



Fishing Levy Regulations 2005¹

Select Legislative Instrument 2005 No. 282

I, PHILIP MICHAEL JEFFERY, 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* and the *Fishing Levy Act 1991*.

Dated 1 December 2005

P. M. JEFFERY
Governor-General

By His Excellency's Command

IAN MACDONALD
Minister for Fisheries, Forestry and Conservation

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Regulation 1

Part 1 Preliminary**1 Name of Regulations**

These Regulations are the *Fishing Levy Regulations 2005*.

2 Commencement

These Regulations commence on the day after they are registered.

3 *Fishing Levy Regulations 2004* — repeal

The *Fishing Levy Regulations 2004* are repealed.

4 Definitions

- (1) In these Regulations:

invoice date, for levy or an instalment of levy, means the date specified as its date of issue on the invoice issued by the Australian Fisheries Management Authority for the levy or instalment.

Levy Act means the *Fishing Levy Act 1991*.

Management Act means the *Fisheries Management Act 1991*.

Management Regulations means the *Fisheries Management Regulations 1992*.

- (2) Unless the contrary intention appears, an expression that is used in these Regulations and in the Management Regulations has the same meaning in these Regulations as it has in those Regulations.
- (3) Unless the contrary intention appears, an expression that is used in these Regulations in relation to a fishery for which there is a plan of management made under section 17 of the Management Act, and is also used in that plan, has the same meaning in these Regulations as it has in the plan.

Regulation 5**5 References to fisheries**

A reference in these Regulations to a fishery by name, being a fishery that is described by that name in regulation 4B of the Management Regulations or in a plan of management made under section 17 of the Management Act, is a reference to the fishery as described in those Regulations or that plan.

Note 1 The following fisheries are described in regulation 4B of the Management Regulations:

- (a) the Coral Sea Fishery;
- (b) the Eastern Skipjack Fishery;
- (c) the Eastern Tuna and Billfish Fishery;
- (d) the Macquarie Island Fishery;
- (e) the North West Slope Fishery;
- (f) the Small Pelagic Fishery;
- (g) the Southern Squid Fishery;
- (h) the Southern Tuna and Billfish Fishery;
- (i) the Western Deep Water Trawl Fishery;
- (j) the Western Skipjack Fishery;
- (k) the Western Tuna and Billfish Fishery.

Note 2 The following fisheries are described in plans of management made under section 17 of the Management Act:

- (a) the Bass Strait Central Zone Scallop Fishery — see the *Bass Strait Central Zone Scallop Fishery Management Plan 2002* (notified in *Gazette* No. S422 of 7 November 2002);
- (b) the Heard Island and McDonald Islands Fishery — see the *Heard Island and McDonald Islands Fishery Management Plan 2002* (notified in *Gazette* No. GN 21 of 29 May 2002);
- (c) the Northern Prawn Fishery — see the *Northern Prawn Fishery Management Plan 1995* (notified in *Gazette* No. S49 of 10 February 1995);
- (d) the Southern and Eastern Scalefish and Shark Fishery — see the *Southern and Eastern Scalefish and Shark Fishery Management Plan 2003* (notified in *Gazette* No. GN39 of 1 October 2003);
- (e) the Southern Bluefin Tuna Fishery — see the *Southern Bluefin Tuna Fishery Management Plan 1995* (notified in *Gazette* No. S34 of 3 February 1995);
- (f) the Southern Squid Jig Fishery — see the *Southern Squid Jig Fishery Management Plan 2005* (registered in the Federal Register of Legislative Instruments on 27 April 2005 as Legislative Instrument No. F2005L00964).

Regulation 6

Part 2 Bass Strait Central Zone Scallop Fishery**6 Definition — *leviable BSCZSF SFR***

In this Part:

leviable BSCZSF SFR means a statutory fishing right granted under the *Bass Strait Central Zone Scallop Fishery Management Plan 2002*, being a statutory fishing right that is in force on or after 1 January 2006.

7 Amount of levy

For section 6 of the Levy Act, the amount of levy payable for a leviable BSCZSF SFR is 65 cents.

Note The research component of the levy is 1 cent.

8 When levy must be paid

For section 110 of the Management Act, levy payable for the leviable BSCZSF SFRs held by a person is due and payable on the later of:

- (a) 29 January 2006; and
- (b) 28 days after the invoice date for the levy.

