supported the use of multiple licences from the one boat. Updates to the Certificate of Consent or other legislative arrangements will also be made to ensure that multiple licences cannot be operated by a replacement master from a single boat.

This Policy Statement does not extend to any other South Australian fishery, nor does it contemplate the operation of an MSF licence with a licence in respect of another South Australian fishery.

5.1. Further assessment

PIRSA will undertake further assessment of licence conditions and other management arrangements for the MSF to ensure the effectiveness, appropriateness and enforceability of arrangements are relevant to the operation of multiple licences on one registered boat, to identify any stock sustainability, quota integrity, compliance or other factors that may require further consideration. This assessment may result in restrictions being put in place to accommodate the use of multiple licences from the one boat. For example, the 2024-25 management arrangements for School and Gummy Shark permitted only one licence's daily limit of these species to be taken regardless of the number of licences operating from the one registered boat. Other examples may relate to situations where there are concerns about localised depletion of species and or recovery of fish stocks.

PIRSA will undertake this assessment in consultation with the relevant peak representative bodies consistent with co-management arrangements in place for the MSF.

5.2. Implementation and review

The general use of multiple MSF licences from the one registered boat, as described in scenarios 1, 2, and 3 discussed in this Policy Statement, **is supported from the date this Statement is published.**

This Policy Statement will be periodically reviewed as required to consider and incorporate necessary changes to the fishery and evaluate performance against the goals and objectives of the Management Plan (2025), and objects of the Act.