

Marine Scalefish Fishery reform

Stage 3 Information

1 July 2021



**Government
of South Australia**
Department of Primary
Industries and Regions

Marine Scalefish Fishery reform – Stage 3 information

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Aim

This document summarises the Marine Scalefish Fishery reform process, including:

- final management arrangements for the fishery effective 1 July 2021
- determinations and reporting requirements
- exceptional circumstances and appeals process
- Voluntary Licence Surrender Program
- options for transferring quota units.

New regulations effective 1 July 2021

New and amended regulations have been made under the *Fisheries Management Act 2007* to implement significant reforms to the Marine Scalefish Fishery, effective from 1 July 2021. The more significant components of the reform are:

- Establishment of four fishing zones – West Coast, Spencer Gulf, Gulf St Vincent & Kangaroo Island, and South East.
- Establishment of individual transferable quota (ITQ) management systems for King George Whiting, Snapper, Southern Garfish and Southern Calamari for the Marine Scalefish Fishery and the Rock Lobster fisheries, managed by a total allowable commercial catch.
- Separation of the commercial taking of vongole and sardine from the Marine Scalefish Fishery and the constitution of the new fisheries under their own regulations.

Priority elements of the red tape reduction recommendations have also been adopted, including removal of regulations which required licence holders to attend longlines, and removal of the regulation that restricted the transfer of a licence once in five years.

Red tape reduction initiatives

Other red tape reduction recommendations have been progressed through regulation amendments and other mechanisms, including licence conditions. Those that will commence from 1 July are:

- Allowing licence holders in the West Coast fishing zone to take up to 150 razorfish (for bait) over a three-day period.
- Adding a new commercial fishing gear type, a 'lift net'.
- Allowing nets and lines to be carried on board a fishing vessel and used at the same time.
- The removal of seasonal closures for Snapper and Southern Garfish now that these stocks are managed under a TACC and quota.
- The addition of several permitted species to the fishery, including: Conger Eel, Sergeant Baker, Silver Drummer, Weedy Whiting, Knifejaw, Rock Crab and Spider Crab (West of 135 degrees East).
- Changes to the conditions of a Restricted Fish Processor registration to enable Restricted Fish Processors who are also Marine Scalefish Fishery licence holders to sell their catch to any type of business, instead of just restaurants, pubs and clubs. Marine Scalefish Fishery licence holders will still need to apply to become a restricted fish processor but will be exempt from paying any fees for 12 months.

- The removal of seven-day blocks for the use of general replacement master days.

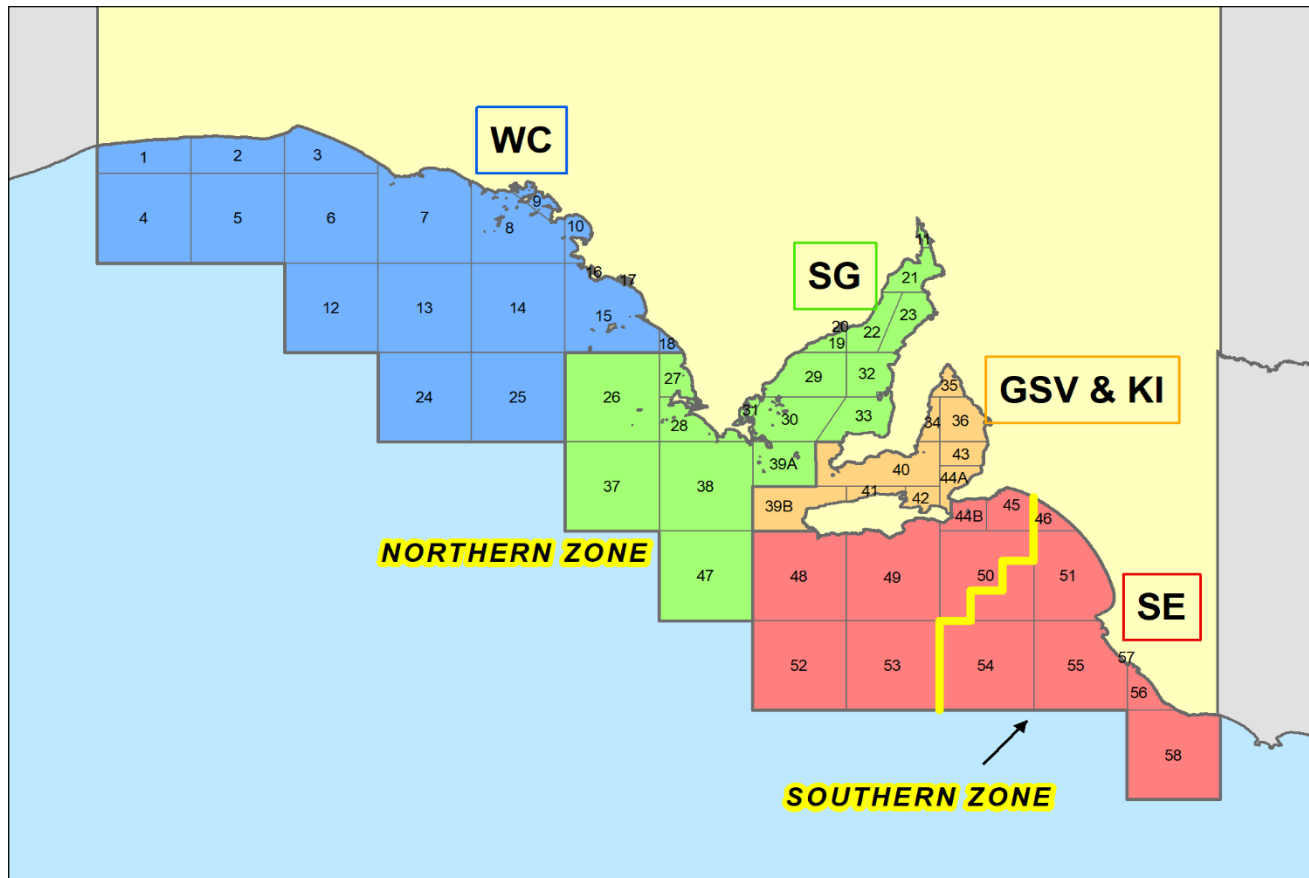
Ongoing work to reduce red tape in the fishery will continue beyond July.

