Statutory Rules 1983 No. __________

Foreign Fishing Boats Levy Regulations

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the Foreign Fishing Boats Levy Act 1981.

Dated 28 July 1983.

N. M. STEPHEN
Governor-General

By His Excellency’s Command,

(Sgd) John Kerin
Minister of State for Primary Industry

Citation

1. These Regulations may be cited as the Foreign Fishing Boats Levy Regulations.

Repeal of former Foreign Fishing Boats Levy Regulations

2. Statutory Rules 1982 No. 288 are repealed.

Interpretation

3. In these Regulations—

“agreement” means the agreement in force in respect of the period of 12 months commencing on 1 August 1983 entered into by the Minister, on behalf of the Commonwealth, with the Kaohsiung Fishing Boat Commercial Guild and with K.K.F.C. Proprietary Limited, a company incorporated within Australia;

“the Act” means the Foreign Fishing Boats Levy Act 1981.
Prescribed class of foreign fishing boats

4. Boats other than boats in respect of which licences are granted in accordance with the agreement, in respect of which an instrument is in force under sub-section 4 (2) of the Fisheries Act 1952, are a prescribed class of foreign fishing boats for the purposes of sub-section 4 (2) of the Act.

Levy payable in respect of licences granted in accordance with the agreement

5. (1) Subject to sub-regulation (2), for the purposes of section 5 of the Act, the amount of levy imposed by sub-section 4 (1) of the Act on the grant to a person of a licence in respect of a foreign fishing boat in accordance with the agreement is the proportion of the fee of $1,271,753 payable under the terms of the agreement by K.K.F.C. Proprietary Limited to the Commonwealth calculated as follows:

(a) in respect of each of the first 104 boats in respect of which a licence is granted in accordance with the agreement—$12,219.54; and

(b) in respect of each of the other 46 boats in respect of which licences are issuable in accordance with the agreement and to which that fee of $1,271,753 relates—an amount that is arrived at by dividing the difference between $1,271,753 and the total amount of the levy imposed in respect of boats referred to in paragraph (a) by 46.

(2) For the purposes of section 5 of the Act, the amount of levy imposed by sub-section 4 (1) of the Act on the grant to a person of a licence in respect of a foreign fishing boat that, in accordance with the agreement, is a replacement for a boat in respect of which a licence had previously been granted in accordance with the agreement is $20.

Levy payable in other cases

6. For the purposes of section 5 of the Act, the amount of levy imposed by sub-section 4 (1) of the Act on the grant to a person of a licence in respect of a foreign fishing boat otherwise than in accordance with the agreement is $15,000.

NOTE


29 July