

**Authorised Version No. 014**  
**Fisheries (Fees, Royalties and Levies)**  
**Regulations 2008**

**S.R. No. 4/2008**

Authorised Version incorporating amendments as at  
1 July 2016

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**Part 1—Preliminary**

**1 Objectives**

The objectives of these Regulations are to prescribe the fees, royalties and levies payable in respect of commercial fishery licences, individual quota units, recreational fishery licences, permits and boat registrations under the **Fisheries Act 1995** and other provisions relating to those fees, royalties and levies.

**2 Authorising provisions**

These Regulations are made under sections 150, 151A and 153 of the **Fisheries Act 1995**.

**3 Commencement**

These Regulations come into operation on 1 February 2008.

**4 Definitions and interpretation**

(1) In these Regulations—

*abalone fishery access licence* means any of the following classes of access licence—

- (a) Abalone Fishery (Western Zone) Access Licence;
- (b) Abalone Fishery (Central Zone) Access Licence;

- (c) Abalone Fishery (Eastern Zone) Access Licence;

**boat** means a boat used for any one or more of the following activities—

- (a) the taking of fish for sale;
- (b) the setting or using of commercial fishing equipment;
- (c) the use of commercial abalone equipment;
- (d) the landing of fish for sale or marketing;
- (e) the setting or using of commercial aquaculture equipment on Crown land or in or on the waters covering that land;
- (f) the moving of an aquaculture crop;

**commercial fishery licence** means any of the following licences—

- (a) an access licence;
- (b) a fish receiver licence;
- (c) an aquaculture licence;

***Fisheries Research and Development***

***Corporation (FRDC)*** means the Fisheries Research and Development Corporation established under section 8 of the Primary Industries and Energy Research Development Act 1989 of the Commonwealth;

***protected aquatic biota permit*** means a permit issued under section 72 of the Act;

Reg. 4(1)  
def. of  
**commercial  
fishery licence**  
amended by  
S.R. No.  
12/2011  
reg. 5(a).

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***renewable licence*** means an access licence, a fish receiver licence or any class of licence prescribed for the purposes of section 57(1) of the Act;

Reg. 4(1)  
def. of  
***renewable  
licence***  
amended by  
S.R. No.  
12/2011  
reg. 5(b).

***the Act*** means the **Fisheries Act 1995**.

- (2) A reference in these Regulations to a particular class of commercial fishery licence is a reference to that class of commercial fishery licence within the meaning of the Fisheries Regulations 2009<sup>1</sup>.

Reg. 4(2)  
amended by  
S.R. No.  
2/2009  
reg. 484(1).

## **Part 2—Commercial fishery licences**

### **Division 1—Fees**

#### **5 Application fees—commercial fishery licences**

- (1) The application fee for the issue of a commercial fishery licence of a class specified in column 2 of the Table in Schedule 1 is the fee specified in column 3 of that Table corresponding to that class of licence.
- (2) Despite subregulation (1)—
  - (a) a person who applies for more than one aquaculture licence to conduct aquaculture activities at the same specified area is liable to pay for one application fee only in discharge of the application fees which would otherwise be individually payable for the licences;
  - (b) a person who applies for an Aquaculture (Private Land—Yabbies Multiwaters) Licence is not liable to pay the application fee which would otherwise be individually payable if that person holds a current Aquaculture (Private Land—Yabbies) Licence which specifies the same specified area on the application;
  - (c) a person who applies for an Aquaculture (Private Land—Yabbies) Licence is not liable to pay the application fee which would otherwise be individually payable if that person holds a current Aquaculture (Private Land—Yabbies Multiwaters) Licence which specifies the same specified area on the application.

- (3) For the purposes of subregulation (2)(a), the application fee payable is the fee which is the highest of each of the application fees which otherwise would be individually payable in respect of the licences under the application.

#### **6 Time for application for renewal of renewable licence**

- (1) An application for renewal of a renewable licence must be made by the date specified by the Secretary.
- (2) The Secretary must give each licence holder to whom subregulation (1) applies notice of the specified date in writing not later than 14 days before the specified date.

#### **7 Licence fees for commercial fishery licences**

The fee for the issue or renewal of any commercial fishery licence is 3.6 fee units.

#### **8 Manner in which and date by which fees are payable**

- (1) The fee payable under regulation 7 for the renewal of a commercial fishery licence is payable to the Secretary annually by the date specified by the Secretary.
- (2) The Secretary must give each licence holder to whom subregulation (1) applies notice of the specified date in writing not later than 14 days before the specified date.