Part 3 Coral Sea Fishery

9 Definition — *leviable CSF fishing permit*

In this Part:

leviable CSF fishing permit means a fishing permit for the Coral Sea Fishery, being a fishing permit that is in force on or after the commencement of these Regulations and on or before 30 June 2006.

10 Amount of levy

For section 6 of the Levy Act, the amount of levy payable for a leviable CSF fishing permit is the sum of:

- (a) \$2 230.77; and
- (b) an amount for each sector of the Fishery to which the permit relates, as follows:
 - (i) for the aquarium sector — \$878.56;
 - (ii) for the lobster and trochus collection sector — \$1 969.13;
 - (iii) for the demersal line sector — \$7 532.33;
 - (iv) for the demersal trawl sector — \$12 343.97;
 - (v) for the sea cucumber hand collection sector — \$10 249.16.

Note The basic amount of levy mentioned in paragraph (a) includes a research component of \$146.56. The levy amounts mentioned in subparagraphs (b) (iii), (iv) and (v) each include an additional research component of \$1 000.00. There is no research component of the levy amounts mentioned in subparagraphs (b) (i) and (ii).

11 When levy must be paid

For section 110 of the Management Act, levy payable for a leviable CSF fishing permit is due and payable on the later of:

- (a) 31 March 2006; and
- (b) 28 days after the invoice date for the levy.

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Part 4 Eastern Skipjack Fishery**12 Definition — *leviable ESF fishing permit***

In this Part:

leviable ESF fishing permit means a fishing permit for the Eastern Skipjack Fishery, being a fishing permit that is in force on or after the commencement of these Regulations and on or before 30 June 2006.

13 Amount of levy

For section 6 of the Levy Act, the amount of levy payable for a leviable ESF fishing permit is \$2 928.00.

Note The research component of the levy is \$39.00.

14 When levy must be paid

For section 110 of the Management Act, levy payable for a leviable ESF fishing permit is due and payable on the later of:

- (a) 31 May 2006; and
- (b) 28 days after the invoice date for the levy.

Part 5 Eastern Tuna and Billfish Fishery

15 Definition — *leviable ETBF fishing permit*

In this Part:

leviable ETBF fishing permit means a fishing permit for the Eastern Tuna and Billfish Fishery, being a fishing permit that is in force on or after the commencement of these Regulations and on or before 30 June 2006.

16 Amount of levy

For section 6 of the Levy Act, the amount of levy payable for a leviable ETBF fishing permit is:

- (a) if the permit authorises fishing in only 1 sector of the Fishery — the amount specified for the sector in table 16; or
- (b) if the permit authorises fishing in 2 or more sectors — the greater or greatest of the amounts of levy specified in that table for the sectors in which fishing is authorised.

Note For the sectors of the Fishery, see regulation 4C of, and Division 2 of Part 3 of Schedule 1A to, the Management Regulations.

Table 16 Amounts of levy for the sectors

Item	Sector	Amount (\$)
1	ML Sector	2 367.00
2	PL Sector	2 215.00
3	PLL (Sub-area 1) Sector	11 551.00
4	PLL (Sub-area 2) Sector	10 351.00
5	PLL (Sub-area 4) Sector	5 753.00
6	PLL (Sub-area 6) Sector	5 496.00
7	PLL (Sub-area 7) Sector	5 496.00

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Item	Sector	Amount (\$)
8	PLL (Sub-area 8) Sector	5 496.00
9	PLL (Sub-area 9) Sector	3 549.00
10	PLL (Sub-area 10) Sector	1 040.00

Note The research components of the respective levy amounts are as follows:

Item	Sector	Research component(\$)
1	ML Sector	457.00
2	PL Sector	337.00
3	PLL (Sub-area 1) Sector	464.00
4	PLL (Sub-area 2) Sector	464.00
5	PLL (Sub-area 4) Sector	464.00
6	PLL (Sub-area 6) Sector	464.00
7	PLL (Sub-area 7) Sector	464.00
8	PLL (Sub-area 8) Sector	464.00
9	PLL (Sub-area 9) Sector	464.00
10	PLL (Sub-area 10) Sector	464.00

17 When levy must be paid

- (1) This regulation is made for sections 110 and 111 of the Management Act.
- (2) Levy payable for a leviable ETBF fishing permit that is in force on 28 January 2006 may be paid in 2 equal instalments.
- (3) If levy payable for such an ETBF fishing permit is paid by making 1 payment of the full amount due, that payment is due and payable on the later of:
 - (a) 28 January 2006; and
 - (b) 28 days after the invoice date for the levy.

