
POLICY DIRECTIVE

No. 5 of 2008

ISSUE OF COMMERCIAL FISHING LICENCES

PURPOSE OF DIRECTIVE

This policy directive outlines the processes to be followed with respect to the issue of commercial fishing licences within the Fisheries Division.

APPLICATION OF POLICY DIRECTIVE

This Policy Directive applies from 1 July 2008.

This Policy Directive replaces all previous Policy Directives or other determinations in relation to the issue of commercial fishing licences by PIRSA Fisheries as it relates to the requirement of fishers to hold and have fishing licences in their possession whilst fishing pursuant to sections 52 & 59 of the *Fisheries Management Act 2007*.

LEGISLATION

52—Obligation of commercial fishers to hold licence or permit.

A person must not, for a commercial purpose, engage in a fishing activity of a class that constitutes a fishery unless;

- (a) the person holds a licence or permit in respect of the fishery; or
- (b) the person is acting as an agent of a person holding a licence or permit in respect of the fishery.

59 - Obligation to carry authority and identification while engaging in fishing activities

1. Subject to the regulations, the holder of a licence or permit (being a natural person) must, at all times when he or she is engaging in any fishing activity under licence or permit, carry with him or her –

- (a) the licence or permit; and
- (b) identification in the form issued by the Minister.

2. Subject to the regulations, if a registered boat is being used on any waters for any purpose, the person in charge of the boat must carry with him or her-

- (a) the licence or permit under which the boat may be used for the purpose of taking aquatic resources; and
- (b) identification in the form issued by the Minister.

PROCEDURES

For the purposes of s59, a licence is considered to include the licence document and the registration and entitlements register certificate.

The following steps will be taken with respect to the issue of commercial fishing licences:

- Prior to the commencement of each financial year, commercial fishery licence holders are invited to renew their respective licences.
- Upon payment of the first instalment, licence holders are issued a fishery licence, which includes their registration and entitlements register certificate.
- Should an application from a licence holder to vary their registration and entitlements be approved, the licence holder will be issued with a new registration and entitlements register certificate.
- If management arrangements with respect to the fishery pertaining to the licence are changed during the year, a new licence will be issued and sent to the licence holder.
- There will be no requirement for licence holders to return their fishery licence or part thereof prior to the issue of the updated documentation.
- Pursuant to the requirements of the *Fisheries Management Act 2007*, the onus will be on the commercial licence holder to carry their current and most recently issued licence, including their registration and entitlements register certificate.



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EXECUTIVE DIRECTOR FISHERIES

26 May 2008