

**FISHING LEVY (ALL FISHERIES) REGULATIONS**  
1996 No. 316

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## PART 1 - PRELIMINARY

### Citation

1.01. These Regulations may be cited as the Fishing Levy (All Fisheries) Regulations.

### Commencement

1.02. Part 12 and regulation 18.02 are taken to have commenced on 15 December 1996.

[NOTE: The remainder of these Regulations commence on gazettal: see Acts Interpretation Act 1901, s. 48.]

### Interpretation

1.03. (1) In these Regulations:

"holder", of a fishing concession, means the person to whom the concession was granted or, if that person has transferred the concession, the person to whom the concession has been transferred;

"Levy Act" means the Fishing Levy Act 1991;

"Management Act" means the Fisheries Management Act 1991.

(2) Unless the contrary intention appears:

(a) a reference in these Regulations to a fishery mentioned in regulation 4B of the Fisheries Management Regulations is a reference to the fishery so mentioned; and

(b) any other expression used in these Regulations and in the Fisheries Management Regulations has the same meaning in these Regulations as it has in those Regulations.

[NOTES:

1. The fisheries described in regulation 4B of the Fisheries Management Regulations, at the commencement of these Regulations, are:

- (a) the Bass Strait Scallop Fishery;
- (b) the Coral Sea Fishery;
- (c) the Eastern Tuna and Billfish Fishery;
- (d) the Jack Mackerel Fishery;
- (e) the Macquarie Island Developmental Fishery;
- (f) the North West Slope Trawl Fishery;
- (g) the South East Non-trawl Fishery;
- (h) the South East Trawl Fishery;
- (i) the Southern Shark Fishery;
- (j) the Southern Squid Fishery;
- (k) the Southern Tuna and Billfish Fishery;
- (l) the Western Deep Water Trawl Fishery; and
- (m) the Western Tuna and Billfish Fishery.

2. The following plans of management have been made under section 17 of the Management Act:

- (a) the Great Australian Bight Trawl Fishery Management Plan (notified in Gazette No. S205 of 2 July 1993);
- (b) the Northern Prawn Trawl Fishery Management Plan 1995 (notified in Gazette No. S49 of 10 February 1995);
- (c) the Southern Bluefin Tuna Fishery Management Plan 1995 (notified in Gazette No. S34 of 3 February 1995).

3. Under the Primary Industries and Energy Research and Development Act 1989, a part (the "research component") of the levy imposed by the Fishing Levy Act 1991 is to be paid to the Fisheries Research and Development Corporation for research and development activities relating to the fishing industry. The amount proposed by the Australian Fisheries Management Authority, from time to time,

as the research component of each levy is set out in a note following the regulation that specifies the amount of the levy.]

## PART 2 - BASS STRAIT SCALLOP FISHERY

### Interpretation

#### 2.01. In this Part:

"BSSF fishing permit" means a fishing permit for the Bass Strait Scallop Fishery.

### Amount of levy

2.02. For section 6 of the Levy Act, the amount of levy prescribed for a BSSF fishing permit granted in the period beginning on the date of commencement of these Regulations and ending at the end of 31 December 1996 is \$2,200.

[NOTE: The amount proposed as the research component of the levy amount is \$120.]

### When must levy be paid

2.03. For section 110 of the Management Act, levy for a BSSF fishing permit must be paid before the end of 28 days after the grant of the permit.

## PART 3 - CORAL SEA FISHERY

### Interpretation

#### 3.01. In this Part:

"CSF fishing permit" means:

- (a) a fishing permit for the Coral Sea Fishery; or
- (b) a fishing permit, granted before the date of commencement of these Regulations, that:
  - (i) came into force on or after 1 July 1996; and
  - (ii) authorises the use of a boat for fishing in the North East

Deep Water Fishery;

"North East Deep Water Fishery" has the meaning given by the Fishing Levy (North East Deep Water Fishery) Regulations, as in force immediately before the commencement of these Regulations.

### Amount of levy

3.02. For section 6 of the Levy Act, the amount of levy prescribed for a CSF fishing permit for the financial year beginning on 1 July 1996 is \$1,125.

[NOTE: The amount proposed as the research component of the levy amount is \$60.]

### When must levy be paid

3.03. For section 110 of the Management Act, levy for a CSF fishing permit must be paid on, or before, the later of:

- (a) 28 January 1997; and
- (b) 28 days after the grant of the permit.