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- (4) If levy payable for such an ETBF fishing permit is paid in 2 instalments:
- (a) the first instalment is due and payable on the later of:
 - (i) 28 January 2006; and
 - (ii) 28 days after the invoice date for the levy; and
 - (b) the second instalment is due and payable on the later of:
 - (i) 8 April 2006; and
 - (ii) 28 days after the invoice date for the instalment.
- (5) Levy payable for a leviable ETBF fishing permit that is in force on 8 April 2006 but not on 28 January 2006 is due 28 days after the invoice date for the levy.

Regulation 18

Part 6 Heard Island and McDonald Islands Fishery**18 Definition — *leviable HIMI SFR***

In this Part:

leviable HIMI SFR means a statutory fishing right granted under the *Heard Island and McDonald Islands Fishery Management Plan 2002*, being a statutory fishing right that is in force on the commencement of these Regulations.

19 Amount of levy

For section 6 of the Levy Act, the amount of levy payable for a leviable HIMI SFR is \$14.94.

Note Levy payable for an SFR includes a research component of \$1.19.

20 When levy must be paid

- (1) This regulation is made for sections 110 and 111 of the Management Act.
- (2) Levy payable for the leviable HIMI SFRs held by a person may be paid in 2 equal instalments.
- (3) If levy is paid by making 1 payment of the full amount due, that payment is due and payable on the later of:
 - (a) 15 March 2006; and
 - (b) 28 days after the invoice date for the levy.
- (4) If levy is paid as 2 instalments:
 - (a) the first instalment is due and payable on the later of:
 - (i) 15 March 2006; and
 - (ii) 28 days after the invoice date for the levy; and
 - (b) the second instalment is due and payable on the later of:
 - (i) 15 June 2006; and
 - (ii) 28 days after the invoice date for the instalment.

Part 7 Macquarie Island Fishery

21 Definition — *leviable MIF fishing permit*

In this Part:

leviable MIF fishing permit means a fishing permit for the Macquarie Island Fishery, being a fishing permit that is in force on or after the commencement of these Regulations and on or before 30 June 2006.

22 Amount of levy

For section 6 of the Levy Act, the amount of levy payable for a leviable MIF fishing permit is \$92 597.00.

Note The research component of the levy is \$3 703.00.

23 When levy must be paid

For section 110 of the Management Act, levy payable for a leviable MIF fishing permit is due and payable on the later of:

- (a) 28 days after the commencement of these Regulations; and
- (b) 28 days after the invoice date for the levy.

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Part 8 Northern Prawn Fishery**24 Definition — *leviable NPF gear SFR***

In this Part:

leviable NPF gear SFR means a gear statutory fishing right (within the meaning of the *Northern Prawn Fishery Management Plan 1995*) that is in force on the later of:

- (a) 12 December 2005; and
- (b) the day these Regulations commence.

25 Amount of levy

For section 6 of the Levy Act, the amount of levy payable for a leviable NPF gear SFR is \$38.35.

Note The research component of the levy is \$5.29.

26 When levy must be paid

For section 110 of the Management Act, levy payable for the leviable NPF gear SFRs held by a person is due and payable on the later of:

- (a) 28 January 2006; and
- (b) 28 days after the invoice date for the levy.

Part 9 North West Slope Fishery

27 Definition — *leviable NWSF fishing permit*

In this Part:

leviable NWSF fishing permit means a fishing permit for the North West Slope Fishery, being a fishing permit that is in force on or after the commencement of these Regulations and on or before 30 June 2006.

28 Amount of levy

For section 6 of the Levy Act, the amount of levy payable for a leviable NWSF fishing permit is \$7 858.00.

Note The research component of the levy is \$416.00.

29 When levy must be paid

For section 110 of the Management Act, levy payable for a leviable NWSF fishing permit is due and payable on the later of:

- (a) 28 January 2006; and
- (b) 28 days after the invoice date for the levy.

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Part 10 Small Pelagic Fishery**30 Definition — *leviable SPF fishing permit***

(1) In this Part:

leviable SPF fishing permit means a fishing permit for the Small Pelagic Fishery that is in force on or after the commencement of these Regulations and on or before 31 May 2006.

(2) However, for the purposes of this Part, a permit package is taken to be 1 leviable SPF fishing permit.