#### **9 Transfer fees for commercial fishery licences**

The fee for the transfer of a commercial fishery licence of a class specified in column 2 of the Table in Schedule 1 is the fee specified in column 4 of that Table that corresponds to that class of licence.

**10 Application fees for transfer of individual quota units**

- (1) The application fee for the transfer of an individual quota unit is—
- (a) 27·8 fee units for an individual quota unit in respect of an abalone fishery; and
  - (b) 3·6 fee units for an individual quota unit in respect of a giant crab fishery; and
  - (c) 3·6 fee units for an individual quota unit in respect of a rock lobster fishery; and
  - (d) 3·6 fee units for an individual quota unit in respect of the scallop (ocean) fishery.

- (2) In this regulation—

- (a) giant crab fishery has the same meaning as Giant Crab fishery has in Schedule 4 to the Fisheries Regulations 2009;
- (b) scallop (ocean) fishery has the same meaning as Scallop (Ocean) fishery has in Schedule 4 to the Fisheries Regulations 2009.

Reg. 10(2)  
substituted by  
S.R. No.  
2/2009  
reg. 484(2).

**11 Fee for variation of commercial fishery licence**

The application fee for the variation of a commercial fishery licence is 3·6 fee units.

**12 Fee to obtain abalone quota unit holding statement**

For the purposes of section 66H(2) of the Act, the application fee to obtain an abalone quota unit holding statement is 3·6 fee units.

**13 Fee for a notification by holder of abalone fishery access licence**

For the purposes of section 66J(1) of the Act, the fee for notification to the Secretary of the nomination of the holder of an abalone fishery access licence is 3·6 fee units.

## Division 2—Royalties

### 13A Prescribed factors for fixing royalty rates

For the purposes of section 150(2)(b)(vii) of the Act the number of licences or individual abalone quota units in a fishery or fishery zone are prescribed factors.

Reg. 13A  
inserted by  
S.R. No.  
5/2014 reg. 5.

### 14 Royalty for individual abalone quota unit

For the purposes of section 150 of the Act, the royalty payable in respect of an individual abalone quota unit is the amount calculated in accordance with the following formula—

$$(0.072 \times \text{GVP}) - (\text{FS} + \text{FRDC})$$

where—

**GVP** is the average weighted beach price per kilogram of abalone for the financial year preceding the year to which the royalty relates multiplied by the weight of abalone in kilograms allocated to the individual abalone quota unit in the quota period to which the royalty relates;

**FS** is comprised of—

- (a) the amounts of the levies set out in Columns 3, 4, 5 and 6 of the Table in Schedule 5 corresponding to that class of individual abalone quota unit; and
- (b) an amount determined in accordance with the formula—

$$\frac{A \times B}{C}$$

where—

**A** is the amount of levy set out in Column 3 of the Table in Schedule 2 corresponding to the class of abalone

Reg. 14  
amended by  
S.R. No.  
5/2014 reg. 6.

fishery access licence in respect of which the quota unit is allocated;

B is the number of abalone fishery access licences of the class described in "A" in force for the abalone zone in respect of which the individual abalone quota unit is held;

C is the number of individual abalone quota units issued in respect of the abalone zone referred to in "B";

FRDC is the amount of levy for research provided by the Fisheries Research and Development Corporation calculated under regulation 20A(1)(d) in respect of that class of individual abalone quota unit.

**15 Manner in which and date by which royalty is payable**

- (1) The royalty specified in regulation 14 is payable to the Secretary annually by the date specified by the Secretary.

**Note**

Under section 66Q of the Act, failure to pay the royalty specified in regulation 14 within 14 days of the date that the royalty was due, may result in suspension of the entitlement under the individual abalone quota unit until the royalty is paid. Failure to pay the royalty within 12 months will result in cancellation of the individual abalone quota unit on the day after the end of that period.

- (2) The Secretary must give each individual quota unit holder to whom subregulation (1) applies notice of the specified date in writing not later than 14 days before the specified date.

## **16 Royalty must be paid by due date**

The holder of an individual abalone quota unit who is not the holder of an abalone fishery access licence relating to that quota unit must pay to the Secretary the royalty calculated in accordance with regulation 14 in respect of that quota unit by the date specified by the Secretary under regulation 15(2).