## PART 4 - EASTERN TUNA AND BILLFISH FISHERY

### Division 4.1 - Preliminary

#### Interpretation

##### 4.01. In this Part:

"area of the East Coast Tuna Fishery" means the part of the AFZ described in Schedule 2 to the Fishing Levy (East Coast Tuna Fishery) Regulations, as in force immediately before the commencement of these Regulations;

"ETBF fishing permit" means:

- (a) a fishing permit for the Eastern Tuna and Billfish Fishery; or
- (b) a fishing permit, granted before the date of commencement of these Regulations, that:
  - (i) came into force on or after 1 July 1996; and
  - (ii) authorises the use of a boat for fishing for tuna in the area of the East Coast Tuna Fishery;

"sector of the Fishery" means a sector described in subregulation 4C (1) of the Fisheries Management Regulations;

"tuna" has the meaning given by subregulation 4C (3) of the Fisheries Management Regulations;

"WBSTF fishing permit" means a fishing permit for the Western Tuna and Billfish Fishery, the Southern Tuna and Billfish Fishery, or both.

### Division 4.2 - Amount of levy

#### Amount of levy

4.02. For section 6 of the Levy Act, the amount of levy prescribed for an ETBF fishing permit granted in the period beginning on 1 July 1996 and ending at the end of 30 June 1997 is the amount determined under whichever of the regulations in this Division applies to the permit.

[NOTE: The amount proposed as the research component of a levy amount of a permit in this Fishery is set out in Schedule 1.]

#### Fishing permit for only 1 sector

4.03. (1) The amount of levy for an ETBF fishing permit that allows fishing in only 1 sector of the Fishery is the amount specified in column 3 of the item in Part 1 of Schedule 1 for the sector.

- (2) This regulation does not apply to a fishing permit to which regulation 4.05 or 4.06 applies.

#### Fishing permit for 2 or more sectors

4.04. (1) The amount of levy for an ETBF fishing permit that allows fishing in 2 or more sectors of the Fishery is the highest of the amounts of levy specified in column 3 of the items in Part 1 of Schedule 1 for the sectors.

- (2) This regulation does not apply to a fishing permit to which regulation 4.05 or 4.06 applies.

#### Limited ETBF fishing permit with WBSTF fishing permit

4.05. (1) This regulation applies to an ETBF fishing permit if:

- (a) the permit authorises fishing in 1 or more of only the following sectors of the Fishery:
  - (i) the ML (Sub-area 6) Sector;
  - (ii) the PLL (Sub-area 6) Sector;
  - (iii) the PLL (Sub-area 7) Sector;
  - (iv) the PLL (Sub-area 8) Sector; and
- (b) the holder of the permit is also the holder of a WBSTF fishing permit, granted in the period beginning on 1 July 1996 and ending at the end of 20 February 1997, that:
  - (i) allows fishing in only Zone Z of the Southern Tuna and Billfish Fishery; and
  - (ii) is in force on 17 January 1997.

(2) The amount of levy for the permit is:

- (a) if the permit allows fishing in only 1 of the sectors mentioned in subregulation (1) - the amount specified in column 3 of the item in Part 2 of Schedule 1 for the sector; or
- (b) if the permit allows fishing in more than 1 of the sectors - the higher or highest of the amounts specified in column 3 of the items in Part 2 of Schedule 1 for the sectors in which the permit allows fishing.

(3) In this regulation:

- (a) a reference to a sector of the Fishery mentioned in subparagraph (1) (a) (i), (ii), (iii) or (iv) is a reference to the sector of that name and number described in subregulation 4C (1) of the Fisheries Management Regulations; and
- (b) "Zone Z" has the same meaning as it has in Part 16.

Certain permits held by persons not granted a fishing permit in 1995/96

4.06. (1) This regulation applies to an ETBF fishing permit granted in the financial year beginning on 1 July 1996 if, in the financial year beginning on 1 July 1995, the holder:

- (a) was not granted a fishing permit authorising the use of a boat for fishing for tuna in the area of the East Coast Tuna Fishery; but
- (b) did hold an existing fishing permit authorising the use of a boat for fishing for tuna in the area.

(2) The amount of levy for the permit is:

- (a) if the permit allows fishing in only 1 sector of the Fishery - the amount specified in column 3 of the item in Part 3 of Schedule 1 for the sector; or
- (b) if the permit allows fishing in 2 or more sectors of the Fishery - the higher or highest of the amounts specified in column 3 of the item or items in Part 3 of Schedule 1 for the sector or sectors; or
- (c) if the permit is one to which regulation 4.05 also applies - the amount under that regulation.

#### Division 4.3 - Time for payment

When must levy be paid

4.07. For section 110 of the Management Act, levy for an ETBF fishing permit must be paid on, or before, the later of:

- (a) 21 March 1997; and
- (b) 28 days after the grant of the permit.

#### PART 5 - GREAT AUSTRALIAN BIGHT TRAWL FISHERY

## Interpretation

### 5.01. In this Part:

"GABTF fishing right" means a statutory fishing right held under the Great Australian Bight Trawl Fishery Management Plan, notified in Gazette No. S205 of 2 July 1993, as in force from time to time.

