



# **Fisheries Levy (Torres Strait Prawn Fishery) Regulations 1998**

**Statutory Rules 1998 No. 7 as amended**

made under the

*Fisheries Levy Act 1984*

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taking into account amendments up to SLI 2011 No. 204

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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 \$3 089.01 plus \$21.50 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 \$3 089.01 plus \$21.50 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 \$21.50 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 \$21.50 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 \$21.50 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**

<b>Year and number</b>	<b>Date of notification in <i>Gazette</i> or FRLI registration</b>	<b>Date of commencement</b>	<b>Application, saving or transitional provisions</b>
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	—
2010 No. 311	13 Dec 2010 (see F2010L03190)	14 Dec 2010	—
2011 No. 204	25 Nov 2011 (see F2011L02436)	26 Nov 2011	—

**Table of Amendments**

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**Table of Amendments**

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 = repealed    rs. = repealed and substituted

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<b>Provision affected</b>	<b>How affected</b>
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 am. 2010 No. 311; 2011 No. 204

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