

**Fisheries Management (Fish Processors) Regulations 2017**

**Regulation 15**

**Revocation**

The Determination made for the purposes of regulation 15 dated 3 January 2018 will be revoked as of 16 August 2023.

**Determination**

For the purpose of regulation 15 relating to the processing of rock lobster purchased or obtained, or consigned or delivered from a holder of a licence in respect of the Northern Zone Rock Lobster Fishery or the Southern Zone Rock Lobster Fishery commencing 16 August 2023 I make the following determination–

- **Where a Registered fish processor has taken delivery of rock lobster together with a paper NZRL-CDR they must comply with Part A of this determination.**
- **Where a Registered fish processor has taken delivery of rock lobster 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 provide information and report as described in this part where they have purchased, obtained or taken delivery of rock lobster and a corresponding paper (NZRL-CDR) record.

**Regulation 15(1)(a) (Record information) and Regulation 15(1)(c) (Arrangements for fish)**

**Processor reporting for Rock Lobster from the Southern Zone Rock Lobster Fishery**

- (1) A registered fish processor who purchases or obtains rock lobster from:
- (a) The holder of a licence or permit in respect of the Southern Zone Rock Lobster Fishery; or
  - (b) The agent of the holder of such a licence or permit; or
  - (c) Another registered fish processor who purchased or obtained the rock lobster from a person referred to in sub-clause ((a)) or ((b)),

Must immediately on taking delivery of the rock lobster, weigh the rock lobster and accurately complete and submit an eCatch record in respect of the rock lobster by use of PIRSA eCatch via the PIRSA website [www.pir.sa.gov.au/ecatch](http://www.pir.sa.gov.au/ecatch) or telephoning 1800 322 824 (1800 eCatch).

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- (2) If a registered fish processor who has purchased or obtained rock lobster from a person referred to in clause (1)-
- (a) Sells the rock lobster to any person; or
  - (b) Transfers the rock lobster to a different place, premises, boat or vehicle for storage at that place, premises, boat or vehicle, the registered fish processor must -

Immediately weigh the rock lobster and accurately complete and submit a Rock Lobster Sales record or Rock Lobster Transfer record in respect of the rock lobster by use of PIRSA eCatch via the PIRSA website [www.pir.sa.gov.au/ecatch](http://www.pir.sa.gov.au/ecatch) or telephoning 1800 322 824 (1800 eCatch).

Processor reporting for Rock Lobster from the Northern Zone Rock Lobster Fishery

- (1) A registered fish processor who purchases or obtains rock lobster from:
- (a) The holder of a licence or permit in respect of the Northern Zone Rock Lobster Fishery; or
  - (b) An agent of the holder of such a licence or permit; or
  - (c) Another registered fish processor who purchased or obtained the rock lobster from a person referred to in sub-clause (a) or (b),
- must not accept delivery of the rock lobster unless:
- (d) The rock lobster is delivered to the registered fish processor in receptacles listed in Schedule 1 to the determination made for the purposes of Regulation 22(2)(a) of the *Fisheries Management (Rock Lobster Fisheries) Regulations 2017* which are each sealed with a tag(s) provided by PIRSA Fisheries and Aquaculture Licensing; and
  - (e) The white, blue and green copies of Parts B and C of the Northern Zone Rock Lobster Catch and Disposal Record (NZRL-CDR) completed in respect of the rock lobster are received with the rock lobster to which they relate.
- (2) A registered fish processor who purchases or obtains rock lobster from a person referred to in paragraph 1 must:
- (a) Immediately on taking delivery of the rock lobster at premises (or a vehicle) specified on the certificate of registration of the fish processor, weigh the sealed bins containing the rock lobster and complete the certificate in Part C of the NZRL-CDR record relating to the rock lobster.
- (3) If a registered fish processor who purchases or obtains rock lobster from a person referred to in paragraph (1) relating to Northern Zone Rock Lobster Fishery -
- (a) Sells the rock lobster to any person; or
  - (b) Transfers the rock lobster to a different place, premises, boat or vehicle for storage at that place, premises, boat or vehicle,
- the registered fish processor must:

- (c) Immediately weigh the rock lobster and complete a Rock Lobster Sales and Transfer Form (RLSTF) in respect of the rock lobster;
  - (d) Ensure that the blue copy of the completed record is kept with the rock lobster to which the record relates at all times while the rock lobster is being transported; and
  - (e) Ensure that the yellow copy of the completed record remains in the RLSTF book.
- (4) If the provisions of this determination require the completion of Parts A and C, or Parts B and C, of a NZRL-CDR record, the person who completes Part A or Part B (as the case requires) must not be the same person as the person who completes Part C of the record.

Processing of Rock Lobster from Northern Zone Fishery or Southern Zone Fishery

- (1) Where a registered fish processor processes Rock Lobster 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.

**Regulation 15(1)(b) (Provide record)**

Processor reporting for the Southern Zone Rock Lobster Fishery

- (1) For the purposes of processor reporting for the Southern Zone Rock Lobster Fishery, where a record has been made using eCatch in accordance with the determination for Regulation 15(1)(a) and 15(1)(c) no further action is required in relation to reporting.