## Amount of levy

5.02. (1) For section 6 of the Levy Act, the amount of levy prescribed for a GABTF fishing right is, for each financial year for which the fishing right is in force, \$8,550.

[NOTE: The amount proposed as the research component of the levy amount is \$989.30.]

(2) For subregulation (1), if a fishing right is in force for a period that is not a whole number of financial years, a part of the period that is not a whole financial year is taken to be a whole financial year.

## When must levy be paid

5.03. (1) For section 110 of the Management Act, levy for a GABTF fishing right must be paid:

- (a) for the first financial year of the fishing right - on the grant of the fishing right; and
- (b) for each financial year of the fishing right after the first year - on, or before, 23 January in the year.

(2) For subregulation (1), if the fishing right is in force for a period that is not a whole number of financial years, a part of the period that is not a whole financial year is taken to be a whole financial year.

## PART 6 - JACK MACKEREL FISHERY

## Interpretation

### 6.01. In this Part:

"area of the Jack Mackerel Fishery" means the part of the AFZ described in Part 4 of Schedule 1A to the Fisheries Management Regulations;

"first permit" means:

- (a) a JMF fishing permit; or
- (b) a fishing permit, granted before the date of commencement of these Regulations, that:
  - (i) came into force on or after 1 July 1996; and
  - (ii) authorises the use of a boat for fishing:
    - (A) by the purse seine method - in the Jack Mackerel Purse Seine Fishery; or
    - (B) by the midwater trawl method - in the area of the Jack Mackerel Fishery;

"Jack Mackerel Purse Seine Fishery" means the part of the AFZ described in the Schedule to the Fishing Levy (Jack Mackerel Purse Seine Fishery) Regulations, as in force immediately before the commencement of these Regulations;

"JMF fishing permit" means a fishing permit for the Jack Mackerel Fishery.

## Amount of levy

6.02. (1) For section 6 of the Levy Act, the amount of levy prescribed for a JMF fishing permit granted in the period beginning on the date of commencement of these Regulations and ending at the end of 31 January 1998 is \$1,000.

[NOTE: The amount proposed as the research component of the levy amount is \$60.]

(2) Subregulation (1) does not apply to a JMF fishing permit (the "second permit") if:

(a) the second permit is granted to a person who, at the time of the grant, is the holder of a first permit; and

(b) the first permit and the second permit both relate to the same boat.

(3) For the avoidance of doubt, it is of no consequence to the operation of subregulation (2) that the first permit and second permit authorise fishing:

(a) by the same fishing method, or by different methods; or

(b) in the same area, or in a different area.

When must levy be paid

6.03. For section 110 of the Management Act, levy for a JMF fishing permit must be paid on, or before, the later of:

(a) 28 April 1997; and

(b) 28 days after the grant of the permit.

## PART 7 - MACQUARIE ISLAND DEVELOPMENTAL FISHERY

### Interpretation

7.01. In this Part:

"MIDF fishing permit" means a fishing permit for the Macquarie Island Developmental Fishery.

### Amount of levy

7.02. For section 6 of the Levy Act, the amount of levy prescribed for an MIDF fishery permit granted in the period beginning on the date of commencement of these Regulations and ending at the end of 30 June 1997 is \$156,000.

[NOTE: The amount proposed as the research component of the levy amount is \$60.]

### When must levy be paid

7.03. For section 110 of the Management Act, levy for an MIDF fishery permit must be paid on, or before, 1 April 1997.

## PART 8 - NORTH WEST SLOPE TRAWL FISHERY

### Interpretation

8.01. In this Part:

"NWSTF fishing permit" means a fishing permit for the North West Slope Trawl Fishery.



#### Amount of levy

8.02. For section 6 of the Levy Act, the amount of levy prescribed for an NWSTF fishing permit for the financial year beginning on 1 July 1996 is \$2,230.

[NOTE: The amount proposed as the research component of the levy amount is \$424.]

#### When must levy be paid

8.03. For section 110 of the Management Act, levy for an NWSTF fishing permit must be paid on, or before, 23 January 1997.

### PART 9 - NORTHERN PRAWN FISHERY

#### Interpretation

9.01. In this Part:

"NPF fishing right" means an active Class A statutory fishing right (within the meaning of the Northern Prawn Fishery Management Plan 1995) or a surplus Class A statutory fishing right (within the meaning of that Management Plan).

#### Amount of levy

9.02. For section 6 of the Levy Act, the amount of levy prescribed for an NPF fishing right is:

- (a) for an NPF fishing right in force on 13 July in a year - \$34.26; or
- (b) for an NPF fishing right in force on 23 December in a year - \$2.72.

[NOTE: The amount proposed as the research component of the levy amount referred to in paragraph 9.02 (b) is 92 cents.]

