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# POLICY DIRECTIVE

No. 4 of 2008

## DEBT MANAGEMENT - FISHERIES DIVISION

### PURPOSE OF DIRECTIVE

This policy directive outlines the processes to be followed with respect to debt recovery within the Fisheries Division.

### APPLICATION OF POLICY DIRECTIVE

This policy directive applies from 1 March 2008.

This policy directive replaces all previous policy directives or other determinations in relation to debt recovery within PIRSA Fisheries and is made pursuant to section 56 of the *Fisheries Management Act 2007* (FMA).

This policy directive is to be read in conjunction with PIRSA's Debt Management Policy, which takes precedence over this policy directive in the event of any inconsistency, and outlines specific action to be taken within the Fisheries Division.

### LEGISLATION

#### **56—Duration of authority and periodic fee and return etc**

(5) The holder of an authority must-

(a) in each year, pay to the Minister the relevant annual fee (in total or by instalments) in accordance with the regulations; and

(b) lodge with the Minister periodic returns in accordance with the regulations.

(6) If the holder of an authority fails to pay the relevant annual fee (or an instalment of the relevant annual fee) in accordance with this section, the Minister may, **by written notice**, require the person to make good the default specified in the notice and, in

addition, pay to the Minister the amount prescribed as a penalty for default.

(7) If the holder of an authority fails to comply with a notice under subsection (6), the Minister may, **by further written notice, suspend the person's authority until the notice under that subsection has been complied with.**

## **PROCEDURES**

The following steps will be taken with respect to the recovery of bad debts:

- **30 days** – A reminder letter is sent to debtor requesting payment;
- **60 days** – If unpaid, a further reminder letter is sent to the debtor advising that we will consider suspending the relevant licence if invoice remains unpaid pursuant to section 56(7) of the FMA. In addition, advising of a revised due date within 10 working days prior to the next step in the process (the "Notice" pursuant to section 56(6) of the FMA);
- **90 days** – If still unpaid, the debtor is sent a "**Notice to Show Cause**" why their licence should not be suspended, allowing a further period of 10 working days for them to comply after which their licence will – in the absence of exceptional circumstances, be suspended until they satisfy the requirement referred to in the Notice



Will Zacharin  
**EXECUTIVE DIRECTOR, FISHERIES**

15<sup>th</sup> February 2008

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