(3) In subregulation (2):

permit package means 2 or more fishing permits for the Small Pelagic Fishery:

- (a) both or all of which are leviable SPF fishing permits; and
- (b) that were issued to the same person in relation to the same boat; and
- (c) that have the same numeric identifier.

31 Amount of levy

For section 6 of the Levy Act, the amount of levy payable for a leviable SPF fishing permit is \$5 691.81.

Note The research component of the levy is \$104.81.

32 When levy must be paid

For section 110 of the Management Act, levy payable for a leviable SPF fishing permit is due and payable on the later of:

- (a) 28 April 2006; and
- (b) 28 days after the invoice date for the levy.

Part 11 Southern and Eastern Scalefish and Shark Fishery

33 Definitions

(1) In this Part:

holder of a fishing concession means:

- (a) the person to whom the concession was granted; or
- (b) if that person has transferred the concession to someone else:
 - (i) the other person; and
 - (ii) any other person to whom it is subsequently transferred.

Plan means the *Southern and Eastern Scalefish and Shark Fishery Management Plan 2003*.

quota species has the same meaning as in the Plan.

Note The quota species are set out in Schedule 2 to the Plan.

(2) In this Part:

- (a) a reference to a sector or a zone by name is to the sector or zone of that name described in the Plan; and
- (b) a reference to a statutory fishing right is to a right granted under the Plan; and
- (c) a reference to a fishing permit is to a permit granted under the Plan, unless otherwise stated.

34 Amount of levy — SESSF ECDT fishing permits

(1) In this regulation:

leviable SESSF ECDT fishing permit means a fishing permit that authorises fishing by trawling methods for the East Coast Deepwater Trawl Sector, being a fishing permit that is in force on or after 1 January 2006 and on or before 31 December 2006.

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- (2) For section 6 of the Levy Act, the amount of levy payable for a leviable SESSF ECDT fishing permit is \$2 515.89.

Note The research component of the levy is \$60.00.

35 Amount of levy — SESSF GABT quota species fishing permits

- (1) In this regulation:

leviable SESSF GABT quota species fishing permit means a fishing permit to take fish of 1 or more quota species from the Great Australian Bight Trawl Sector, being a fishing permit that is in force on or after 1 January 2006 and on or before 31 December 2006.

- (2) For section 6 of the Levy Act, the amount of levy payable for a leviable SESSF GABT quota species fishing permit is the total of:
- 32.44 cents for each quota unit of school shark; and
 - 31.39 cents for each quota unit of gummy shark; and
 - 21.04 cents for each quota unit of sawshark; and
 - 9.82 cents for each quota unit of elephant fish;
- authorised to be taken by the permit.

Note The research components of the respective levy amounts are as follows:

- for school shark, 2.26 cents
- for sawshark, 1.46 cents
- for gummy shark, 2.18 cents
- for elephant fish, 0.68 of a cent.

36 Amount of levy — SESSF GHT fishing permits

- (1) In this regulation:

leviable SESSF GHT fishing permit means a fishing permit for the South Australian Coastal Waters Sector, the Tasmanian Coastal Waters Sector, the Tasmanian Rock Lobster Sector or the Victorian Coastal Waters Sector, being a fishing permit that:

- authorises the taking of fish of 1 or more quota species; and

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- (b) is in force on or after 1 January 2006 and on or before 31 December 2006;

but does not include a fishing permit that is subject to a condition requiring the boat nominated for the permit to be the nominated boat in relation to a boat statutory fishing right granted under the Plan.

Note SESSF GHT fishing permits are granted under the Plan to replace OCS permits — see sections 39, 40, 41 and 43 of the Plan.

- (2) For section 6 of the Levy Act, the amount of levy payable for a leviable SESSF GHT fishing permit is the sum of:
- (a) \$1 392.94; and
- (b) the total of:
- (i) 30.18 cents for each quota unit of school shark; and
 - (ii) 29.21 cents for each quota unit of gummy shark; and
 - (iii) 19.58 cents for each quota unit of sawshark; and
 - (iv) 9.14 cents for each quota unit of elephant fish;
- authorised to be taken by the permit.

Note The research component of the levy mentioned in paragraph (2) (a) is \$192.94. The additional levy amounts have no research component.

37 Amount of levy — SESSF VCW fishing permits

- (1) In this regulation:
- leviable SESSF VCW fishing permit* means a fishing permit for the Victorian Coastal Waters Sector that authorises the taking of fish of a non-quota species, being a fishing permit that is in force on or after 1 January 2006 and on or before 31 December 2006.
- (2) For section 6 of the Levy Act, the amount of levy payable for a leviable SESSF VCW fishing permit is \$859.17.