#### When must levy be paid

9.03. For section 110 of the Management Act:

- (a) levy for an NPF fishing right in force on 13 July in a year must be paid on, or before, 13 July in that year; and
- (b) levy for an NPF fishing right in force on 23 December in a year must be paid on, or before, 23 December in that year.

### PART 10 - SOUTH EAST NON-TRAWL FISHERY

#### Interpretation

10.01. In this Part:

"area of the South East Non-trawl Fishery" means the part of the AFZ described in Part 7 of Schedule 1A to the Fisheries Management Regulations;

"key species" means any of the following species:

- (a) blue-eye trevalla (*Hyperoglyphe antarctica*);
- (b) ling (*Genypterus blacodes*);
- (c) blue warehou (*Seriolella brama*);

"qualifying informally managed fishery permit" means a fishing permit that:

- (a) came into force on or after 1 July 1996; and
  - (b) authorises the use a boat for fishing, using a demersal line method, in the area of the South East Non-trawl Fishery, or in part of that area;
- "SEFNT fishing permit" means a fishing permit for the South East Non-trawl Fishery.

#### Amount of levy

10.02. For section 6 of the Levy Act, the amount of levy prescribed for a SEFNT fishing permit granted in the period beginning on the date of commencement of these Regulations and ending at the end of 30 November 1997 is:

- (a) if the permit allows unlimited fishing for 1 or more key species:
  - (i) for a person granted a qualifying informally managed fishery permit - \$1,910; or
  - (ii) in any other case - \$2,550; or
- (b) if the permit does not allow unlimited fishing for any key species:
  - (i) for a person granted a qualifying informally managed fishery permit - \$1,210; or
  - (ii) in any other case - \$1,850.

[NOTE: The amount proposed as the research component of each levy amount is \$60.]

#### When must levy be paid

10.03. For section 110 of the Management Act, levy for a SEFNT fishing permit must be paid:

- (a) if the permit is granted on or after 5 December 1996 and before 12 April 1997:
  - (i) in respect of one-third of the total amount of the levy - before the end of 28 days after the grant of the permit; and
  - (ii) in respect of the remainder - on, or before, 10 May 1997; or
- (b) in any other case - before the end of 28 days after the grant of the permit.

### PART 11 - SOUTH EAST TRAWL FISHERY

#### Interpretation

11.01. In this Part:

"quota species", for the South East Trawl Fishery, means a species of fish listed in Part 1 of Schedule 2;

"quota units", for a fishing permit and a quota species, means the quantity of the quota species, expressed as a number of units, specified in a condition of the permit as the quantity of the species that may be taken under the permit;

"SEFT fishing permit" means a fishing permit for the South East Trawl Fishery.

#### Amount of levy

11.02. For section 6 of the Levy Act, the amount of levy prescribed for a SEFT fishing permit granted in the period beginning on 1 December 1996 and ending on 30 November 1997 is the sum of:

- (a) for each quota species (except gemfish or orange roughy) specified in the permit - the amount calculated by multiplying the specified number of quota units by the amount specified in column 3 of the item in Part 2 of Schedule 2 for the species; and
- (b) for gemfish and orange roughy, if specified in the permit - the amount calculated by multiplying the specified number of quota units by the amount specified in column 3 of the item in Part 3 of Schedule 2 for the species and the species sector.

[NOTE: The amount proposed as the research component of the levy amount of a particular kind of fishing permit is set out in a table following Part 3 of Schedule 2.]

#### When must levy be paid

11.03. For section 110 of the Management Act, levy for a SEFT fishing permit must be paid:

- (a) if the permit is granted on or after 5 December 1996 and before 12 April 1997:
  - (i) in respect of one-third of the total amount of the levy - before the end of 28 days after the grant of the permit; and
  - (ii) in respect of the remainder - on, or before, 10 May 1997; or
- (b) in any other case - before the end of 28 days after the grant of the permit.

## PART 12 - SOUTHERN BLUEFIN TUNA FISHERY

#### Interpretation

12.01. In this Part:

"SBT fishing right" means a statutory fishing right described in clause 8 of the Southern Bluefin Tuna Fishery Management Plan 1995, as in force from time to time;

"season" has the same meaning as it has in the Fisheries Management (Southern Bluefin Tuna Fishery) Regulations.

[NOTE: Regulation 2A of the Fisheries Management (Southern Bluefin Tuna Fishery) Regulations defines "season" to mean:

- (a) the period commencing at the beginning of 1 November 1994 and ending at the end of 15 December 1995; and
- (b) for subsequent seasons - the period commencing at the beginning of 16 December in a year and ending at the end of 15 December of the following year.]

#### Amount of levy

12.02. For section 6 of the Levy Act, the amount of levy prescribed for an SBT fishing right is, for each season for which the fishing right is in force, 12.54 cents.

[NOTE: The amount proposed as the research component of the levy amount is 2.63 cents.]

