Fisheries Research and Development Corporation Amendment Regulations 2001 (No. 1)'

Statutory Rules 2001 No. 2

I, PETER JOHN HOLLINGWORTH, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the Primary Industries and Energy Research and Development Act 1989.

Dated 29 AUG 2001 2001

PETER HOLLINGWORTH
Governor-General

By His Excellency’s Command

JUDITH TROETH
Parliamentary Secretary to the Minister for Agriculture,
Fisheries and Forestry
1 Name of Regulations
These Regulations are the *Fisheries Research and Development Corporation Amendment Regulations 2001 (No. 2)*.

2 Commencement
These Regulations commence on 1 October 2001.

3 Amendment of *Fisheries Research and Development Corporation Regulations 1991*
Schedule 1 amends the *Fisheries Research and Development Corporation Regulations 1991*.

**Schedule 1 Amendments**
(regulation 3)

[1] Regulation 3, before definition of *Corporation*
*insert*

*Act* means the *Primary Industries and Energy Research and Development Act 1989*.

[2] Regulation 3, definition of *the Act*
*omit*

[3] Regulation 4A, heading
*substitute*

4A Levies attached to the Corporation — fishing
[4] Regulations 4B, 4C and 4D

*substitute*

4B **Levies attached to the Corporation — farmed prawns**

(1) For paragraph 5 (1) (a) of the Act, the following are attached to the Corporation:

(a) the levy imposed by clause 3.2 of Schedule 27 to the *Primary Industries (Excise) Levies Regulations 1999*;

(b) the charge imposed by clause 2.2 of Schedule 14 to the *Primary Industries (Customs) Charges Regulations 2000*.

(2) For paragraph 5 (3) (a) of the Act, the research component of the levies mentioned in subregulation (1) is the whole of the levies.

(3) For paragraph 5 (3) (b) of the Act, the fishing industry is the primary industry to which the levies mentioned in subregulation (1) relate.

4C **Gross value of production of fishing industry**

(1) In this regulation:

*fishing industry* means that part of the fishing industry concerned with taking or culturing fish or fish products, whether managed by or on behalf of the Commonwealth, a State or a Territory.

(2) For subsection 30A (5) of the Act, the Minister must determine the total GVP for a financial year (the *relevant financial year*) by using:

\[
\frac{A + B + C}{3}
\]

where:

A is the estimated gross value of production of the fishing industry in the relevant financial year.
B is the gross value of production of the fishing industry in the financial year immediately before the relevant financial year (the previous financial year).

C is the gross value of production of the fishing industry in the financial year immediately before the previous financial year.

(3) For A, B and C in subregulation (2), the amount for the gross value of production is the figure supplied by the Department of Agriculture, Fisheries and Forestry.

4D Gross value of production of Commonwealth managed fisheries

(1) In this regulation:

Commonwealth fishing industry means that part of the fishing industry:
(a) concerned with taking or culturing fish or fish products; and
(b) managed by or on behalf of the Commonwealth.

(2) For subsection 30A (5) of the Act, the Minister must determine the Commonwealth GVP for a financial year (the relevant financial year) by using:

\[
\frac{A + B + C}{3}
\]

where:
A is the estimated gross value of production of the Commonwealth fishing industry in the relevant financial year.
B is the gross value of production of the Commonwealth fishing industry in the financial year immediately before the relevant financial year (the previous financial year).
C is the gross value of production of the Commonwealth fishing industry in the financial year immediately before the previous financial year.
(3) For A, B and C in subregulation (2), the amount for the gross value of production is the figure supplied by the Department of Agriculture, Fisheries and Forestry.

4E **Gross value of production of State or Territory managed fisheries**

(1) In this regulation:

*State or Territory fishing industry* means that part of the fishing industry:

(a) concerned with taking or culturing fish or fish products; and

(b) managed by or on behalf of a State or Territory.

(2) For subsection 30A (5) of the Act, the Minister must determine the State or Territory GVP for a financial year (the *relevant financial year*) by using:

\[
\frac{A + B + C}{3}
\]

where:

A is the estimated gross value of production of the State or Territory fishing industry in the relevant financial year.

B is the gross value of production of the State or Territory fishing industry in the financial year immediately before the relevant financial year (the *previous financial year*).

C is the gross value of production of the State or Territory fishing industry in the financial year immediately before the previous financial year.

**Notes**
