

Compilation Information

## Fisheries Management (Refund) Regulations 1992

Statutory Rules 1992 No. 407 as amended  
made under the

*Fisheries Management Act 1991*

This compilation was prepared on 29 November 2000  
taking into account amendments up to SR 2000 No. 311

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### REG 1 Name of Regulations

[see Note 1] These Regulations are the *Fisheries Management (Refund) Regulations 1992*.

### REG 3 Refund of levy

(1)

If:

(a)

the holder of a fishing permit has paid levy under Part 17 of the Fishing Levy (All Fisheries) Regulations in respect of a period, or part of a period, for which the permit has been granted; and

(b)

the holder surrenders the permit before the end of that period or part;

AFMA must refund to the holder an amount calculated in accordance with the following formula:

where:

*levy paid* is the amount of levy paid in respect of the period or part of the period.

*paid period* is the number of days in the period or part for which levy has been paid.

*unexpired period* is the number of days between:

(a) the date of surrender; and

(b) the day immediately following the day on which the period or part ends.

*Note* Part 17 of the Fishing Levy (All Fisheries) Regulations provides for payment of levies in relation to informally managed fisheries. (2) If, in relation to a period, or part of a period, for which a fishing permit has been granted, a holder of the permit:

(a)

has paid levy under the repealed Regulations; and

- (b) surrenders the permit on or after the commencement of the Fishing Levy (All Fisheries) Regulations but before the end of that period or part;

levy is taken, for the purposes of subregulation (1), to have been paid under Part 17 of the Fishing Levy (All Fisheries) Regulations.

(3)

In this regulation:  
*repealed Regulations* means the Fishing Levy Regulations in force immediately before the commencement of the Fishing Levy (All Fisheries) Regulations.

#### REG 4 Refund of levy paid for SENTF fishing permits

(1)

This regulation applies to levy paid in accordance with regulation 11.2 of the *Fishing Levy Regulations 1998* by the holder of an SENTF fishing permit:

(a)

that was in force on 16 April 1999; and

(b)

to which paragraph (b) or (d) of that regulation applied.

*Note* Under regulation 11.2 of the *Fishing Levy Regulations 1998*, the amount of levy for an SENTF fishing permit in force on 16 April 1999 was the total of the following amounts:

(a) \$1 126;

(b) if the permit authorises fishing for blue-eye trevalla — the amount calculated by multiplying the number of permanent units for blue-eye trevalla mentioned in Attachment B to the permit by 54.3 cents;

(c) if the permit authorises fishing for pink ling — the amount calculated by multiplying the number of permanent units for pink ling mentioned in Attachment B to the permit by 38 cents;

(d) if the permit authorises fishing for blue warehou — the amount calculated by multiplying the number of permanent units for blue warehou mentioned in Attachment B to the permit by 1.8 cents.

(2)

AFMA must refund to the holder the amount (if any) by which the amount of levy paid exceeds the revised amount for the permit.

(3)

In this regulation:  
*amount of levy paid*, for a permit, means the total of the amounts paid by the holder of the permit in accordance with paragraphs 11.2 (b) and (d) of the *Fishing Levy Regulations 1998*.

*revised amount*, for a permit, means the total of:

(a) if the permit authorised fishing for blue-eye trevalla — the amount calculated by multiplying the number of permanent units for blue-eye trevalla mentioned in Attachment B to the permit by 53.3 cents; and

(b) if the permit authorised fishing for blue warehou — the amount calculated by multiplying the number of permanent units for blue warehou mentioned in Attachment B to the permit by 1.7 cents.

*SENTF fishing permit* means a fishing permit for the South East Non-trawl Fishery.

Note 1 Notes to the *Fisheries Management (Refund) Regulations 1992*

Note 1

The Fisheries Management (Refund) Regulations 1992 (in force under the *Fisheries Management Act 1991*) as shown in this compilation comprise Statutory Rules 1992 No. 407 amended as indicated in the Tables below.

Table of Statutory Rules

Year and number	Date of notification in <i>Gazette</i>	Date of commencement	Application, saving or transitional provisions
1992 No. 407	16 Dec 1992	16 Dec 1992	
1996 No. 318	20 Dec 1996	20 Dec 1996	—
1999 No. 55	9 Apr 1999	9 Apr 1999	—
2000 No. 311	29 Nov 2000	29 Nov 2000	—

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted	
Provision affected	How affected
R. 1	rs. 1999 No. 55
R. 2	am. 1996 No. 318
R. 3	am. 1996 No. 318
R. 4	ad. 1999 No. 55
	rs. 2000 No. 311