#### When must levy be paid

12.03. For section 110 of the Management Act, levy for an SBT fishing right must be paid, for the season for which the fishing right is in force, in equal instalments on 16 December, 15 February and 1 May in the season.

## PART 13 - SOUTHERN SHARK FISHERY

#### Interpretation

13.01. In this Part:

"net unit" means a unit of size of a gillnet;

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

### Amount of levy

13.02. For section 6 of the Levy Act, the amount of levy prescribed for an SSF fishing permit granted in the period beginning on 8 June 1996 and ending at the end of 7 June 1997 is:

- (a) if the permit authorises fishing by the use of a gillnet - \$842 for each net unit specified in a condition of the permit; or
- (b) if the permit authorises fishing by the use of hooks:
  - (i) if it is a condition of the permit that not more than 1,000 hooks may be used - \$859; or
  - (ii) if it is a condition of the permit that not more than 2,000 hooks may be used - \$1,718.

[NOTE: The amount proposed as the research component of each levy amount is:

- (a) for a permit referred to in paragraph 13.02 (a) (gillnet) - \$50; and
- (b) for a permit referred to in subparagraph 13.02 (b) (i) (1,000 hooks) - \$51; and
- (c) for a permit referred to in subparagraph 13.02 (b) (ii) (2,000 hooks) - \$102.]

### When must levy be paid

13.03. For section 110 of the Management Act, levy for an SSF fishing permit must be paid on, or before, the later of:

- (a) 27 March 1997; and
- (b) 28 days after the grant of the permit.

## PART 14 - SOUTHERN SQUID FISHERY

### Interpretation

14.01. In this Part:

"area of the Southern Squid Fishery" means the part of the AFZ described in Part 10 of Schedule 1A to the Fisheries Management Regulations;

"SQD fishing permit" means a fishing permit for the Southern Squid Fishery.

### Amount of levy

14.02. (1) For section 6 of the Levy Act, the amount of levy prescribed for an SQD fishing permit granted in the period beginning on the date of commencement of these Regulations and ending at the end of 31 July 1997 is \$900.

[NOTE: The amount proposed as the research component of the levy amount is \$60.]

(2) Subregulation (1) does not apply to an SQD fishing permit granted to a person who was granted, before the date of commencement of these Regulations, a fishing permit that:

- (a) came into force on or after 1 July 1996; and
- (b) authorises the use of a boat for fishing using the squid jigging method, or the squid trawling method, in the area of the Southern Squid Fishery, or in part of that area.

### When must levy be paid

14.03. For section 110 of the Management Act, levy for an SQD fishing permit must be paid on, or before, the later of:

- (a) 28 January 1997; and
- (b) 28 days after the grant of the permit.

## PART 15 - WESTERN DEEP WATER TRAWL FISHERY

### Interpretation

#### 15.01. In this Part:

"WDWTF fishing permit" means a fishing permit for the Western Deep Water Trawl Fishery.

### Amount of levy

15.02. (1) For section 6 of the Levy Act, the amount of levy prescribed for a WDWTF fishing permit is, for each financial year for which the permit is in force, \$3,637.

[NOTE: The amount proposed as the research component of the levy amount is \$60.]

(2) For subregulation (1), if a fishing permit is in force for a period that is not a whole number of financial years, a part of the period that is not a whole financial year is taken to be a whole financial year.

### When must levy be paid

15.03. (1) For section 110 of the Management Act, levy for a WDWTF fishing permit must be paid on, or before, 23 January in each financial year for which the permit is in force.

(2) For subregulation (1), if a fishing permit is in force for a period that is not a whole number of financial years, a part of the period that is not a whole financial year is taken to be a whole financial year..c1. (2) For subregulation (1), if a fishing permit is in force for a period that is not a whole

number of financial years, a part of the period that is not a whole financial year is taken to be a whole financial year.;

## PART 16 - WESTERN TUNA AND BILLFISH FISHERY AND SOUTHERN TUNA AND BILLFISH FISHERY

### Interpretation

#### 16.01. In this Part:

"ETBF fishing permit" means a fishing permit for the Eastern Tuna and Billfish Fishery;

"WBSTF fishing permit" means a fishing permit for the Western Tuna and Billfish Fishery, or the Southern Tuna and Billfish Fishery, or both;

"Zone Z" means the area within the area of the Southern Tuna and Billfish Fishery described in Division 2 of Part 11 of Schedule 1A to the Fisheries Management Regulations.

### Amount of levy

16.02. (1) For section 6 of the Levy Act, the amount of levy prescribed for a WBSTF fishing permit granted for the financial year beginning on 1 July 1996 is:

(a) if the permit authorises the use of a purse-seine fishing method - \$2,750; or

(b) if the permit authorises the use of a pelagic longline fishing method - \$2,250; or

(c) if the permit authorises the use of any other line fishing method - \$1,850; or

(d) if the permit authorises the use of more than 1 fishing method in a fishery - the higher or highest of the amounts applicable to the permit under paragraphs (a), (b) and (c).

