

## **Fisheries Management (Abalone Fisheries) Regulations 2017**

### **Regulation 16**

#### **Revocation**

As of 1 July 2023, the Determination made for the purposes of regulation 16 dated 13 May 2023 will be revoked.

#### **Determination**

For the purpose of Regulation 16 relating to catch and disposal requirements in the Western Zone Abalone Fishery I make the following determinations commencing 1 July 2023 –

- **Licence holders or their registered masters must comply with Part A and Part B of this determination until the Manager Leasing and Licensing has provided written notice that they are no longer required to comply with Part A.**
- **Following the provision of written notice to a licence holder from the Manager Leasing and Licensing advising that paper-based records and reporting described in Part A are no longer required, CDRs and reporting relating to that licence will only be accepted by the Department in electronic form consistent with the requirements in Part B of this determination.**

### **Part A**

#### **Paper based records and reporting**

Unless licence holders have written notice from the Manager Leasing and licensing to the contrary they must provide catch and disposal records and reporting as described in this part.

#### **Regulation 16(1)(a) (record information)**

(1) Where abalone is taken under the licence from a boat, or has been taken without a boat, the holder of a licence or the registered master must comply with the following requirements:

- (a) complete Part A of an Abalone Catch and Disposal (CDR1) record in respect of abalone taken under the licence—
  - i. if the abalone is landed on the day on which it is taken—
    - 1. immediately after the abalone is landed and within 200 metres of the place of landing; or
    - 2. if the abalone is to be delivered to the registered premises of a registered fish processor within 200 metres of the place of landing—before the abalone is delivered to the premises; or

- ii. in any other case—before the end of the day on which the abalone is taken.

**Regulation 16(1)(b) (provide information)**

(1) Where abalone is taken under the licence from a boat or has been taken without a boat, the holder of a licence or the registered master must comply with the following requirements:

- (a) The Department must be notified on 1800 065 522 or by the Commercial Fishing SA App prior to engaging in fishing activity under the licence each day of the following information:
  - i. the name of the person making the call and the applicable licence number; and
  - ii. the name of the registered master who will be conducting the fishing activity on that day; and
  - iii. the launching site to be used that day; and
  - iv. if the retrieval site is different to the launching site or no abalone have been caught the Department must be notified on 1800 065 522 30 minutes before leaving the retrieval site.

**Regulation 16(1)(c) (required actions for fish)**

(1) Where abalone is taken under the licence from a boat or has been taken without a boat, the holder of a licence or the registered master must comply with the following requirements:

- (a) within 200 metres of landing; or within 200 metres of landing and before abalone leaves the licence holder or registered master's possession; or where abalone has not been landed, before the end of the day –
  - i. secure abalone in receptacles using registered tag(s) issued by the Department so as to ensure that no abalone can be removed or added to the receptacle without breaking any tag; and
  - ii. secure and attach the completed white, yellow and pink copies of the CDR1 record to one of the receptacles containing the abalone for transport to the registered fish processor; and
- (b) ensure abalone remains secured in receptacles using a tag(s) issued by the Department until the abalone is consigned and delivered to the registered fish processor; and
- (c) where a tag used to secure a receptacle is broken—
  - a. the receptacle is sealed with a replacement tag; and
  - b. the broken tag is attached to the receptacle by threading it through the replacement tag; and
  - c. the number of the replacement tag is recorded on the CDR1 record.

- (d) ensure that the white, yellow and pink copies of the CDR1 record are transported to the registered premises of the fish processor together with the abalone to which the forms relate; and
- (e) abalone must be consigned to one of the registered fish processors listed on the licence Registrations and Entitlements register for weighing within the State of South Australia; and
- (f) all abalone must be accurately weighed at the registered premises of a registered fish processor and Part B of the CDR1 record completed within 48 hours from the time of landing
- (g) if at any time a tag is lost—that the Department is immediately notified of the loss on 1800 065 522.

### **Regulation 16(3) (keeping of records)**

- (1) Where abalone is taken under a licence, the holder of the licence or the registered master must comply with the following requirements:
  - (a) make a copy of each record that he or she completes under this determination before the return is sent or delivered; and
  - (b) retain the copy for a period of 12 months from the last day of the month to which the record relates.

## **Part B**

### **Electronic records and reporting**

Licence holders must provide electronic catch and disposal records and reporting as described in this part.

### **Regulation 16(1)(a and b) (provide information)**

- (1) Where abalone is taken under the licence from a boat, or has been taken without a boat, the holder of a licence or the registered master must comply with the following requirements:
  - (a) Prior to engaging in fishing activity under the licence each day accurately complete and submit an electronic report with the following information:
    - i. the name of the person making the report and the applicable licence number; and
    - ii. the name of the registered master who will be conducting the fishing activity on that day; and
    - iii. the launching site to be used that day; and
    - iv. if the retrieval site is different to the launching site amend the electronic report 30 minutes before leaving the retrieval site; or

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- v. if no abalone are taken cancel the electronic report 30 minutes before leaving the retrieval site.

(2) Where abalone is taken under the licence from a boat, or has been taken without a boat, the holder of a licence or the registered master must comply with the following requirements:

- (a) Accurately complete and submit an electronic report in respect of abalone taken under the licence—
  - i. if the abalone is landed on the day on which it is taken—
    - 1. immediately after the abalone is landed and within 200 metres of the place of landing; or
    - 2. if the abalone is to be delivered to the registered premises of a registered fish processor within 200 metres of the place of landing—before the abalone is delivered to the premises; or
  - ii. in any other case—before the end of the day on which the abalone is taken.

**Regulation 16(1)(c) (dealing with fish)**

(1) Where abalone is taken under the licence from a boat, or has been taken without a boat, the holder of a licence or the registered master must comply with the following requirements:

- (a) within 200 metres of landing; and before abalone leaves the licence holder or registered master's possession; or where abalone has not been landed before the end of the day –
  - i. secure abalone in receptacles using registered tag(s) issued by the Department so as to ensure that no abalone can be removed or added to the receptacle without breaking any tag; and
- (b) ensure abalone remains secured in receptacles using a tag(s) issued by the Department until the abalone is consigned and delivered to the registered fish processor; and
- (c) where a tag used to secure a receptacle is broken—
  - i. the receptacle is sealed with a replacement tag; and
  - ii. the broken tag is attached to the receptacle by threading it through the replacement tag; and
  - iii. the number of the replacement tag is accurately reported and submitted in an electronic report.
- (d) abalone must be consigned to one of the registered fish processors listed on the licence Registrations and Entitlements register for weighing within the State of South Australia; and

- (e) all abalone must be accurately weighed at the registered premises of a registered fish processor and the electronic record completed within 48 hours from the time of landing; and
- (f) if at any time a tag is lost—that the Department is immediately notified of the loss on 1800 065 522.

**Regulation 16(3) (keeping of records)**

- (1) Where an electronic report has been completed and received by the Department for abalone taken under a licence 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)); 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.

**Manager Leasing and Licensing** – means the person for the time being occupying or acting in the role of Manager Leasing and licensing within the Fisheries and Aquaculture Division of the Department.

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

Dated 27 June 2023



Prof Gavin Begg

**Executive Director, Fisheries and Aquaculture**

**As delegate of the Minister for Primary Industries and Regional Development**