

Fisheries Management (Fish Processors) Regulations 2017

Regulation 13

Revocation

The Determination made for the purposes of regulation 11 dated 1 July 2021 will be revoked as of 1 November 2023.

Determination

For the purpose of regulation 13 relating to the processing of sardine from a holder of a licence in respect of the Sardine Fishery, commencing November 2023, I make the following determinations:-

- **Where a Registered fish processor has taken delivery of Sardine together with a paper PF CDR they must comply with Part A of this determination.**
- **Where a Registered fish processor has taken delivery of Sardine together with an electronic report (eCDR) they must comply with Part B of this determination.**

Part A

Paper based records and reporting

Registered fish processors must record, provide information and deal with fish as described in this part where they have taken delivery of Sardine and a corresponding paper PF CDR record.

Regulation 13(1)(a) (Record information) and Regulation 13(1)(c) (Arrangements for fish)

- (1) A registered fish processor who purchases or obtains sardines from the holder of a licence in respect of the Sardine Fishery or an agent of the holder of such a licence must on delivery of the sardines to the registered premises of the registered fish processor-
 - a. Immediately weigh the sardines; and
 - b. Immediately complete the certificate contained in Part B of a Sardine Fishery Catch and Disposal Record (PF-CDR) in respect of the sardines.
- (2) Where a registered fish processor processes Sardines, he or she must keep an accurate record of all purchases, sales, movements and transfers and ensure that these records are-
 - a. Maintained in good condition and are legible;
 - b. Kept in a readily accessible place; and
 - c. Able to be produced for inspection by a Fisheries Officer on request.

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- (3) A registered fish processor who purchases or obtains Sardines from the holder of a licence in respect of the Sardine Fishery or an agent of the holder of such a licence must not accept delivery of the Sardines unless-
- a. The Sardines are received in a bin or container of a kind consistent with those listed in Schedule 1 of the determination made for the purpose of Regulation 12 of the *Fisheries Management (Sardine Fishery) Regulations 2021*; and
 - b. The bins or containers are not filled above the specified fill line when the fish are levelled in the bin or container.
- (4) A registered fish processor who purchases or obtains sardines from the holder of a licence in respect of the Sardine Fishery or an agent of the holder of such a licence must on completion of delivery of the sardines to boats specified in the certificate of registration of a registered fish processor-
- a. Immediately weigh the sardines; and
 - b. Immediately complete the certificate contained in Part B of a Sardine Fishery Catch and Disposal Record (PF-CDR) in respect of the sardines.

Regulation 13(1)(b) (Provide information)

- (1) If a registered fish processor purchases or obtains sardines from-
- a. The holder of a licence in respect of the Sardine Fishery or an agent of the holder of such a licence; and
 - b. The sardines are consigned to the registered fish processor when the sardines are unloaded from the registered boat from which they were taken; and
 - c. The sardines are to be transported to the registered premises of the registered fish processor by 2 or more vehicles; or
 - d. If the sardines are to be unloaded to a boat or boats specified in the certificate of registration of a registered fish processor;
 - e. The registered fish processor must, before the vehicles or boats depart from the place of unloading complete Part B of a Sardine Fishery Transit Form (PFTF record) in respect of each vehicle or boat other than the vehicle or boat in which sardines are to be transported together with a PF-CDR in respect of the sardines. The vehicle or boat carrying Sardines must retain the blue copy of the PFTF during transportation of Sardines.
- (2) A registered fish processor who purchases or obtains sardines from the holder of a licence in respect of the Sardine Fishery or an agent of the holder of such a licence must within 7 days of taking delivery of the sardines to which the PF-CDR relates, deliver or cause to be delivered, the completed green copy of the PF-CDR to the Department of Primary Industries and Regions, Fisheries and Aquaculture, GPO Box 1625, Adelaide SA 5001.

Regulation 13(3) (keeping records)

- (1) A registered fish processor must keep the blue copies of all PF-CDRs and PFTF records completed by the registered fish processor for a period of 12 months from the date to which the record relates.

Part B

Electronic records and reporting

Registered fish processors must record, provide information and deal with fish as described in this part where they have taken delivery of Sardine and an electronic report 'Sardine – CDR' record.

Regulation 13(1)(a) (Record information) and Regulation 13(1)(c) (Arrangements for fish)

- (1) A registered fish processor who purchases or obtains sardines from the holder of a licence in respect of the Sardine Fishery or an agent of the holder of such a licence must on delivery of the sardines to the registered premises of the registered fish processor-
 - a. Immediately weigh the sardines; and
 - b. Immediately complete Part B of a 'Sardine – CDR' electronic report in respect of the sardines.
- (2) Where a registered fish processor processes Sardines, he or she must keep an accurate record of all purchases, sales, movements and transfers and ensure that these records are-
 - a. Maintained in good condition and are legible;
 - b. Kept in a readily accessible place; and
 - c. Able to be produced for inspection by a Fisheries Officer on request.
- (3) A registered fish processor who purchases or obtains Sardines from the holder of a licence in respect of the Sardine Fishery or an agent of the holder of such a licence must not accept delivery of the Sardines unless-
 - a. The Sardines are received in a bin or container of a kind consistent with those listed in Schedule 1 of the determination made for the purpose of Regulation 12 of the *Fisheries Management (Sardine Fishery) Regulations 2021*; and
 - b. The bins or containers are not filled above the specified fill line when the fish are levelled in the bin or container.
- (4) A registered fish processor who purchases or obtains sardines from the holder of a licence in respect of the Sardine Fishery or an agent of the holder of such a licence must on completion of delivery of the sardines to boats specified in the certificate of registration of a registered fish processor-
 - a. Immediately weigh the sardines; and
 - b. Immediately complete Part B of a 'Sardine – CDR' electronic report in respect of the sardines.

Regulation 13(1)(b) (Provide information)

- (1) If a registered fish processor purchases or obtains sardines from-
 - a. The holder of a licence in respect of the Sardine Fishery or an agent of the holder of such a licence; and

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- b. The sardines are consigned to the registered fish processor when the sardines are unloaded from the registered boat from which they were taken; and
- c. The sardines are to be transported to the registered premises of the registered fish processor by 2 or more vehicles; or
- d. If the sardines are to be unloaded to a boat or boats specified in the certificate of registration of a registered fish processor;

The registered fish processor must, before the vehicles or boats depart from the place of unloading complete Part B of a 'Sardine Transit Form' electronic report in respect of each vehicle or boat other than the vehicle or boat in which sardines are to be transported.

Regulation 13(3) (keeping records)

- (1) Where the department has received a completed electronic report, no further records need be kept for the purposes of this determination.

For the purposes of this determination –

Electronic report – means an entry received in the eCatch electronic database created and administered by the Department.

Department – means the Department of Primary Industries and Regions South Australia.

Dated 25 October 2023



Prof Gavin Begg

Executive Director, Fisheries and Aquaculture

As delegate of the Minister for Primary Industries and Regional Development

As delegate of the Minister for Agriculture, Food and Fisheries