Processor reporting for the Northern Zone Rock Lobster Fishery

- (1) A registered fish processor who purchases or obtains rock lobster from:
- (a) The holder of a licence or permit in respect of the Northern Zone Rock Lobster Fishery; or
  - (b) An agent of the holder of such a licence or permit; or
  - (c) Another registered fish processor who purchased or obtained the rock lobster from a person referred to in sub-clause a) or b)
- must:
- (d) Within two (2) hours of the rock lobster being received at premises specified on the certificate of registration of the fish processor, transmit the completed NZRL-CDR record by fax transmission to the following fax number: 08 8204 1388;
  - (e) Within 48 hours of taking delivery of the rock lobster, deliver or cause to be delivered, the green copy of Parts B and C of the NZRL-CDR

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- record completed in respect of the rock lobster to the holder of the licence or permit pursuant to which the rock lobster were taken; and
- (f) Within 48 hours of completing the certificate, deliver or cause to be delivered, the white copy of the completed NZRL-CDR record to;

Primary Industries and Regions SA, Fisheries  
GPO Box 1625  
Adelaide SA 5001

- (2) If a registered fish processor who purchases or obtains rock lobster from a person referred to in paragraph (1) -
- (a) Sells the rock lobster to any person; or
  - (b) Transfers the rock lobster to a different place, premises, boat or vehicle for storage at that place, premises, boat or vehicle,

the registered fish processor must:

- (c) Within two (2) hours of completing the record, transmit the completed record by fax transmission to the following fax number 08 8204 1388; and
- (d) within 48 hours of completing the record, deliver, or cause to be delivered, the completed record to the Department in a reply paid envelope or to;

Primary Industries and Regions SA, Fisheries  
GPO Box 1625  
Adelaide SA 5001

**Regulation 15(3) (keeping records)**

- (1) Where an eCatch record has been made using PIRSA eCatch (PIRSA website [www.pir.sa.gov.au/ecatch](http://www.pir.sa.gov.au/ecatch)) no further action need be taken for the purposes of this determination.
- (2) A registered fish processor must keep the following documents for a period of 12 months of the date to which the record relates:
- (a) The blue copies of all NZRL-CDR and RLSTF records completed by the registered fish processor.

## Part B

### Electronic records and reporting

Registered fish processors must provide information and report as described in this part where they have taken delivery of rock lobster and an electronic report.

#### **Regulation 15(1)(a) (Record information) and Regulation 15(1)(b) (Provide record)**

##### Processor reporting for Rock Lobster Fishery

- (1) A registered fish processor who purchases or obtains rock lobster from:
- a) The holder of a licence or permit in respect of the Northern Zone Rock Lobster Fishery; or
  - b) The holder of a licence or permit in respect of the Southern Zone Rock Lobster Fishery; or
  - c) An agent of the holder of such a licence or permit; or
  - d) Another registered fish processor who purchased or obtained the rock lobster from a person referred to in sub-clause (a), (b) or (c); -

Must immediately on taking delivery of the rock lobster, weigh the rock lobster and accurately complete and submit an electronic report in respect of the rock lobster.

- (2) In respect of the Northern Zone Rock Lobster Fishery, the same person must not complete electronic reports required pursuant to regulation 22 of the *Fisheries Management (Rock Lobster Fisheries) Regulations 2017*; and an electronic report required pursuant clause (1) of this determination in relation to the same rock lobster.
- (3) If a registered fish processor who has purchased or obtained rock lobster from a person referred to in clause (1) sells the rock lobster to any person, the registered fish processor must immediately weigh the rock lobster and accurately complete and submit an electronic report – “Create Sales”.
- (4) If a registered fish processor who has purchased or obtained rock lobster from a person referred to in clause (1) transfers the rock lobster to a different place, premises, boat or vehicle for storage at that place, premises, boat or vehicle, the registered fish processor must immediately weigh the rock lobster and accurately complete and submit an electronic report – ‘Create Transfer’.

#### **Regulation 15(1)(c) (Arrangements for fish)**

- (1) A registered fish processor who purchases or obtains rock lobster from:

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- a) The holder of a licence or permit in respect of the Northern Zone Rock Lobster Fishery; or
- b) An agent of the holder of such a licence or permit;

Must not accept delivery of the rock lobster unless:

- (c) The rock lobster is delivered to the registered fish processor in receptacles listed in Schedule 1 to the determination made for the purposes of Regulation 22(2)(a) of the *Fisheries Management (Rock Lobster Fisheries) Regulations 2017* each of which is sealed with a tag(s) issued by the Department; and
  - (d) An electronic report submitted by a person referred to in clause (1) in respect of the rock lobster has been received.
- (2) A registered fish processor who purchases or obtains rock lobster from a person referred to in clause (1) must not break any tag on any receptacle until the rock lobster have been weighed and an electronic report – ‘Receival Report – Must complete before tags broken’ has been submitted.

**Regulation 15(3) (keeping records)**

- (1) Where an Electronic report has been submitted, no further record need be kept for the purposes of this determination.

For the purposes of this determination –

**Department** - means the Department of Primary Industries and Regions South Australia.

**Electronic report** – means an entry received in the eCatch electronic database created and administered by the Department. Submission of the electronic report may be directly entered into the eCatch electronic database via the myPIRSA portal ([www.pir.sa.gov.au/ecatch](http://www.pir.sa.gov.au/ecatch)); via the Commercial Fishing SA App; or other third-party application. If entered by a third-party application the Licence Holder, Registered Master or Nominated Agent must ensure the report has been received by the eCatch electronic database.

**Receptacle** – means a bag, bin, container or other structure that can securely contain rock lobster.

Dated 10 August 2023



Prof Gavin Begg  
**Executive Director, Fisheries and Aquaculture**  
**As delegate of the Minister for Primary Industries and Regional Development**