Zones of management

The Commercial Marine Scalefish Fishery has been divided into four management zones:

- West Coast
- Spencer Gulf
- Gulf St Vincent & Kangaroo Island
- South East.

Fishing for primary species to be managed by a quota system – Snapper, King George Whiting, Southern Garfish and Southern Calamari – is only permitted in one zone per fishing trip. Fishing for non-quota species may occur across zones; however, no quota managed species can be on board at that time.



**Northern Zone and Southern Zone refers to Northern Zone Rock Lobster Fishery and Southern Zone Rock Lobster Fishery; yellow line delineates boundary between the two Rock Lobster fisheries.*

Quota management of primary species

New individual transferable quota (ITQ) units apply to the following species:

- King George Whiting in Spencer Gulf and Gulf St Vincent fishing zones

- Snapper in West Coast, Spencer Gulf, Gulf St Vincent and South East fishing zones
- Southern Garfish in Spencer Gulf and Gulf St Vincent fishing zones
- Southern Calamari in Spencer Gulf and Gulf St Vincent fishing zones.

The Minister has set the total number of quota units, the kilogram unit value and the total allowable commercial catch (TACC) in the fishery for each of the new quota species and fishing zones.

Table 1: Total number of new quota units for 2021/2022 fishing season

Fishing Zone	King George Whiting	Southern Calamari	Southern Garfish	Snapper
West Coast				1000
Spencer Gulf	2000	4000	2000	4000
Gulf St Vincent	2000	4000	2000	4000
South East				2000

Total Allowable Commercial Catch (kg)

West Coast	473,000*			0
Spencer Gulf	111,000	204,000	100,000	0
Gulf St Vincent	46,000	162,000	71,000	0
South East				36,000

Unit values (kg)

West Coast				0.00
Spencer Gulf	55.50	51.00	50.00	0.00
Gulf St Vincent	23.00	40.50	35.50	0.00
South East				18.00

* A recommended TACC of 473,000 kilograms has been set for King George Whiting in the West Coast fishing zone. Should this catch limit be reached during the 2021-22 season, the commercial take of King George Whiting by Marine Scalefish Fishery licence holders in the West Coast will be restricted using a notice implemented under section 79 of the *Fisheries Management Act 2007*.

The Minister has also determined how quota units are shared between the Marine Scalefish Fishery, the Southern Zone Rock Lobster Fishery and the Northern Zone Rock Lobster Fishery.

Distribution of quota units was calculated in accordance with the requirements of the *Fisheries Management Act 2007* and specified in the [Management Plan for the South Australian Commercial Marine Scalefish Fishery](#). It is further explained in the [Information for fishers on the calculation of indicative individual transferable quota \(ITQ\) entitlements for primary species in the Marine Scalefish Fishery](#), which was distributed in September 2020.

