



## **Fisheries Levy (Torres Strait Prawn Fishery) Regulation 2016**

---

I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation.

Dated 24 November 2016

Peter Cosgrove  
Governor-General

By His Excellency's Command

Anne Ruston  
Assistant Minister for Agriculture and Water Resources  
Parliamentary Secretary to the Deputy Prime Minister and Minister for Agriculture and  
Water Resources

---



---

## Contents

1	Name.....	1
2	Commencement .....	1
3	Authority.....	1
4	Schedules .....	1
5	Definitions .....	1
6	Prescribed units of fishing capacity .....	1
7	Prescribed licences.....	2
8	Amount of levy .....	2
<b>Schedule 1—Repeals</b>		<b>3</b>
<i>Fisheries Levy (Torres Strait Prawn Fishery) Regulations 1998</i>		<i>3</i>



## 1 Name

This is the *Fisheries Levy (Torres Strait Prawn Fishery) Regulation 2016*.

## 2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	26 November 2016

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

## 3 Authority

This instrument is made under the *Fisheries Levy Act 1984*.

## 4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

## 5 Definitions

In this instrument:

**Levy Act** means the *Fisheries Levy Act 1984*.

**reporting area** has the same meaning as in the Torres Strait Fisheries Management Notice No. 43.

Note: The Torres Strait Fisheries Management Notice No. 43 is a legislative instrument made under the TSF Act.

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

## 6 Prescribed units of fishing capacity

For the purposes of paragraphs 5(bc) and (bd) of the Levy Act, units of fishing capacity for the Torres Strait Prawn Fishery under the plan of management in force for that fishery are prescribed.

## Section 7

---

- Note 1: See subsection 3(2) of the Levy Act for the meaning of unit of fishing capacity.
- Note 2: The plan of management for the Torres Strait Prawn Fishery is determined under section 15A of the TSF Act.

### 7 Prescribed licences

For the purposes of paragraphs 5(d) and (f) of the Levy Act, a licence that:

- (a) is granted under subsection 19(2) of the TSF Act; and
- (b) authorises the taking, carrying, or processing and carrying of prawn in the Torres Strait Prawn Fishery; and
- (c) allows the boat in respect of which the licence was granted to be used for commercial fishing for prawn in the Fishery; and
- (d) is subject to a condition under subsection 22(1) or (2) of the TSF Act that limits the number of fishing days in a year that the boat may be in the reporting area;

is prescribed.

### 8 Amount of levy

- (1) This section applies for the purposes of subsection 6(1) of the Levy Act.

#### *Licences—grant*

- (2) The amount of levy imposed on the grant of a licence prescribed by section 7 to a person is \$3,491.64 plus \$23.75 for each unit of fishing capacity prescribed by section 6 allocated to the person in respect of the licence.

#### *Licences—renewal*

- (3) The amount of levy imposed on the renewal of a licence prescribed by section 7 to a person is \$3,491.64 plus \$23.75 for each unit of fishing capacity prescribed by section 6 to be held by the person in respect of the renewed licence.

#### *Units of fishing capacity—allocation*

- (4) The amount of levy imposed on the allocation of a unit of fishing capacity prescribed by section 6 (other than a unit of fishing capacity referred to in subsection (2) or (3) of this section) is \$23.75 for each unit of fishing capacity allocated.

#### *Units of fishing capacity—renewal of allocation*

- (5) The amount of levy imposed on the renewal of the allocation of a unit of fishing capacity prescribed by section 6 (other than a unit of fishing capacity referred to in subsection (2) or (3) of this section) is \$23.75 for each unit of fishing capacity the allocation of which is renewed.

Note: See section 7 of the Levy Act for the person who is liable to pay the levy.

## **Schedule 1—Repeals**

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

#### **1 The whole of the Regulations**

Repeal the Regulations.