

Rock Lobster Direct Sales FAQs

Disclaimer

These frequently asked questions (FAQs) are a plain English summary of direct sales under the *Fisheries (Rock Lobster) Rules 2022* (the Rules) and are produced without prejudice. They should not be used as a binding interpretation of the Rules or legal proceedings.

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Licence holder responsibility

Information provided in these FAQs is correct at the time of publication. Licence holders and supervisors are advised that Rules (the legislation) change from time to time and licence holders are advised of these changes when they occur.

Licence holders are reminded of their responsibility to ensure that any person specified as a supervisor on their licence is made aware of these changes when they occur.

It remains your responsibility as a licence holder or supervisor to read and understand the relevant legislation in full, and to maintain an up-to-date knowledge of the Rules relevant to your activities.

The Rules are available for download from NRE Tas, via www.fishing.tas.gov.au/legislation or <https://www.legislation.tas.gov.au/>.

1. Where can I direct sell Rock Lobster?

Direct sales must occur within the proximity of the site of unloading at the port of landing.

2. How do I process a direct sale to a person at the site of unloading?

a. For sales of *no more than 20* lobster

- Before removing the rock lobster from the site of unloading, complete and issue a Commercial Rock Lobster and Giant Crab Sales Receipt to the recipient.
- Tag the rock lobster per rule 117 of the *Fisheries (Rock Lobster) Rules 2022* before removing them from the site of unloading.
- On the day of the sale, fill out the Commercial Rock Lobster and Giant Crab Direct Sales Quota Docket.
- Send the pink copy of the completed docket to NRE Tas within 48 hours.

b. For Sales of *more than 20* lobster

- At least two hours prior to the sale or transfer, make an unloading report.
- Complete the Commercial Rock Lobster and Giant Crab Direct Sales Quota Docket before removing the lobster from the site of unloading.
- Tag the rock lobster per rule 117 of the *Fisheries (Rock Lobster) Rules 2022*, before removing them from the site of unloading.
- Make a movement report before removing the rock lobster.
- Provide the yellow copy of the completed direct sale docket to the recipient of the rock lobster.
- Within 48 hours of completing the direct sale docket, send the pink copy to NRE Tas.

3. How do I process a direct sale to a person not at the site of unloading?

a. For sales of *no more than 20* lobster

- Make an unloading report at least 2 hours before removing the rock lobster from the site of unloading.
- Declare the total weight of rock lobster unloaded on a Commercial Rock Lobster and Giant Crab Direct Sales Quota Docket before removing them from the site of unloading.
- Tag the rock lobster pursuant to rule 117 of *Fisheries (Rock Lobster) Rules 2022* before removing them from the site of unloading.
- Make a movement report, before removing the rock lobster.
- Issue a Commercial Rock Lobster and Giant Crab Sales Receipt to the recipient at the time of sale or transfer.
- Complete the Commercial Rock Lobster and Giant Crab Direct Sales Quota Docket on the same day of sale.
- Send the pink copy of the completed Commercial Rock Lobster and Giant Crab Direct Sales Quota Docket to NRE Tas within 48 hours after its completion.

b. For sales of more than 20 lobster

- Make an unloading report at least 2 hours before removing the rock lobster from the site of unloading.
- Declare the total weight of rock lobster unloaded on a Commercial Rock Lobster and Giant Crab Direct Sales Quota Docket before removing them from the unloading site.
- Tag the rock lobster pursuant to rule 117 of the *Fisheries (Rock Lobster) Rules 2022* before removing from the site of unloading.
- Complete the Commercial Rock Lobster and Giant Crab Direct Sales Quota Docket at the time of sale or transfer.
- Make a movement report before removing the rock lobster.
- Give the yellow copy of the completed Commercial Rock Lobster and Giant Crab Direct Sales Quota docket to the recipient of the rock lobster.
- Send the pink copy of the Commercial Rock Lobster and Giant Crab Direct Sales Quota Docket to NRE Tas within 48 hours after its completion.

4. Can I cook the rock lobster before direct selling?

Yes, provided:

- The lobster must be cooked on your vessel, by the holder or supervisor of the fishing licence (rock lobster).
- The direct sale process is completed prior to any cooking, dismembering, freezing, or other processing of the rock lobster takes place.

5. Can I unload to a processor for them to cook my rock lobster and then receive them back to sell?

Yes, provided all of the following are met when unloading to a processor:

- An unloading report is made at least 2 hours before unloading.
- The Commercial Rock Lobster Catch Record and Quota Docket is completed, and the pink sheet sent to NRE Tas within 48 hours.
- The processor can then cook and tag the lobster and will dispatch back to you. You must retain the white sheet of the Fish Dispatch Docket.
- Once you receive the rock lobster back from the processor you can only sell them by retail to the public and a receipt of sale must be provided pursuant to, rule 14 of the *Fisheries Rules 2019*.

6. Can I, as the holder/supervisor of a Rock Lobster licence direct sell to myself?

Yes. Follow the directions in questions 1, 2 or 3 whichever is applicable.

a. What can I do with the rock lobster I direct sell to myself?

If you direct sell to yourself, the nature of possession changes. You no longer possess the rock lobster as the holder/supervisor of the fishing licence (rock lobster). You may sell the rock lobster as a fish merchant by retail to the public and you must provide receipt of sale pursuant to Rule 14 of the *Fisheries Rules 2019*.

7. Can I direct sell to family members?

Yes. However, the family members are restricted to selling the rock lobster by retail to the public as per 6a above.

8. Can I direct sell to a shop/restaurant?

Yes. However, when completing the relevant paperwork, the shop/restaurant must be listed as the name of receiver, and the address of the shop/restaurant must be used.

Follow the directions outlined in Q2 or Q3 - whichever is applicable.

9. Can I cook rock lobster at home before processing a direct sale?

No, unless you hold a fish processing licence.

10. Can I partially unload to a processor, direct sell, return unsold rock lobster to cauf (if endorsed) and then unload from cauf at another port?

No. If the rock lobster have been unloaded to the cauf, they may only be sold from the cauf.

11. Can I return sold rock lobster to the vessel or cauf (if endorsed)?

No, rock lobster that are sold cannot be returned to the vessel or cauf, unless the sale is cancelled.

12. Can I direct sell to someone other than a fish processor and deliver them myself?

Yes. However, you must complete the required dockets as outlined in Q3.

13. Can I prefill my vessel details on the sales receipt dockets?

Yes. Please note, you can only prefill vessel details and cannot pre-sign any dockets.

14. How do I respond to Q14 of the “Unloading Report”?

Please answer: “This is a direct sale”.

15. Who do I contact for tags and direct sales logbooks?

Contact the Fisheries Licensing Team via email at fisheries.licensing@nre.tas.gov.au.

16. Where can I get further advice on reporting direct sales correctly?

Contact the Fisheries Compliance and Licensing Team via email at fisheries.monitoring@nre.tas.gov.au.