Penalty: 20 penalty units

## **Division 3—Levies**

### **17 Levies on access licences**

(1) For the purposes of section 151(1) of the Act the following classes of access licence are prescribed classes of licence—

- (a) Giant Crab Fishery (Western Zone) Access Licence;
- (b) Rock Lobster Fishery (Western Zone) Access Licence;
- (c) Rock Lobster Fishery (Eastern Zone) Access Licence;
- (d) Abalone Fishery (Western Zone) Access Licence;
- (e) Abalone Fishery (Central Zone) Access Licence;
- (f) Abalone Fishery (Eastern Zone) Access Licence;
- (g) Bait (General) Fishery Access Licence;
- (h) Corner Inlet Fishery Access Licence;
- (i) Eel Fishery Access Licence;
- (j) Gippsland Lakes Fishery Access Licence;

Reg. 17  
(Heading)  
amended by  
S.R. No.  
12/2011 reg. 6.

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Reg. 17(1)(k)  
amended by  
S.R. No.  
2/2009  
reg. 485(1)(a).

(k) Gippsland Lakes (Bait) Fishery Access Licence;

(l) Gippsland Lakes (Mussel Dive) Fishery Access Licence;

Reg. 17(1)(m)  
amended by  
S.R. No.  
2/2009  
reg. 485(2).

(m) Lake Tyers (Bait) Fishery Access Licence;

Reg. 17(1)(n)  
amended by  
S.R. No.  
2/2009  
reg. 485(1)(b).

(n) Mallacoota Lower Lake (Bait) Fishery Access Licence;

(o) Port Phillip Bay (Mussel Bait) Fishery Access Licence;

(p) Purse Seine (Ocean) Fishery Access Licence;

(q) Purse Seine (Port Phillip Bay) Fishery Access Licence;

(r) Ocean Fishery Access Licence;

Reg. 17(1)(s)  
amended by  
S.R. No.  
2/2009  
reg. 486(1).

(s) Scallop (Ocean) Fishery Access Licence;

Reg. 17(1)(sa)  
inserted by  
S.R. No.  
168/2013  
reg. 55.

(sa) Scallop Dive (Port Phillip Bay) Fishery Access Licence;

Reg. 17(1)(sb)  
inserted by  
S.R. No.  
96/2014  
reg. 30.

(sb) Sea Urchin Fishery Access Licence;

Reg. 17(1)(t)  
amended by  
S.R. No.  
2/2009  
reg. 485(1)(c).

(t) Snowy River (Bait) Fishery Access Licence;

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- (u) Sydenham Inlet (Bait) Fishery Access Licence;
- (v) Trawl (Inshore) Fishery Access Licence;
- (w) Western Port/Port Phillip Bay Fishery Access Licence;
- (x) Wrasse (Ocean) Fishery Access Licence.
- (2) For the purposes of section 151(1) of the Act, the following levies are prescribed in respect of each class of access licence set out in Column 2 of the Table in Schedule 2—
- (a) the levy for management services (if any) set out in Column 3 of that Table corresponding to that class of access licence;
- (b) the levy for compliance services (if any) set out in Column 4 of that Table corresponding to that class of access licence;
- (c) the levy for research services (if any) set out in Column 5 of that Table corresponding to that class of access licence;
- (d) the levy for administration services (if any) set out in Column 6 of that Table corresponding to that class of access licence.
- (3) Despite the levies prescribed under subregulation (2)(a) to (d), if the averaged annual catch over the 3 financial years preceding the licensing year in which the levies are payable in respect of any class of access licence subject to those levies is less than 500 kilograms, the total amount of levy payable instead of those levies for each licence in that class of licence must not exceed 38.9 fee units.

Reg. 17(1)(u)  
amended by  
S.R. No.  
2/2009  
reg. 485(1)(d).

Reg. 17(2)  
amended by  
S.R. No.  
13/2010  
reg. 4(1),  
substituted by  
S.R. No.  
5/2014 reg. 7.

Reg. 17(3)  
inserted by  
S.R. No.  
5/2014 reg. 7,  
amended by  
S.R. No.  
8/2016  
reg. 5(1).

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Reg. 17(4)  
inserted by  
S.R. No.  
5/2014 reg. 7,  
revoked by  
S.R. No.  
8/2016  
reg. 5(2).

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Reg. 18  
(Heading)  
amended by  
S.R. No.  
12/2011  
reg. 7(1).

## 18 Levies on fish receiver licences

Reg. 18(1)  
amended by  
S.R. No.  
12/2011  
reg. 7(2).

