



**FISHERIES & AQUACULTURE**

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2 July 2021

## **NOTICE TO VONGOLE FISHERY LICENCE HOLDERS**

Dear licence holder

I write to inform you of the licence conditions and determinations made under the *Fisheries Management Act 2007* (the Act) that apply to Vongole licences from 1 July.

The separation of the Vongole Fishery from the Marine Scalefish Fishery (MSF) has been an important part of the reform of the MSF. Stage 1 and 2 reform information packs were provided to licence holders in June and August 2020, and 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)

A stage 3 information pack is also being sent out to fishers. As outlined in this information, significant changes to the MSF have been approved by the Government to take effect from 1 July.

To implement these changes, amendments have now been made to regulations under the Act and new regulations have been made. The regulations of relevance to the Vongole Fishery are:

*Fisheries Management (Marine Scalefish Fisheries) (Fishery Reform) Variation Regulations 2021*

*Fisheries Management (Rock Lobster Fisheries) Regulations 2017*

*Fisheries Management (Fish Processors) Regulations 2017*

*Fisheries Management (Vongole Fishery) 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 regulations will change as of 1 July 2021, requiring existing Ministerial determinations to be revoked or varied, and new determinations made to ensure the current management arrangements for the fishery are maintained.

## **Determinations**

Determinations relating to the fishing of Vongole previously fell under the *Fisheries Management (Marine Scalefish Fisheries) Regulations 2017* and referred to activities within the MSF. As the Vongole Fishery will be separated from the MSF and operate pursuant to the *Fisheries Management (Vongole Fishery) Regulations 2021* from 1 July 2021, these determinations have been revoked and new determinations implemented under the new regulations.

These new determinations are not intended to vary existing fishery administrative arrangements other than those outlined in the reform. A summary of the determinations that have been revoked that are relevant to the fishing of Vongole is provided in **Table 1** below. A summary of relevant determinations that have been introduced for Vongole Fishery licence holders are 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)

**Table 1. Determinations revoked**

<b>Regulation Title</b>	<b>Regulation</b>	<b>Subject</b>	<b>Status</b>
<i>Fisheries Management (Marine Scalefish Fisheries) Regulations 2017</i>	24	Taking Vongole	Revoked
	29	Catch and disposal requirements - vongole	Revoked
<i>Fisheries Management (Fish Processors) Regulations 2017</i>	9	Processing vongole	Revoked
<i>Fisheries Management (Rock Lobster Fisheries) Regulations 2017</i>	21	Information to be provided – taking vongole	Revoked
	25	Catch and disposal requirements - vongole	Revoked

**Table 2. Determinations imposed**

<b>Regulation Title</b>	<b>Regulation</b>	<b>Subject</b>	<b>Status</b>
<i>Fisheries Management (Vongole Fishery) Regulations 2021</i>	10	Information to be provided - vongole	Implemented
	13	Catch and disposal requirements - vongole	Implemented
	15	Periodic Returns - vongole	Implemented
<i>Fisheries Management (Fish Processors) Regulations 2017</i>	9	Processing vongole	Implemented

## **Licence conditions**

Licence conditions relating to the fishing of Vongole and Anchovy were previously incorporated into conditions on MSF licences. As the Vongole Fishery will be separated from the MSF on 1 July 2021, these conditions have been revoked from MSF licences and introduced as licence conditions on the new Vongole Fishery licences. These licence conditions are not intended to vary existing management arrangements for the fishery, other than those outlined in the reform.

All the licence conditions for the Vongole Fishery are listed in **Appendix A** and all current conditions can also be viewed through the myPIRSA portal and 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 Keith Rowling, Programme Leader, Community Based Fisheries, on phone 84290513 or email [keith.rowling@sa.gov.au](mailto:keith.rowling@sa.gov.au).

Yours sincerely



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

**Appendix A – the following licence conditions have been imposed on all Vongole Fishery licences under s55(2) of the *Fisheries Management Act 2007***

**Impose condition 1344 (previously a MSF licence condition)**

The maximum number of agents permitted on board the registered boat is the number listed on the Registrations and Entitlements register in relation to this licence.

**Impose condition 12483 (previously a MSF licence condition)**

A licence holder may only use gear entitlements endorsed on their licence. Where a licence is subject to a condition fixing vongole quota entitlement, (i) No more than a total of two cockle rakes or restricted cockle rakes may be used at any one time; and (ii) Where more than one cockle rake or restricted cockle rake is being used at any one time to undertake fishing activities, they may only be used while they are within 50m of each other at all times.

**Impose 12484 (previously a MSF licence condition)**

A restricted cockle rake may only be used to take vongole that are part of the quota entitlements under the licence.