



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

**Statutory Rules No. 7, 1998**

made under the

*Fisheries Levy Act 1984*

## **Compilation No. 17**

<b>Compilation date:</b>	31 October 2015
<b>Includes amendments up to:</b>	SLI No. 170, 2015
<b>Registered:</b>	2 November 2015

Prepared by the Office of Parliamentary Counsel, Canberra

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## About this compilation

### This compilation

This is a compilation of the *Fisheries Levy (Torres Strait Prawn Fishery) Regulations 1998* that shows the text of the law as amended and in force on 31 October 2015 (the *compilation date*).

This compilation was prepared on 2 November 2015.

The notes at the end of this compilation (the *endnotes*) include information about amending laws and the amendment history of provisions of the compiled law.

### Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on ComLaw ([www.comlaw.gov.au](http://www.comlaw.gov.au)). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on ComLaw for the compiled law.

### Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

### Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on ComLaw for the compiled law.

### Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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## 1 Name of Regulations

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

## 2 Interpretation

- (1) In these Regulations:

**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 fishing 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 permitted for the Torres Strait Prawn Fishery under the management plan in force for that fishery are prescribed.

#### 4 Amount of levy

*Licences—grant and renewal*

- (1) For subsection 6(1) of the Levy Act, the amount of levy imposed on the grant of a licence mentioned in subregulation 3(2) to a person is \$2 740.62 plus \$18.56 for each unit of fishing capacity mentioned in subregulation 3(3) allocated to the person in respect of the licence.
- (2) For subsection 6(1) of the Levy Act, the amount of levy imposed on the renewal of a licence mentioned in subregulation 3(2) to a person is \$2 740.62 plus \$18.56 for each unit of fishing capacity mentioned in subregulation 3(3) to be held by the person in respect of the renewed licence.

*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) (other than a unit of fishing capacity mentioned in subregulation 4(1) or (2)) is \$18.56 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) (other than a unit of fishing capacity mentioned in subregulation 4(1) or (2)) is \$18.56 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’.

## Endnotes

### Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

Endnotes about misdescribed amendments and other matters are included in a compilation only as necessary.

### Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

### Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

### Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history.

If a misdescribed amendment cannot be given effect as intended, the abbreviation “(md not incorp)” is added to the details of the amendment included in the amendment history.

## Endnotes

### Endnote 2—Abbreviation key

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#### Endnote 2—Abbreviation key

A = Act	o = order(s)
ad = added or inserted	Ord = Ordinance
am = amended	orig = original
amdt = amendment	par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)
c = clause(s)	pres = present
C[x] = Compilation No. x	prev = previous (prev...) = previously
Ch = Chapter(s)	Pt = Part(s)
def = definition(s)	r = regulation(s)/rule(s)
Dict = Dictionary	Reg = Regulation/Regulations
disallowed = disallowed by Parliament	reloc = relocated
Div = Division(s)	renum = renumbered
exp = expires/expired or ceases/ceased to have effect	rep = repealed
F = Federal Register of Legislative Instruments	rs = repealed and substituted
gaz = gazette	s = section(s)/subsection(s)
LI = Legislative Instrument	Sch = Schedule(s)
LIA = <i>Legislative Instruments Act 2003</i>	Sdiv = Subdivision(s)
(md) = misdescribed amendment can be given effect	SLI = Select Legislative Instrument
(md not incorp) = misdescribed amendment cannot be given effect	SR = Statutory Rules
mod = modified/modification	Sub-Ch = Sub-Chapter(s)
No. = Number(s)	SubPt = Subpart(s)
	<u>underlining</u> = whole or part not commenced or to be commenced



## Endnote 3—Legislation history

**Endnote 3—Legislation history**

<b>Number and year</b>	<b>FRLI registration or gazettal</b>	<b>Commencement</b>	<b>Application, saving and transitional provisions</b>
7, 1998	11 Feb 1998	11 Feb 1998 (r 1)	
327, 1998	16 Dec 1998	16 Dec 1998 (r 2)	—
21, 2001	23 Feb 2001	23 Feb 2001 (r 2)	—
1, 2002	15 Feb 2002	15 Feb 2002 (r 2)	—
1, 2003	13 Feb 2003	13 Feb 2003 (r 2)	—
7, 2004	20 Feb 2004	20 Feb 2004 (r 2)	—
2, 2005	14 Feb 2005 (F2005L00171)	15 Feb 2005 (r 2)	—
3, 2006	17 Feb 2006 (F2006L00519)	18 Feb 2006 (r 2)	—
2, 2007	20 Feb 2007 (F2007L00374)	21 Feb 2007 (r 2)	—
6, 2008	15 Feb 2008 (F2008L00307)	16 Feb 2008 (r 2)	—
2, 2009	6 Feb 2009 (F2009L00237)	7 Feb 2009 (r 2)	—
346, 2009	16 Dec 2009 (F2009L04546)	17 Dec 2009 (r 2)	—
311, 2010	13 Dec 2010 (F2010L03190)	14 Dec 2010 (r 2)	—
204, 2011	25 Nov 2011 (F2011L02436)	26 Nov 2011 (r 2)	—
273, 2012	7 Dec 2012 (F2012L02355)	8 Dec 2012 (s 2)	—
259, 2013	13 Dec 2013 (F2013L02099)	14 Dec 2013 (s 2)	—
177, 2014	1 Dec 2014 (F2014L01613)	2 Dec 2014 (s 2)	—

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## Endnotes

### Endnote 3—Legislation history

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<b>Number and year</b>	<b>FRLI registration or gazettal</b>	<b>Commencement</b>	<b>Application, saving and transitional provisions</b>
170, 2015	30 Oct 2015 (F2015L01727)	31 Oct 2015 (s 2(1) item 1)	—

## Endnote 4—Amendment history

## Endnote 4—Amendment history

Provision affected	How affected
r 1.....	rs No 327, 1998
r 2.....	ad No 21, 2001 am No 2, 2009; No 177, 2014
r 3.....	am No 2, 2009; No 177, 2014
r 4.....	rs No 327, 1998 am No 21, 2001; No 1, 2002; No 1, 2003; No 7, 2004; No 2, 2005; No 3, 2006; No 2, 2007 rs No 6, 2008; No 2, 2009; No 346, 2009 am No 311, 2010; No 204, 2011; No 273, 2012; No 259, 2013; No 177, 2014; No 170, 2015