



Fisheries Levy (Torres Strait Prawn Fishery) Regulations 1998

Statutory Rules 1998 No. 7 as amended

made under the

Fisheries Levy Act 1984

This compilation was prepared on 17 December 2009
taking into account amendments up to SLI 2009 No. 346

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1 Name of Regulations [see Note 1]

These Regulations are the *Fisheries Levy (Torres Strait Prawn Fishery) Regulations 1998*.

2 Interpretation

- (1) In these Regulations:

allocated fishing day, for a licence mentioned in regulation 3, means a day that is 1 of the total number of days on which the boat for which the licence was granted may be in the reporting area.

Levy Act means the *Fisheries Levy Act 1984*.

reporting area has the meaning given by Torres Strait Fisheries Management Notice No. 43.

TSF Act means the *Torres Strait Fisheries Act 1984*.

- (2) Unless the contrary intention appears, a word or phrase that is used in these Regulations has the same meaning as in the *Torres Strait Fisheries Regulations 1985*.

3 Prescribed licences and units of fishing capacity

- (1) For paragraphs 5 (d) and (f) of the Levy Act, licences of the kind to which this regulation applies are prescribed.
- (2) This regulation applies to a licence that:
- (a) is granted under subsection 19 (2) of the TSF Act; and
 - (b) includes a condition under subsection 22 (2) of the TSF Act that limits the number of days in a year that the boat for which the licence was granted may be in the reporting area.
- (3) For paragraphs 5 (bc) and (bd) of the Levy Act, units of fishing capacity are prescribed.

4 Amount of levy

Licences — grant, renewal or variation

- (1) For subsection 6 (1) of the Levy Act, the amount of levy imposed on the grant of a licence mentioned in subregulations 3 (1) and (2) to a person is \$4 229.06 plus \$27.23 for each unit of fishing capacity (if any) allocated to the person.
- (2) For subsection 6 (1) of the Levy Act, the amount of levy imposed on the renewal of a licence mentioned in subregulations 3 (1) and (2) held by a person is \$4 229.06 plus \$27.23 for each unit of fishing capacity (if any) allocated to the person.
- (3) For subsection 6 (1) of the Levy Act, the amount of levy imposed on the variation of a licence mentioned in subregulations 3 (1) and (2) held by a person is \$27.23 for each additional unit of fishing capacity allocated to the person.

Units of fishing capacity — allocation or renewal of allocation

- (4) For subsection 6 (1) of the Levy Act, the amount of levy imposed on the allocation of a unit of fishing capacity mentioned in subregulation 3 (3) is \$27.23 for each unit of fishing capacity that is so allocated.
- (5) For subsection 6 (1) of the Levy Act, the amount of levy imposed on the renewal of the allocation of a unit of fishing capacity mentioned in subregulation 3 (3) is \$27.23 for each unit of fishing capacity that is so renewed.

Note 1 To identify by whom levy is payable, see section 7 of the Levy Act.

Note 2 Subsection 3 (2) of the Levy Act interprets references to ‘units of fishing capacity’.

Table of Instruments**Notes to the *Fisheries Levy (Torres Strait Prawn Fishery) Regulations 1998*****Note 1**

The *Fisheries Levy (Torres Strait Prawn Fishery) Regulations 1998* (in force under the *Fisheries Levy Act 1984*) as shown in this compilation comprise Statutory Rules 1998 No. 7 amended as indicated in the Tables below.

Table of Instruments

Year and number	Date of notification in <i>Gazette</i> or FRLI registration	Date of commencement	Application, saving or transitional provisions
1998 No. 7	11 Feb 1998	11 Feb 1998	
1998 No. 327	16 Dec 1998	16 Dec 1998	—
2001 No. 21	23 Feb 2001	23 Feb 2001	—
2002 No. 1	15 Feb 2002	15 Feb 2002	—
2003 No. 1	13 Feb 2003	13 Feb 2003	—
2004 No. 7	20 Feb 2004	20 Feb 2004	—
2005 No. 2	14 Feb 2005 (see F2005L00171)	15 Feb 2005	—
2006 No. 3	17 Feb 2006 (see F2006L00519)	18 Feb 2006	—
2007 No. 2	20 Feb 2007 (see F2007L00374)	21 Feb 2007	—
2008 No. 6	15 Feb 2008 (see F2008L00307)	16 Feb 2008	—
2009 No. 2	6 Feb 2009 (see F2009L00237)	7 Feb 2009	—
2009 No. 346	16 Dec 2009 (see F2009L04546)	17 Dec 2009	—

Table of Amendments

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
R. 1	rs. 1998 No. 327
R. 2	ad. 2001 No. 21 am. 2009 No. 2
Heading to r. 3	rs. 2009 No. 2
R. 3	am. 2009 No. 2
R. 4	rs. 1998 No. 327 am. 2001 No. 21; 2002 No. 1; 2003 No. 1; 2004 No. 7; 2005 No. 2; 2006 No. 3; 2007 No. 2 rs. 2008 No. 6; 2009 Nos. 2 and 346