Note The research component of the levy is \$60.00.

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38 Amount of levy — SESSF SET quota species fishing permits

- (1) In this regulation:

leviable SESSF SET quota species fishing permit means a fishing permit to take fish of 1 or more quota species from the Commonwealth Trawl Sector, being a fishing permit that is in force on or after 1 January 2006 and on or before 31 December 2006.

- (2) For section 6 of the Levy Act, the amount of levy payable for a leviable SESSF SET quota species fishing permit is the total of:

- (a) 32.44 cents for each quota unit of school shark; and
- (b) 31.39 cents for each quota unit of gummy shark; and
- (c) 21.04 cents for each quota unit of sawshark; and
- (d) 9.82 cents for each quota unit of elephant fish;

authorised to be taken by the permit.

Note The research components of the respective levy amounts are as follows:

- for school shark, 2.26 cents
- for sawshark, 1.46 cents
- for gummy shark, 2.18 cents
- for elephant fish, 0.68 of a cent.

39 Amount of levy — SESSF GHT quota species fishing permits

- (1) In this regulation:

leviable SESSF GHT quota species fishing permit means a fishing permit to take, by means of hook methods or gillnets, fish of 1 or more quota species from the Commonwealth Gillnet Sector, the Commonwealth Scalefish Hook Sector or the Commonwealth Shark Hook Sector, being a fishing permit that is in force on or after 1 January 2006 and on or before 31 December 2006.

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- (2) For section 6 of the Levy Act, the amount of levy payable for a leviabale SESSF GHT quota species fishing permit is the total of:
- (a) 30.18 cents for each quota unit of school shark; and
 - (b) 29.21 cents for each quota unit of gummy shark; and
 - (c) 19.58 cents for each quota unit of sawshark; and
 - (d) 9.14 cents for each quota unit of elephant fish;
- authorised to be taken by the permit.

Note The levy amounts have no research component.

40 Amount of levy — SESSF GHT trap fishing permits

- (1) In this regulation:
- leviabale SESSF GHT trap fishing permit* means a fishing permit for fishing in the Commonwealth Scalefish Hook Sector by means of fish traps (being a fishing permit that is in force on or after 1 January 2006 and on or before 31 December 2006), but does not include such a fishing permit that is subject to a condition requiring the boat nominated for the permit to be the nominated boat in relation to a boat statutory fishing right granted under the Plan.
- (2) For section 6 of the Levy Act, the amount of levy payable for a leviabale SESSF GHT trap fishing permit is \$3 011.34.

Note The research component of the levy is \$192.94.

41 Amount of levy — SESSF GAB trawl boat SFRs

- (1) In this regulation:
- leviabale SESSF GAB trawl boat SFR* means a GAB Trawl boat statutory fishing right that is in force on 1 January 2006.
- (2) For section 6 of the Levy Act, the amount of levy payable for a leviabale SESSF GAB trawl boat SFR is \$46 408.82.

Note The research component of the levy is \$3 294.62.

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42 Amount of levy — SESSF gillnet boat SFRs

- (1) In this regulation:

leviable SESSF gillnet boat SFR means a gillnet boat statutory fishing right that is in force on 1 January 2006.

- (2) For section 6 of the Levy Act, the amount of levy payable for a leviable SESSF gillnet boat SFR is \$1 392.94.

Note The research component of the levy is \$192.94.

43 Amount of levy — SESSF scalefish hook boat SFRs

- (1) In this regulation:

leviable SESSF scalefish hook boat SFR means a scalefish hook boat statutory fishing right that is in force on 1 January 2006.

- (2) For section 6 of the Levy Act, the amount of levy payable for a leviable SESSF scalefish hook boat SFR is \$3 011.34.

Note The research component of the levy is \$192.94.

44 Amount of levy — SESSF shark hook boat SFRs

- (1) In this regulation:

leviable SESSF shark hook boat SFR means a shark hook boat statutory fishing right that is in force on 1 January 2006.

- (2) For section 6 of the Levy Act, the amount of levy payable for a leviable SESSF shark hook boat SFR is \$1 392.94.

Note The research component of the levy is \$192.94.

45 Amount of levy — SESSF trawl boat SFRs

- (1) In this regulation:

leviable SESSF trawl boat SFR means a trawl boat statutory fishing right that is in force on 1 January 2006.

