

Fisheries Management (Fish Processors) Regulations 2017

Regulation 8

Revocation

As of 19 May 2023, the Determination made for the purposes of regulation 8 dated 3 January 2018 will be revoked.

Determination

For the purpose of regulation 8 relating to the processing of abalone from a holder of a licence in respect of the **Southern Zone Abalone** Fishery or the **Western Zone Abalone** Fishery or the **Central Zone Abalone** Fishery – I make the following determinations commencing 19 May 2023 –

- **Where a Registered fish processor has taken delivery of abalone together with a paper CDR1 they must comply with Part A of this determination.**
- **Where a Registered fish processor has taken delivery of abalone together with an electronic report (eCDR) they must comply with Part B of this determination.**
- **Where a Registered fish processor has taken delivery of abalone from the holder of a licence without 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 abalone and a corresponding paper (CDR1) record.

Regulation 8(1)(a) (Record information) and Regulation 8(1)(c) (Arrangements for fish)

(1) A registered fish processor must not purchase or obtain abalone from—

- (a) the holder of a licence in respect of the Central Zone Abalone Fishery or Western Zone Abalone Fishery; or
- (b) an agent of the holder of such a licence referred to under (a),

unless a CDR1 record in respect of the abalone is delivered with the abalone.

(2) If a registered fish processor has taken delivery of abalone from the Western Zone Abalone Fishery or the Central Zone Abalone Fishery or the Southern Zone Abalone Fishery and the corresponding Abalone Catch and Disposal Record (CDR1) record, he or she must—

(a) in the case of abalone that has been consigned to the fish processor in the shell but is to be sold as meat only—

- (i) weigh the abalone in the shell and record the weight in Part B of the CDR1 record within 1 hour of breaking the tags attached to the receptacles containing the abalone; and
- (ii) after shucking the abalone—weigh the shucked abalone and record the accurate derived meat weight in Part B of the CDR1 record within 18 hours of breaking the tags attached to the receptacles containing the abalone; and
- (iii) complete and certify the record in Part B of the CDR1 record within 48 hours after the relating abalone is landed; and

(b) in any other case—

- (i) weigh the abalone and complete Part B of the CDR1 record within 1 hour of breaking the tags attached to the receptacles containing the abalone; and
- (ii) complete and certify the record in Part B of the CDR1 record within 48 hours after the abalone is landed.

(c) A person must not complete Part B of a CDR1 record if he or she has completed Part A of the record.

(3) Where a registered fish processor processes abalone 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; and
- (b) kept in a readily accessible place; and
- (c) able to be produced for inspection by a Fisheries Officer upon request.

Regulation 8(1)(b) (Provide information)

(1) If a registered fish processor has taken delivery of abalone taken under a licence and the relating CDR1 record, he or she must—

- (a) within 7 days of taking delivery of the abalone to which the CDR1 record relates, deliver, or cause to be delivered, the completed and certified record to the Department in a reply-paid envelope, or to;

Primary Industries and Regions SA, Fisheries

GPO Box 1625
Adelaide SA 5001

- (2) If any tags attached to receptacles containing abalone delivered to a fish processor are to be broken between 1800 hours on any day and 0700 hours on the following day, the fish processor must, at least 1 hour before doing so, give the Department notice by telephone on 1800 065 522, notifying that the tags are to be broken between those hours, and the intended time of breaking those tags.

Regulation 8(3) (keeping records)

- (1) A registered fish processor must keep copies of all completed CDR1 records relating to the abalone purchased or obtained by the registered fish processor for a period of 12 months.

Part B

Electronic records and reporting

A registered fish processor who purchases or obtains abalone from the holder of a licence in respect of the Western Zone, Central Zone or Southern Zone Abalone Fishery must provide a report to the Department as described in this part, where they have taken delivery of abalone.

Regulation 8(1)(a) (Record information) and Regulation 8(1)(c) (Arrangements for fish)

- (1) If a registered fish processor has taken delivery of abalone from the Western Zone Abalone Fishery or the Central Zone Abalone Fishery and the corresponding electronic report 'Abalone – CDR' record, he or she must—
 - (a) in the case of abalone that has been consigned to the fish processor in the shell but is to be sold as meat only—
 - (i) weigh the abalone in the shell and record the accurate weight in Part B of the relating electronic report 'Abalone – CDR' record within 1 hour of breaking the tags attached to the receptacles containing the abalone; and
 - (ii) after shucking the abalone—weigh the shucked abalone and record the accurate meat weight in Part B of the relating electronic report 'Abalone – CDR' record within 18 hours of breaking the tags attached to the receptacles containing the abalone; and
 - (iii) complete and submit Part B of the relating electronic report 'Abalone – CDR' record within 48 hours after the abalone is landed; and
 - (b) in any other case—
 - (i) weigh the abalone and record the accurate weight of each species of abalone in Part B of the electronic report 'Abalone – CDR' record within 1 hour of breaking the tags attached to the receptacles containing the abalone; and
 - (ii) complete and submit Part B of the electronic report 'Abalone – CDR' record within 48 hours after the abalone is landed.
 - (c) A person must not complete and submit Part B of the electronic report 'Abalone – CDR' record if he or she has completed and/or submitted Part A of that relating record.
- (2) A registered fish processor must not purchase or obtain abalone from—
 - (a) the holder of a licence in respect of the Central Zone Abalone Fishery or Western Zone Abalone Fishery; or
 - (b) an agent of the holder of such a licence referred to under (a),

unless:

- (i) the abalone are sealed using tags issued by the Department in receptacles; and
 - (ii) the abalone are contained within a receptacle marked with the corresponding Abalone Fishery licence number.
- (3) Subject to clause (2), a registered fish processor must not break Department issued tags on any sealed receptacle containing abalone unless an electronic report 'Abalone-CDR' record in respect of that obtained abalone has been received by the Department.
- (4) Where a registered fish processor processes abalone 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 8(1)(b) (Provide information)

- (1) If a registered fish processor has taken delivery of abalone from a Western Zone or Central Zone abalone fishery licence, he or she must—
- (a) If any tags attached to receptacles containing abalone delivered to a fish processor are to be broken between 1800 hours on any day and 0700 hours on the following day, the fish processor must, at least 1 hour before doing so, give the Department notice by telephone on 1800 065 522, notifying that the tags are to be broken between those hours, and the intended time of breaking those tags.

Regulation 8(3) (keeping records)

- (1) Where the department has received a completed electronic report, no further record 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.

eCatch – means the eCatch electronic reporting database created and administered by the Department. Submission of electronic reports may be directly entered into the eCatch electronic reporting database via the myPIRSA portal (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 reporting database.

Abalone - CDR –the ‘Abalone CZ – CDR’ electronic report for the purposes of the Central Zone Abalone Fishery or the Western Zone Abalone Fishery.

Breaking Tags – means either breaking a tag that is sealing any receptacle containing Abalone, or unsealing a receptacle containing Abalone in any way, allowing the removal of any Abalone from that receptacle.

Dated 13 May 2023



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