

South Australia

# **Fisheries Management (Fish Processors) (Marine Scalefish Fishery Reform) Variation Regulations 2021**

under the *Fisheries Management Act 2007*

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## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Fisheries Management (Fish Processors) (Marine Scalefish Fishery Reform) Variation Regulations 2021*.

### **2—Commencement**

These regulations come into operation on 1 July 2021.

### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

## **Part 2—Variation of *Fisheries Management (Fish Processors) Regulations 2017***

### **4—Variation of regulation 3—Interpretation**

- (1) Regulation 3—after the definition of *giant crab* insert:

*King George whiting* means *Syllaginodes punctatus*;

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- (2) Regulation 3—after the definition of *sardine* insert:

*snapper* means *Chrysophrys auratus*;

*southern calamari* means *Sepioteuthis australis*;

*southern garfish* means *Hyporhamphus melanochir*;

## **5—Insertion of regulations 15A to 15D**

After regulation 15 insert:

### **15A—Requirements relating to processing of King George whiting**

- (1) A registered fish processor must comply with the following provisions in respect of King George whiting purchased or obtained by, or consigned or delivered to, the fish processor:
- (a) the fish processor must, in the manner and form, at such places and at such times, as determined by the Minister, record such information in respect of the King George whiting as determined by the Minister;
  - (b) the registered fish processor must provide the information recorded under paragraph (a) to the Department in the manner and form, and at such times, as determined by the Minister;
  - (c) the fish processor must ensure that King George whiting purchased or obtained by, or consigned or delivered to, the fish processor are—
    - (i) accompanied by such information; and
    - (ii) weighed, stored, placed in containers, sealed, tagged, and sold, transported, delivered, consigned or otherwise disposed of or dealt with, at such places and at such times,in accordance with the requirements (if any) as determined by the Minister.
- (2) If a determination of the Minister made for the purposes of subregulation (1) is not complied with, the fish processor is guilty of an offence.
- Maximum penalty: \$2 500.  
Expiation fee: \$210.
- (3) The fish processor must keep records made under subregulation (1) in the manner, at such place, and for such period, as determined by the Minister.
- Maximum penalty: \$2 500.  
Expiation fee: \$210.

### **15B—Requirements relating to processing of snapper**

- (1) A registered fish processor must comply with the following provisions in respect of snapper purchased or obtained by, or consigned or delivered to, the fish processor:
  - (a) the fish processor must, in the manner and form, at such places and at such times, as determined by the Minister, record such information in respect of the snapper as determined by the Minister;
  - (b) the registered fish processor must provide the information recorded under paragraph (a) to the Department in the manner and form, and at such times, as determined by the Minister;
  - (c) the fish processor must ensure that snapper purchased or obtained by, or consigned or delivered to, the fish processor are—
    - (i) accompanied by such information; and
    - (ii) weighed, stored, placed in containers, sealed, tagged, and sold, transported, delivered, consigned or otherwise disposed of or dealt with, at such places and at such times,  
  
in accordance with the requirements (if any) as determined by the Minister.
- (2) If a determination of the Minister made for the purposes of subregulation (1) is not complied with, the fish processor is guilty of an offence.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (3) The fish processor must keep records made under subregulation (1) in the manner, at such place, and for such period, as determined by the Minister.

Maximum penalty: \$2 500.

Expiation fee: \$210.

### **15C—Requirements relating to processing of southern calamari**

- (1) A registered fish processor must comply with the following provisions in respect of southern calamari purchased or obtained by, or consigned or delivered to, the fish processor:
  - (a) the fish processor must, in the manner and form, at such places and at such times, as determined by the Minister, record such information in respect of the southern calamari as determined by the Minister;

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- (b) the registered fish processor must provide the information recorded under paragraph (a) to the Department in the manner and form, and at such times, as determined by the Minister;
  - (c) the fish processor must ensure that southern calamari purchased or obtained by, or consigned or delivered to, the fish processor are—
    - (i) accompanied by such information; and
    - (ii) weighed, stored, placed in containers, sealed, tagged, and sold, transported, delivered, consigned or otherwise disposed of or dealt with, at such places and at such times,  
  
in accordance with the requirements (if any) as determined by the Minister.
- (2) If a determination of the Minister made for the purposes of subregulation (1) is not complied with, the fish processor is guilty of an offence.  
Maximum penalty: \$2 500.  
Expiation fee: \$210.
- (3) The fish processor must keep records made under subregulation (1) in the manner, at such place, and for such period, as determined by the Minister.  
Maximum penalty: \$2 500.  
Expiation fee: \$210.

**15D—Requirements relating to processing of southern garfish**

- (1) A registered fish processor must comply with the following provisions in respect of southern garfish purchased or obtained by, or consigned or delivered to, the fish processor:
- (a) the fish processor must, in the manner and form, at such places and at such times, as determined by the Minister, record such information in respect of the southern garfish as determined by the Minister;
  - (b) the registered fish processor must provide the information recorded under paragraph (a) to the Department in the manner and form, and at such times, as determined by the Minister;
  - (c) the fish processor must ensure that southern garfish purchased or obtained by, or consigned or delivered to, the fish processor are—
    - (i) accompanied by such information; and

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- (ii) weighed, stored, placed in containers, sealed, tagged, and sold, transported, delivered, consigned or otherwise disposed of or dealt with, at such places and at such times,
- in accordance with the requirements (if any) as determined by the Minister.
- (2) If a determination of the Minister made for the purposes of subregulation (1) is not complied with, the fish processor is guilty of an offence.
- Maximum penalty: \$2 500.  
Expiation fee: \$210.
- (3) The fish processor must keep records made under subregulation (1) in the manner, at such place, and for such period, as determined by the Minister.
- Maximum penalty: \$2 500.  
Expiation fee: \$210.

**Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 24 June 2021

No 93 of 2021