- (2) For section 6 of the Levy Act, the amount of levy payable for a leviable SESSF trawl boat SFR is \$4 751.51.

Note There is no research component of the levy.

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46 Amount of levy — SESSF type N quota SFRs

(1) In this regulation:

leviable SESSF type N quota SFR means a type N quota statutory fishing right that is in force on 1 January 2006.

(2) For section 6 of the Levy Act, the amount of levy payable for a leviable SESSF type N quota SFR to take a particular species, or a particular species in a particular sector, is the amount specified in table 46 for the relevant species, or the relevant species and sector, as the case requires.

Table 46 Amounts of levy per quota unit for quota species — SESSF type N quota SFRs

Item	Quota species, or species and sector	Amount of levy (cents)
1	Blue eye trevalla	12.47
2	Blue grenadier	9.60
3	Blue warehou	2.20
4	Flathead	10.26
5	Gemfish (eastern sector)	4.84
6	Gemfish (western sector)	6.10
7	Jackass morwong	3.81
8	John dory	15.97
9	Mirror dory	6.42
10	Ocean perch	10.81
11	Pink ling	23.57
12	Redfish	6.23
13	Royal red prawn	3.49
14	School whiting	1.73
15	Silver trevally	1.97
16	Spotted warehou	16.70

Note The amounts of levy have no research component.

Regulation 47**47 Amount of levy — SESSF Type T quota SFRs**

(1) In this regulation:

leviable SESSF type T quota SFR means a type T quota statutory fishing right that is in force on 1 January 2006.

(2) For section 6 of the Levy Act, the amount of levy payable for a leviable SESSF type T quota SFR to take a particular species, or a particular species in a particular sector or zone, is the amount specified in table 47 for that species, or that species and sector or zone, as the case requires.

Table 47 Amounts of levy per quota unit for quota species — SESSF type T quota SFRs

Item	Quota species, species and sector, or species and zone	Amount of levy (cents)
1	Blue eye trevalla	13.4
2	Blue grenadier	10.32
3	Blue warehou	2.36
4	Flathead	11.03
5	Gemfish (eastern sector)	5.20
6	Gemfish (western sector)	6.56
7	Jackass morwong	4.09
8	John dory	17.16
9	Mirror dory	6.90
10	Ocean perch	11.62
11	Orange roughy (Cascade Plateau zone)	15.63
12	Orange roughy (eastern zone)	2.40
13	Orange roughy (southern zone)	0.32
14	Orange roughy (western zone)	2.83
15	Pink ling	25.33
16	Redfish	6.70
17	Royal red prawn	3.75

Regulation 47

Item	Quota species, species and sector, or species and zone	Amount of levy (cents)
18	School whiting	1.86
19	Silver trevally	2.12
20	Spotted warehou	17.95

Note The research component of the levy to be collected from this fishery, per quota unit, for each species is as follows:

Item	Quota species, species and sector, or species and zone	Research component
1	Blue eye trevalla	93 cents
2	Blue grenadier	72 cents
3	Blue warehou	16 cents
4	Flathead	77 cents
5	Gemfish (eastern sector)	36 cents
6	Gemfish (western sector)	46 cents
7	Jackass morwong	28 cents
8	John dory	\$1.19
9	Mirror dory	48 cents
10	Ocean perch	81 cents
11	Orange roughy (Cascade Plateau zone)	\$1.17
12	Orange roughy (eastern zone)	18 cents
13	Orange roughy (southern zone)	2 cents
14	Orange roughy (western zone)	2 cents
15	Pink ling	\$1.76
16	Redfish	47 cents
17	Royal red prawn	26 cents
18	School whiting	13 cents
19	Silver trevally	15 cents
20	Spotted warehou	\$1.25