Table 2: Distribution of new quota units

Fishing Zone	Species	MSF	SZRLF	NZRLF
West Coast	Snapper	992	0	8
Spencer Gulf	King George whiting	1,958	0	42
Spencer Gulf	Snapper	3,984	0	16
Spencer Gulf	Southern calamari	3,928	0	72
Spencer Gulf	Southern garfish	1,998	0	2
Gulf St Vincent	King George whiting	1,944	0	56
Gulf St Vincent	Snapper	3,972	0	28
Gulf St Vincent	Southern calamari	4,000	0	0
Gulf St Vincent	Southern garfish	2,000	0	0
South East	Snapper	1,548	416	36

The Minister has also determined the method by which quota units are to be allocated to licences in the Marine Scalefish Fishery and the Rock Lobster fisheries. The method for the Marine Scalefish Fishery and Rock Lobster fisheries provide the Minister with discretion to allocate additional quota units on the basis of exceptional circumstances that may apply to the holder of a licence, and the formula by which the new quota units are to be allocated each licence holder. The method described in the determination is the same applied in the calculation of indicative ITQ provided to licence holders in the fishery as at 19 April 2021.

Licence and registration conditions

As a result of the reform, several licence and registration conditions have been revoked and new, amended licence conditions introduced. Other than amendments necessary to implement the approved reforms of the Marine Scalefish Fishery, no other changes have been made.

Most amendments are administrative and relate to the separation of the Vongole and Sardine from the Marine Scalefish Fishery. Conditions specific to these species have been removed from Marine Scalefish Fishery and Rock Lobster fishery licences and moved to new Sardine and Vongole licences.

In other cases, amendments to licence conditions have been necessary to remove red tape in the fishery. This includes removal of conditions relating to use of multiple gear types and expansion of activities that a restricted fish processor who holds a Marine Scalefish Fishery licence can undertake.

All impacted licence and registration holders will be notified directly regarding changes to conditions on their licences and all active conditions can also be viewed through the myPIRSA portal. Licence conditions are also accessible on the [fisheries public register](#).

Determinations for reporting and monitoring

As a result of regulation amendments, references to powers and functions change from 1 July 2021, requiring existing determinations to be revoked or varied, and new determinations made.

These primarily relate to the introduction of quota unit entitlements for the primary species and requirements to provide information on the take, catch and disposal, and processing of fish, which are needed to maintain the integrity of the quota management system and to monitor catches.

A complete list of new determinations can be found [on PIRSA's website](#) and will soon be provided to licence holders.

Reporting requirements

New reporting requirements have been introduced related to the take of primary species; King George Whiting, Southern Calamari, Snapper and Southern Garfish. These are:

- Prior to fishing report – required at least 30 minutes before fishing for quota managed species. If the report has not been made, quota managed species cannot be landed.
- Prior to landing report – required at least 30 minutes before departing the point of landing to report catch of quota managed species, by reporting the tag numbers used or weight of quota managed species.

A Marine Scalefish Fishery Catch and Disposal Record (CDR) must also be completed. The CDR is to be completed and signed before fish leave your possession / within 24 hrs or before processing – whichever is first.

These reports can be made via the Commercial Fishing SA app or to Fishwatch on 1800 065 522. For full details, see the [PIRSA website with information on the Marine Scalefish Fishery](#).

Commercial Fishing SA app

The [Commercial Fishing SA app](#) is an essential reporting tool for commercial fishers, which simplifies the process of completing many of the commercial fishing mandatory reporting requirements.

Key features of the app include:

- submitting select mandatory commercial fishing reports
- access to previously submitted reports for review
- ability to cancel and change a submitted report
- direct link to myPIRSA, the home of PIRSA's online services
- access to important notifications and alerts for commercial fisheries
- quick dial access to Fishwatch for reporting assistance and PIN number retrieval.

The app has been updated, including a refreshed look and feel. It also provides access to 'prior to fishing' and 'prior to landing' reporting which is required for quota managed species taken in the Marine Scalefish Fishery.

To download the app, search for 'Commercial Fishing SA' and look for the below icon in the Apple or Android app stores.



Users will be required to register and create a profile to use the app, after obtaining a Personal Identification Number from the Fishwatch call centre by calling 1800 065 522.

Exceptional circumstances

An exceptional circumstances process was undertaken to provide an independent assessment of fishery licence holders' individual circumstances and assess whether, and if so to what extent, those circumstances have impacted the licence holder's fishing activity.

Final decisions could not be made under this process until amended regulations to implement outcomes of the Marine Scalefish Fishery reform were made. Applicants were previously advised of whether the Minister has indicated a likely or unlikely finding as to whether they have exceptional circumstances.

