NOTICE TO FISHERS

Dear: Licence holder in the Abalone Fishery

Simplify Day 2017 - Amendments under the Fisheries Management Act 2007

The Premier’s second ‘Simplify Day’ initiative was held on 10 August 2017, with ideas for change being put forward by business and the community. Similar to last year the aim of Simplify Day is to remove outdated and redundant laws and regulations and to consolidate and simplify rules and processes wherever possible.

As a part of this initiative amendments have been made to 17 of 18 regulations made under the Fisheries Management Act 2007 (the Act). Ten of the regulations amended in this process were also remade as they were approaching the 10th anniversary of the date they were made. These regulations commence on 15 January 2018. The regulations are:

Fisheries Management (Abalone Fisheries) Regulations 2017
Fisheries Management (Fees) Regulations 2017
Fisheries Management (Fish Processors) Regulations 2017
Fisheries Management (General) Regulations 2017
Fisheries Management (Marine Scalefish Fisheries) Regulations 2017
Fisheries Management (Prawn Fisheries) Regulations 2017
Fisheries Management (River Fishery) Regulations 2017
Fisheries Management (Demerit Points) Regulations 2017
Fisheries Management (Rock Lobster Fisheries) Regulations 2017
Fisheries Management (Vessel Monitoring Scheme) Regulations 2017
Fisheries Management (Blue Crab Fishery) (Simplify No 2) Variation Regulations 2017
Fisheries Management (Charter Boat Fishery) (Simplify No 2) Variation Regulations 2017
Fisheries Management (Lakes and Coorong Fishery) (Simplify No 2) Variation Regulations 2017
Fisheries Management (Miscellaneous Broodstock and Seedstock Fishery) (Simplify No 2) Variation Regulations 2017
Fisheries Management (Miscellaneous Developmental Fishery) (Simplify No 2) Variation Regulations 2017
Fisheries Management (Miscellaneous Fishery) (Simplify No 2) Variation Regulations 2017
Fisheries Management (Miscellaneous Research Fishery) (Simplify No 2) Variation Regulations 2017
As a result of these legislative changes many references to existing and new powers and functions have or will change as of 15 January 2018.

It should be noted that there is no intention to vary existing fishery administrative arrangements other than to standardise them wherever possible.

The majority of amendments to all fishery regulations above were to remove the prescribed procedural requirements for reporting, delivering, consigning and recording matters to and for the Minister. All determinations for the new regulations will be published on the PIRSA website for your reference.

To simplify arrangements, where possible licence conditions relating to the prescribed procedural requirements have been incorporated into the relevant Ministerial determination and deleted from licences. In some instances, existing licence conditions have been amended to update species name, date, or name of personnel. New licence conditions have been included to compliment regulatory amendments. Amended and new licence conditions will be implemented on all Abalone Fisheries licences.

Other than Ministerial determinations, a small number of regulatory changes were also made through Simplify Day to a number of fisheries. In these instances, new licence conditions have been included on relevant licences to compliment the regulatory amendments. Some of these amendments to management arrangements have already been communicated to relevant licence holders. Those that have not are as follows:

- A definition of squid jig has been inserted into regulations.
- The maximum mesh size of a sardine net has been removed.
- Marking requirements for commercial fish receptacles has been simplified.
- The rules for Berley have been clarified.
- Provision has been made to allow for the take of Sandy Sprat, Blue Sprat and Maray in the Marine Scalefish Fishery.
- To maximise the benefits of licence amalgamation in the Marine Scalefish Fishery, the retention of accrued demerit points will apply to the licence with the least amount of demerit points.
- Fish name references have been updated consistent with the Australian Fish Names Standard.

Changes to licence conditions are detailed in Schedule 1 (Attachment 1) and a copy of the Ministerial determinations made in place of regulation where required are detailed in attachment 2.

The new regulatory amendments and licence conditions take effect from 15 January 2018.

For Southern Zone Abalone Fishery licence holders, as discussed at a meeting held on 16 August 2017, changes to the SARDI period return have been made at the request of industry to ensure the timely provision of data. These new arrangements will commence in-line with the new regulatory amendments on the 15 January 2018.

REVIEW AND APPEAL RIGHTS

Licence holders have a right under section 111 of the Fisheries Management Act 2007 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 of the *Fisheries Management Act 2007* to the District Court.

If you have any queries regarding these arrangements or would like a copy of the amended regulations referred to above, please contact Dr Belinda McGrath-Steer on 08 842 901142.

Yours sincerely

Peter Dietman  
A/EXECUTIVE DIRECTOR  
FISHERIES AND AQUACULTURE POLICY
SCHEDULE 1 (ATTACHMENT 1)

LICENCE CONDITIONS commence 15 January 2018

Licence condition amendments to reflect the introduction of Ministerial determinations

The following conditions have been deleted from your licence and have been included in relevant Ministerial determinations:

1190
Where abalone have been consigned to a registered fish processor the licence holder or registered master must retain a copy of the CDR1 form.

1191
All abalone taken pursuant to this licence must be consigned to one of the registered fish processors listed on the Registrations and Entitlements register in relation to this licence for weighing within the State of South Australia.

8761
The licence holder or the registered master must cause the diver to use the Data Logger System provided by the Minister in the manner directed by the Minister in writing when taking any class of abalone pursuant to the licence.

10001
After completing Part A of the CDR 1, and within 200 metres of landing, the white and yellow copies of the CDR 1 must be secured in the supplied CDR 1 envelope and attached to one of the bins containing the abalone whilst in transit to the registered fish processor. All consigned abalone must be accurately weighed at the registered premises of a registered fish processor and part B of the CDR 1 completed within 48 hours from the time of landing.

10002
PIRSA Fisheries Compliance must be notified on 1800 065 522 prior to engaging in fishing activity each day with the following information; (a) the name of the person making the call and the applicable licence number, (b) the name of the registered master who will be conducting the fishing activity on that day, (c) the launching site to be used that day. If the retrieval site is different to launching site or no abalone have been caught PIRSA Fisheries Compliance must be notified on 1800 065 522 30 minutes before leaving the retrieval site.

10803
The following conditions apply in relation to the use of fish bins and completion of CDR1 form: (1) Before departing a Southern Zone abalone fishing area, all Blacklip Abalone taken from that abalone fishing area must be placed within fish bins of a kind approved by a PIRSA; and the lids of the bins must be secured with the consecutively numbered tags supplied by PIRSA. (2) The total number of bins for that day and the identifying number of each of the tags placed on each bin must
be included on the CDR1 form. (3) Part A of CDR1 form must be completed prior to departing a Southern Zone abalone fishing area and within 50 metres of landing. After completing the CDR1 form, the white and yellow copies must be secured in the CDR1 envelope supplied by PIRSA and attached to the bin with the highest numbered tag. In the event of a broken tag, the licence holder must attach the broken tag to the next available tag and reseal the bin. The replacement tag number must be recorded on the CDR1 form provided as "replacement tag number .....".