



Fisheries Management (Refund) Regulations 2001

Statutory Rules 2001 No. 244¹

I, PETER JOHN HOLLINGWORTH, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Fisheries Management Act 1991*.

Dated 13 September 2001

PETER HOLLINGWORTH
Governor-General

By His Excellency's Command

WILSON TUCKEY
Minister for Forestry and Conservation

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1 Name of Regulations

These Regulations are the *Fisheries Management (Refund) Regulations 2001*.

2 Commencement

These Regulations commence on gazettal.

3 Definitions

In these Regulations:

Class A SSF fishing permit means an SSF fishing permit other than a Class B SSF fishing permit.

Class B SSF fishing permit means an SSF fishing permit that allows fishing using the longline method with not more than 1 demersal longline and 50 hooks.

Levy Regulations means the *Fishing Levy Regulations 2000*.

SSF fishing permit means a fishing permit for the Southern Shark Fishery.

4 Refund or remission of levy for Class A SSF fishing permits

- (1) This regulation applies to levy paid, or payable, in accordance with regulation 17.2 of the Levy Regulations by the holder of a Class A SSF fishing permit.
- (2) If the holder surrenders the permit, or surrendered it before the commencement of these Regulations, AFMA must:
 - (a) refund to the holder the amount of levy (if any) paid by the holder in accordance with regulation 17.2 of the Levy Regulations; and
 - (b) remit the amount of levy (if any) that:
 - (i) is payable by the holder in accordance with regulation 17.2 of the Levy Regulations; and
 - (ii) has not been paid.

5 Refund or remission of levy for Class B SSF fishing permits

- (1) This regulation applies to levy paid, or payable, in accordance with regulation 17.2 of the Levy Regulations by the holder of a Class B SSF fishing permit.

Note Under regulation 17.2 of the Levy Regulations, the amount of levy for an SSF fishing permit was the total of the following amounts:

 - (a) \$400;
 - (b) 31 cents for each quota unit specified in an attachment to the permit in relation to a quota species.
- (2) AFMA must refund to the holder the amount of levy (if any) paid by the holder in accordance with paragraph 17.2 (a) of the Levy Regulations.
- (3) AFMA must remit the amount of levy (if any) that:
 - (a) is payable by the holder in accordance with paragraph 17.2 (a) of the Levy Regulations; and
 - (b) has not been paid.

6 Fisheries Management (Refund) Regulations 1992 — repeal

The following Statutory Rules are repealed:

- 1992 No. 407
- 1996 No. 318
- 1999 No. 55
- 2000 No. 311.

Note Paragraph 8 (c) of the *Acts Interpretation Act 1901*, as applied by paragraph 46 (1) (a) of that Act, provides that the repeal of Regulations does not affect any right, privilege, obligation or liability acquired, accrued or incurred under those Regulations.

Note

1. Notified in the *Commonwealth of Australia Gazette* on 14 September 2001.