(2) Despite subregulation (1), the amount of levy prescribed for a WBSTF fishing permit is \$1,060, if:

(a) the permit:

(i) is granted to the holder of a statutory fishing right under the Southern Bluefin Tuna Fishery Management Plan 1995; and

(ii) is expressed not to be transferable; and

(iii) authorises the taking, by any fishing method, of an amount of fish limited by reference to the weight of southern bluefin tuna able to be taken under the statutory fishing right; or

(b) the permit:

(i) is granted to the holder of a fishing permit to which subregulation (3) or (4) applies; and

(ii) authorises the use of a boat for fishing only in Zone Z.

(3) This subregulation applies to an ETBF fishing permit that:

(a) is granted during the period beginning on 1 July 1996 and ending at the end of 30 June 1997; and

(b) authorises fishing in 1 or more of only the following sectors of the Eastern Tuna and Billfish Fishery:

(i) the ML (Sub-area 6) Sector;

(ii) the PLL (Sub-area 6) Sector;

(iii) the PLL (Sub-area 7) Sector;

(iv) the PLL (Sub-area 8) Sector.

(4) This subregulation applies to a fishing permit that:

(a) was granted during the period beginning on 22 November 1995 and ending at the end of 30 June 1996; and

(b) authorises fishing in 1 or more of only the following sectors within the area of the East Coast Tuna Fishery:

(i) the ML (Sub-area 6) Sector;

(ii) the PLL (Sub-area 6) Sector;

(iii) the PLL (Sub-area 7) Sector;

(iv) the PLL (Sub-area 8) Sector.

[NOTE: The amount proposed as the research component of any of the levy amounts is \$60.]

(5) In this regulation:

(a) "area of the East Coast Tuna Fishery" means the part of the AFZ described in Schedule 2 to the Fishing Levy (East Coast Tuna Fishery) Regulations, as in force immediately before the commencement of these Regulations; and

(b) a reference to a sector of the Eastern Tuna and Billfish Fishery mentioned in subparagraph (3) (b) (i), (ii), (iii) or (iv) is a reference to the sector of that name and number described in subregulation 4C (1) of the Fisheries Management Regulations; and (c) a reference to a sector within the area of the East Coast Tuna Fishery mentioned in subparagraph (4) (b) (i), (ii), (iii) or (iv) has effect as if it were a reference to the sector of the Eastern Tuna and Billfish Fishery that corresponds to that sector.

When must levy be paid

16.03. For section 110 of the Management Act, levy for a WBSTF fishing permit must be paid on, or before, 21 February 1997.

Refund or remission of levy

16.04. If the holder of a WBSTF fishing permit surrenders the permit by giving written notice to AFMA on, or before, 16 January 1997, AFMA must:

- (a) if the holder has paid levy for the permit - refund the levy paid; or
- (b) in any other case - remit the levy payable for the permit.

## PART 17 - OTHER FISHERIES

### Interpretation

17.01. In this Part:

"fishing concession" means a fishing concession that authorises the use of a boat in an informally managed fishery;

"informally managed fishery" means a fishery:

- (a) for which no plan of management has been made under section 17 of the Act; and
- (b) not described in regulation 4B of the Fisheries Management Regulations.

### Amount of levy

17.02. (1) For section 6 of the Levy Act, the amount of levy prescribed for a fishing concession is, for each year that the concession is in force, \$700.

(2) Subregulation (1) does not apply to a fishing concession if:

- (a) the boat authorised for use under the concession is also authorised for use under a fishing concession for another informally managed fishery; or
- (b) the concession authorises only the testing of fishing equipment.

[NOTE: The amount proposed as the research component of the levy amount is \$60.]

### When must levy be paid

17.03. For section 110 of the Management Act, levy for a fishing concession must be paid:

- (a) on the grant of the concession; and
- (b) while the concession remains in force - on, or before, each anniversary of the grant of the concession.

## PART 18 - REPEALS

### Repeal of Statutory Rules

18.01. Each of the Statutory Rules mentioned in Schedule 3 is repealed.

### Repeal of Fishing Levy (Southern Bluefin Tuna Fishery) Regulations

18.02. Statutory Rules 1995 No. 395 are repealed.

## SCHEDULE

1.Regulations 4.03, 4.04,  
4.05 & 4.06

EASTERN TUNA AND BILLFISH  
FISHERY - AMOUNTS OF LEVY

PART 1 - PERMITS (EXCEPT LIMITED ETBF PERMITS)