Regulation 48

48 When levy must be paid — SESSF fishing permits

- (1) In this regulation:
leviable SESSF fishing permit means:
 - (a) a leviable SESSF ECDT fishing permit, within the meaning given by regulation 34; or
 - (b) a leviable SESSF GABT quota species fishing permit, within the meaning given by regulation 35; or
 - (c) a leviable SESSF GHT fishing permit, within the meaning given by regulation 36; or
 - (d) a leviable SESSF VCW fishing permit, within the meaning given by regulation 37; or
 - (e) a leviable SESSF SET quota species fishing permit, within the meaning given by regulation 38; or
 - (f) a leviable SESSF GHT quota species fishing permit, within the meaning given by regulation 39; or
 - (g) a leviable SESSF GHT trap fishing permit, within the meaning given by regulation 40.
- (2) This regulation is made for sections 110 and 111 of the Management Act.
- (3) Levy payable for a leviable SESSF fishing permit may be paid in 2 equal instalments.
- (4) If levy is paid by making 1 payment of the full amount due, that payment is due and payable on the later of:
 - (a) 28 January 2006; and
 - (b) 28 days after the invoice date for the levy.
- (5) If levy is paid as 2 instalments:
 - (a) the first instalment is due and payable on the later of:
 - (i) 28 January 2006; and
 - (ii) 28 days after the invoice date for the levy; and
 - (b) the second instalment is due and payable on the later of:
 - (i) 13 May 2006; and
 - (ii) 28 days after the invoice date for the instalment.

Regulation 49

49 When levy must be paid — SESSF SFRs

- (1) In this regulation:
leviable SESSF SFR means:
 - (a) a leviable SESSF GAB trawl boat SFR, within the meaning given by regulation 41; or
 - (b) a leviable SESSF gillnet boat SFR, within the meaning given by regulation 42; or
 - (c) a leviable SESSF scalefish hook boat SFR, within the meaning given by regulation 43; or
 - (d) a leviable SESSF shark hook boat SFR, within the meaning given by regulation 44; or
 - (e) a leviable SESSF trawl boat SFR, within the meaning given by regulation 45; or
 - (f) a leviable SESSF type N quota SFR, within the meaning given by regulation 46; or
 - (g) a leviable SESSF type T quota SFR, within the meaning given by regulation 47.
- (2) This regulation is made for sections 110 and 111 of the Management Act.
- (3) Levy payable for the leviable SESSF SFRs held by a person may be paid in 2 equal instalments.
- (4) If levy is paid by making 1 payment of the full amount due, that payment is due and payable on the later of:
 - (a) 28 January 2006; and
 - (b) 28 days after the invoice date for the levy.
- (5) If levy is paid as 2 instalments:
 - (a) the first instalment is due and payable on the later of:
 - (i) 28 January 2006; and
 - (ii) 28 days after the invoice date for the levy; and
 - (b) the second instalment is due and payable on the later of:
 - (i) 13 May 2006; and
 - (ii) 28 days after the invoice date for the instalment.

Regulation 50

Part 12 Southern Bluefin Tuna Fishery**50 Definition — *leviable SBTF SFR***

In this Part:

leviable SBTF SFR means a statutory fishing right described in section 8 of the *Southern Bluefin Tuna Fishery Management Plan 1995*, being a statutory fishing right that is in force on 15 January 2006.

51 Amount of levy

For section 6 of the Levy Act, the amount of levy payable for a leviable SBTF SFR is 29 cents.

Note The research component of the levy is 2.5 cents.

52 When levy must be paid

For section 110 of the Management Act, levy payable for the leviable SBTF SFRs held by a person is due and payable on the later of:

- (a) 12 February 2006; and
- (b) 28 days after the invoice date for the instalment.

Part 13 Southern Squid Jig Fishery

53 **Definition — *leviable SSJF gear SFR***

In this Part:

leviable SSJF gear SFR means a gear SFR granted under the *Southern Squid Jig Fishery Management Plan 2005*, being a gear SFR that is in force on 1 January 2006.

54 **Amount of levy**

For section 6 of the Levy Act, the amount of levy payable for a leviable SSJF gear SFR is \$25.60.

Note The research component of the levy is \$0.60.

55 **When levy must be paid**

For section 110 of the Management Act, levy payable for the leviable SSJF gear SFRs held by a person is due and payable on the later of:

- (a) 28 February 2006; and
- (b) 28 days after the invoice date for the levy.

Regulation 56

Part 14 **Southern Tuna and Billfish
Fishery and Western Tuna and
Billfish Fishery****56** **Definition — *leviable SWTBF fishing permit***

In this Part:

leviable SWTBF fishing permit means a fishing permit for the Southern Tuna and Billfish Fishery and the Western Tuna and Billfish Fishery, being a fishing permit that is in force on or after the commencement of these Regulations and on or before 30 June 2006.

57 **Amount of levy**

For section 6 of the Levy Act, the amount of levy payable for a leviable SWTBF fishing permit is:

- (a) in the case of a permit that authorises the use of only 1 fishing method:
 - (i) if the method is a pelagic longline fishing method — \$4 379.00; or
 - (ii) if the method is any other line fishing method — \$3 075.00; or
 - (iii) if the method is a purse-seine fishing method — \$2 522.00; or
- (b) in the case of a permit that authorises the use of 2 or more fishing methods — the greater or greatest of the amounts specified in paragraph (a) for those methods.