As amended regulations have now been made and the method of allocating quota units has been determined, final allocation of quota entitlements including decisions under the exceptional circumstances process can now be made.

Upon final allocation of quota entitlements, the Minister may determine exceptional circumstances apply and subsequently allocate additional quota units.

Appeal process

You are entitled to apply for internal review of the decision of the Minister for Primary Industries and Regional Development (the Minister) to impose your quota condition pursuant to section 111 the *Fisheries Management Act 2007* within one month of the making of the decision.

In deciding whether to apply for an internal review of the decision, please note that any internal review may only consider:

- whether or not there are exceptional circumstances that apply to you; or
- whether your quota entitlement has been properly calculated in accordance with the methodology and formula determined by the Minister pursuant to the *Fisheries Management (Marine Scalefish Fisheries) Regulations 2017*.

The Minister is not permitted to depart from the statutory determination.

If you are not satisfied with the outcome of an internal review, you may be able to seek external review of the Minister's decision before the South Australian Civil and Administrative Review Tribunal under section 112 of the Act.

You may also seek written reasons for the Minister's decision to impose a condition on your licence fixing your quota entitlement under section 111 of the Act within 28 days of the making of this decision. If you request that the Minister provide you with written reasons of the decision, the one month timeframe by which you may seek internal review of the decision will commence on the date that you receive the written reasons.

Voluntary Licence Surrender Program

The State Government committed \$22 million to encourage the voluntary surrender of up to 150 of South Australia's commercial marine scalefish fishing licences from the fishery.

This was a major component of the reform process, providing licence holders with an opportunity to voluntarily exit the fishery prior to the reforms coming into effect.

This process has now been finalised and a total of 96 licences have been surrendered.

It is important to note the Licence Amalgamation Scheme, introduced into the Marine Scalefish Fishery 1994, remains in the regulations and will continue to operate. At 1 July 2021, there remains 48 unamalgamated line licences and 24 unamalgamated net licences in the fishery.

Voluntary Licence Surrender Program			
	Before reform	Surrendered	Remaining licences
Line licences	253	89	164
Net licences	52	7	45
Total	307	96	209

Transferring quota for primary species

The Marine Scalefish Fishery reform process has allocated quota to fishers which can be transferred. If you are a marine scalefish licence holder you can buy and sell quota for Snapper, Southern Garfish, King George Whiting and Southern Calamari with other licence holders in the Marine Scalefish Fishery for no service fee until 30 June 2022.

Rock Lobster licence holders can trade Marine Scalefish Fishery quota entitlements to each other and to a Marine Scalefish Fishery licence only.

Options for trading quota are:

- Marine Scalefish Quota Trading system – available via the [myPIRSA portal](#), the system enables licence holders to advertise, buy and sell quota for permanent transfers.
- [Application to transfer quota units online form](#) – complete and submit via the myPIRSA portal for permanent or temporary transfers.
- [Marine Scalefish Fishery quota transfer form](#) – download and submit via email or post to PIRSA for permanent or temporary transfers.

Marine Scalefish Quota Trading system

The Marine Scalefish Quota Trading system is strictly available only to Marine Scalefish Fishery licence holders and is free to use until 30 June 2022.

All transfers made in the system are permanent and will update the base holdings on your licence.

To access the Marine Scalefish Quota Trading system, licence holders must first [apply for the service in myPIRSA](#). You will then be eligible to advertise, buy or sell quota with other licence holders. For help using the system, go to [Marine Scalefish Quota Trading system help](#).

Marine Scalefish Fishery Management Advisory Committee

One of the next major components of the reform is establishment of the Marine Scalefish Fishery Management Advisory Committee.

The committee will replace the Snapper Management Advisory Committee and will work to strengthen consultation between stakeholders with access to the commercial Marine Scalefish Fishery, Charter Boat Fishery, and the recreational and Aboriginal traditional fisheries. The Marine Scalefish Fishery Management Advisory Committee will also provide advice on the day-to-day management of the fishery, as well as the research and monitoring programs required.

Membership will include expert representatives to provide comprehensive fisheries management advice for the Marine Scalefish Fishery and will include representatives from across the commercial, recreational, charter and Aboriginal traditional fishing sectors, as well as an independent chair, economist, fisheries scientist and conservationist, in addition to Government fisheries management and fisheries science experts.

A call for expressions of interest for committee positions will be run shortly. More information on this process will be available via www.pir.sa.gov.au/fishingreform

Contact

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For more information visit pir.sa.gov.au/fishingreform