Column 1 Item no	Column 2 Sector	Column 3 Amount
1	ML Sector	\$718
2	PLL (Sub-area 1) Sector	\$3,285
3	PLL (Sub-area 2) Sector	\$2,935
4	PLL (Sub-area 4) Sector	\$1,593
5	PLL (Sub-area 5) Sector	Nil
6	PLL (Sub-area 6) Sector	\$1,518
7	PLL (Sub-area 7) Sector	\$1,518
8	PLL (Sub-area 8) Sector	\$1,518
9	PLL (Sub-area 9) Sector	\$1,000
10	PS (Sub-area 3) Sector	\$4,178
11	PS (Sub-area 4) Sector	\$2,544
12	PS (Sub-area 6) Sector	\$3,186
13	PS (Sub-area 7) Sector	\$2,194

[NOTE: The amount proposed as the research component of each levy amount is:

1. for the ML Sector \$86
2. for the PLL (Sub-area 1) Sector \$86
3. for the PLL (Sub-area 2) Sector \$86
4. for the PLL (Sub-area 4) Sector \$86
5. for the PLL (Sub-area 5) Sector Nil
6. for the PLL (Sub-area 6) Sector \$86
7. for the PLL (Sub-area 7) Sector \$86
8. for the PLL (Sub-area 8) Sector \$86
9. for the PLL (Sub-area 9) Sector Nil
10. for the PS (Sub-area 3) Sector \$330
11. for the PS (Sub-area 4) Sector \$330
12. for the PS (Sub-area 6) Sector \$330
13. for the PS (Sub-area 7) Sector \$330]

#### PART 2 - LIMITED ETBF PERMITS

Column 1 Item no	Column 2 Sector	Column 3 Amount
1	ML (Sub-area 6) Sector	\$600
2	PLL (Sub-area 6) Sector	\$1,000
3	PLL (Sub-area 7) Sector	\$1,000
4	PLL (Sub-area 8) Sector	\$1,000

[NOTE: The amount proposed as the research component of each levy amount is:

1. for the ML (Sub-area 6) Sector \$86
2. for the PLL (Sub-area 6) Sector \$86
3. for the PLL (Sub-area 7) Sector \$86
4. for the PLL (Sub-area 8) Sector \$86]

#### PART 3 - CERTAIN PERMITS HELD BY HOLDERS OF EARLIER PERMITS FOR THE AREA OF THE EAST COAST TUNA FISHERY

Column 1 Item no.	Column 2 Sector	Column 3 Amount
1	ML Sector	\$1,318
2	PLL (Sub-area 1) Sector	\$6,085
3	PLL (Sub-area 2) Sector	\$5,435
4	PLL (Sub-area 4) Sector	\$2,943
5	PLL (Sub-area 5) Sector	Nil
6	PLL (Sub-area 6) Sector	\$2,803
7	PLL (Sub-area 7) Sector	\$2,803



8	PLL (Sub-area 8) Sector	\$2,803
9	PLL (Sub-area 9) Sector	\$1,500
10	PS (Sub-area 3) Sector	\$7,778
11	PS (Sub-area 4) Sector	\$4,744
12	PS (Sub-area 6) Sector	\$5,936
13	PS (Sub-area 7) Sector	\$4,094

[NOTE: The amount proposed as the research component of each levy amount is:

1.	for the ML Sector	\$144
2.	for the PLL (Sub-area 1) Sector	\$144
3.	for the PLL (Sub-area 2) Sector	\$144
4.	for the PLL (Sub-area 4) Sector	\$144
5.	for the PLL (Sub-area 5) Sector	Nil
6.	for the PLL (Sub-area 6) Sector	\$144
7.	for the PLL (Sub-area 7) Sector	\$144
8.	for the PLL (Sub-area 8) Sector	\$144
9.	for the PLL (Sub-area 9) Sector	Nil
10.	for the PS (Sub-area 3) Sector	\$632
11.	for the PS (Sub-area 4) Sector	\$632
12.	for the PS (Sub-area 6) Sector	\$632
13.	for the PS (Sub-area 7) Sector	\$632]

SCHEDULE 2  
Regulations 11.01 & 11.02  
SOUTH EAST TRAWL FISHERY - AMOUNTS OF LEVY

PART 1 - QUOTA SPECIES

Column 1 Item no.	Column 2 Common Name	Column 3 Scientific name
1	Blue eye trevalla	Hyperoglyphe antarctica
2	Blue grenadier	Macruronus novaezelandiae
3	Blue warehou	Seriotelella brama
4	Flathead	Neoplatycephalus aurimaculatus Neoplatycephalus richardsoni Platycephalus bassensis Platycephalus speculator
5	Gemfish	Rexea solandri
6	Jackass morwong	Nemadactylus macropterus
7	John Dory	Zeus faber
8	Ling	Genypterus blacodes
9	Mirror dory	Zenopsis nebulosus
10	Ocean perch	Helicolenus species
11	Orange roughy	Hoplostethus atlanticus
12	Redfish	Centroberyx affinis
13	Royal red prawn	Haliporoides sibogae
14	School whiting	Sillago flindersi
15	Silver trevally	Pseudocaranx dentex
16	Spotted warehou	Seriotelella punctata