Note The research component of each amount of levy is \$212.00.

58 **When levy must be paid**

- (1) This regulation is made for sections 110 and 111 of the Management Act.

Regulation 58

- (2) Levy payable for a leviable SWTBF fishing permit that is in force on or before 14 January 2006 may be paid as 2 equal instalments.
- (3) If levy payable for such a fishing permit is paid by making 1 payment of the full amount due, that payment is due and payable on the later of:
 - (a) 15 January 2006; and
 - (b) 28 days after the invoice date for the levy.
- (4) If levy payable for such a fishing permit is paid in 2 instalments:
 - (a) the first instalment is due and payable on the later of:
 - (i) 15 January 2006; and
 - (ii) 28 days after the invoice date for the levy; and
 - (b) the second instalment is due and payable on the later of:
 - (i) 5 May 2006; and
 - (ii) 28 days after the invoice date for the instalment.
- (5) Levy payable for a leviable SWTBF fishing permit that is in force on or after 15 January 2006, but is not in force on 14 January 2006, is due and payable on the later of:
 - (a) 5 May 2006; and
 - (b) 28 days after the invoice date for the levy.

Regulation 59

Part 15 South Tasman Rise Fishery**59 Definition — *leviable STRF fishing permit***

In this Part:

leviable STRF fishing permit means a fishing permit for the South Tasman Rise Fishery, being a fishing permit that is in force on or after 1 March 2006 and on or before 31 December 2006.

60 Amount of levy

For section 6 of the Levy Act, the amount of levy payable for a leviable STRF fishing permit is \$1 486.07.

Note The research component of the levy is \$60.00.

61 When levy must be paid

For section 110 of the Management Act, levy payable for a leviable STRF fishing permit is due and payable on the later of:

- (a) 31 March 2006; or
- (b) 28 days after the invoice date for the levy.

Part 16 Western Deep Water Trawl Fishery

62 **Definition — *leviable WDWTF fishing permit***

In this Part:

leviable WDWTF fishing permit means a fishing permit for the Western Deep Water Trawl Fishery, being a fishing permit that is in force on or after the commencement of these Regulations and on or before 30 June 2006.

63 **Amount of levy**

For section 6 of the Levy Act, the amount of levy payable for a leviable WDWTF fishing permit is \$5 962.00.

Note The research component of the levy is \$332.00.

64 **When levy must be paid**

For section 110 of the Management Act, levy payable for a leviable WDWTF fishing permit is due and payable on the later of:

- (a) 28 January 2006; and
- (b) 28 days after the invoice date for the levy.

Regulation 65

Part 17 Western Skipjack Fishery**65 Definition — *leviable WSF fishing permit***

In this Part:

leviable WSF fishing permit means a fishing permit for the Western Skipjack Fishery, being a fishing permit that is in force on or after the commencement of these Regulations and on or before 30 June 2006.

66 Amount of levy

For section 6 of the Levy Act, the amount of levy payable for a leviable WSF fishing permit is \$2 928.00.

Note The research component of the levy is \$39.00.

67 When levy must be paid

For section 110 of the Management Act, levy payable for a leviable WSF fishing permit is due and payable on the later of:

- (a) 31 May 2006; and
- (b) 28 days after the invoice date for the levy.

Part 18 Informally managed fisheries

68 Definition — *leviable IMF fishing permit*

In this Part:

leviable IMF fishing permit:

- (a) means a fishing permit for an informally managed fishery (that is, a fishery that is managed by AFMA under the Management Regulations, but for which there is no management plan, and to which regulation 4B of those Regulations does not apply), being a fishing permit that is in force on or after the commencement of these Regulations and on or before 30 June 2006; but
- (b) does not include a fishing permit that is issued only to authorise the testing of fishing equipment.

69 Amount of levy

For section 6 of the Levy Act, the amount of levy payable for a leviable IMF fishing permit is \$1 000.00.

Note The research component of the levy is \$60.00.

70 When levy must be paid

For section 110 of the Management Act, levy payable for a leviable IMF fishing permit is due and payable on the later of:

- (a) 28 January 2006; and
- (b) 28 days after the invoice date for the levy.

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See www.frli.gov.au.