PART 2 - AMOUNTS OF LEVY - QUOTA SPECIES  
(EXCEPT GEMFISH AND ORANGE ROUGHY)

Column 1 Item no.	Column 2 Species	Column 3 Amount for each unit of quota (cents)
1	Blue eye trevalla	15.2

2	Blue grenadier	6.4
3	Blue warehou	6.4
4	Flathead	5.2
5	Jackass morwong	4.8
6	John Dory	14.2
7	Ling	24.1
8	Mirror dory	4.1
9	Ocean perch	12.9
10	Redfish	10.8
11	Royal red prawn	9.6
12	School whiting	4.1
13	Silver trevally	2.8
14	Spotted warehou	13.3

PART 3 - AMOUNTS OF LEVY - GEMFISH AND ORANGE  
ROUGHY IN SPECIES SECTORS

Column 1	Column 2	Column 3
Item no.	Species and species sector	Amount for each unit of quota (cents)
1	Gemfish - gemfish eastern sector	4.0
2	Gemfish - gemfish western sector	8.6
3	Orange roughy - orange roughy eastern sector	4.6
4	Orange roughy - orange roughy southern sector	4.6
5	Orange roughy - orange roughy western sector	4.6

[NOTE: The amount proposed as the research component of each levy amount is:

(a) for a quota species:

1.	Blue eye trevalla	1.1 cents
2.	Blue grenadier	0.4
3.	Blue warehou	0.4
4.	Flathead	0.4
5.	Jackass morwong	0.3
6.	John Dory	1.0
7.	Ling	1.7
8.	Mirror dory	0.3
9.	Ocean perch	0.9
10.	Redfish	0.8
11.	Royal red prawn	0.7
12.	School whiting	0.3
13.	Silver trevally	0.2
14.	Spotted warehou	0.9

(b) for a quota species in a species sector:

1.	Gemfish - eastern sector	0.3 cents
2.	Gemfish - western sector	0.6
3.	Orange roughy - eastern sector	0.3
4.	Orange roughy - southern sector	0.3
5.	Orange roughy - western sector	0.3]

SCHEDULE 3  
Regulation 18.01  
STATUTORY RULES REPEALED

Fishing Levy Regulations:

Statutory Rules 1992 No. 59 and 1993 No. 303

Fishing Levy (Bass Strait Scallop Fishery) Regulations:

Statutory Rules 1993 Nos. 70 and 299, 1994 No. 234, 1995 Nos. 66 and 370 and 1996 No. 53

Fishing Levy (East Coast Deep Water Trawl Fishery) Regulations:

Statutory Rules 1995 No. 127

Fishing Levy (East Coast Tuna Fishery) Regulations:

Statutory Rules 1995 Nos. 126 and 362

Fishing Levy (Great Australian Bight Trawl Fishery) Regulations:

Statutory Rules 1993 Nos. 205 and 364, 1994 No. 425 and 1995 No. 363

Fishing Levy (Jack Mackerel Purse Seine Fishery) Regulations:

Statutory Rules 1994 No. 236

Fishing Levy (Kimberley Coast Prawn Trawl Fishery) Regulations:

Statutory Rules 1993 No. 121 and 1994 No. 428

Fishing Levy (North East Deep Water Fishery) Regulations:

Statutory Rules 1995 No. 128 and 1996 No. 52

Fishing Levy (North West Slope Trawl Fishery) Regulations:

Statutory Rules 1993 No. 294, 1994 No. 71 and 1995 No. 368

Fishing Levy (Northern Fish Trawl Fishery) Regulations:

Statutory Rules 1993 No. 292 and 1994 Nos. 70 and 427

Fishing Levy (Northern Prawn Fishery) Regulations:

Statutory Rules 1995 Nos. 221 and 367

Fishing Levy (Northern Shark Fishery) Regulations:

Statutory Rules 1993 No. 293 and 1994 Nos. 74 and 426

Fishing Levy (South East Fishery) Regulations:

Statutory Rules 1994 No. 418 and 1995 No. 365

Fishing Levy (Southern Shark Fishery) Regulations:

Statutory Rules 1992 No. 457, 1993 Nos. 73 and 298, 1994 Nos. 78 and 342 and 1995 No. 364

Fishing Levy (Western Deep Water Trawl Fishery) Regulations:

Statutory Rules 1993 No. 291, 1994 Nos. 76 and 429 and 1995 No. 369

Fishing Levy (Western Tuna and Billfish Fishery and Southern Tuna Fishery) Regulations:

Statutory Rules 1995 No. 361

#### NOTE

\*1\* Notified in the Commonwealth of Australia Gazette on 20 December 1996.