(1) For the purposes of section 151(1) of the Act, the following classes of fish receiver licence are prescribed classes of licence—

- (a) a Fish Receivers' (Abalone) Licence;
- (b) a Fish Receivers' (Scallop) Licence.

Reg. 18(2)  
amended by  
S.R. Nos  
13/2010  
reg. 4(1),  
12/2011  
reg. 7(3),  
substituted by  
S.R. No.  
5/2014 reg. 8.

(2) For the purposes of section 151(1) of the Act, the following levies are prescribed in respect of each class of fish receiver licence specified in Column 2 of the Table in Schedule 3—

- (a) the levy for management services (if any) set out in Column 3 of that Table corresponding to that class of licence;
- (b) the levy for compliance services (if any) set out in Column 4 of that Table corresponding to that class of licence;
- (c) the levy for research services (if any) set out in Column 5 of that Table corresponding to that class of licence;
- (d) the levy for administration services (if any) set out in Column 6 of that Table corresponding to that class of licence.

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Reg. 18(3)  
inserted by  
S.R. No.  
5/2014 reg. 8,  
revoked by  
S.R. No.  
8/2016 reg. 6.

## 19 Levies on aquaculture licences

- (1) For the purposes of section 151(1) of the Act, the following classes of aquaculture licence are prescribed classes of licence—
- (a) an Aquaculture (Crown Land—Abalone) Licence;
  - (b) an Aquaculture (Crown Land—Bivalve Shellfish) Licence;
  - (c) an Aquaculture (Crown Land—Eels) Licence;
  - (d) an Aquaculture (Crown Land—Offshore) Licence;
  - (e) an Aquaculture (Crown Land—Other) Licence;
  - (f) an Aquaculture (On-shore Abalone) Licence;
  - (g) an Aquaculture (Private Land—Eels) Licence;
  - (h) an Aquaculture (Private Land—Indoor Intensive) Licence;
  - (i) an Aquaculture (Private Land—Marine) Licence;
  - (j) an Aquaculture (Private Land—Ornamentals) Licence;
  - (k) an Aquaculture (Private Land—Other) Licence;
  - (l) an Aquaculture (Private Land—Salmonids) Licence;

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- (m) an Aquaculture (Private Land—Tourism) Licence;
- (n) an Aquaculture (Private Land—Warm Water Finfish) Licence;
- (o) an Aquaculture (Private Land—Yabbies) Licence;
- (p) an Aquaculture (Private Land—Yabbies Multiwaters) Licence.

**Reg. 19(2)**  
amended by  
S.R. No.  
13/2010  
reg. 4(1),  
substituted by  
S.R. No.  
5/2014 reg. 9.

- (2) For the purposes of section 151(1) of the Act, the following levies are prescribed in respect of each class of aquaculture licence specified in Column 2 of the Table in Schedule 4—
- (a) the levy for management services (if any) set out in Column 3 of that Table corresponding to that class of licence;
  - (b) the levy for compliance services (if any) set out in Column 4 of that Table corresponding to that class of licence;
  - (c) the levy for research services (if any) set out in Column 5 of that Table corresponding to that class of licence;
  - (d) the levy for administration services (if any) set out in Column 6 of that Table corresponding to that class of licence.

**Reg. 19(3)**  
inserted by  
S.R. No.  
5/2014 reg. 9,  
amended by  
S.R. No.  
8/2016  
reg. 7(1).

- (3) Despite the levies prescribed under subregulation (2)(a) to (d), if the averaged annual production of fish over the 3 financial years preceding the licensing year in which the levies are payable in respect of any class of aquaculture licence subject to those levies is less than 500 kilograms, the total amount of levy payable instead of those levies for each licence in that class of licence must not exceed 38.9 fee units.

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Reg. 19(4)  
inserted by  
S.R. No.  
5/2014 reg. 9,  
revoked by  
S.R. No.  
8/2016  
reg.7(2).

## 20 Levies on individual quota units

Reg. 20  
amended by  
S.R. No.  
13/2010  
reg. 4(2),  
substituted by  
S.R. No.  
5/2014 reg. 10.

- (1) For the purposes of section 151(1) of the Act, the following classes of individual quota unit are prescribed classes of individual quota unit—
- (a) individual giant crab quota unit (Western Zone);
  - (b) individual rock lobster quota unit (Western Zone);
  - (c) individual rock lobster quota unit (Eastern Zone);
  - (d) individual Greenlip abalone quota unit (Western Zone);
  - (e) individual Blacklip abalone quota unit (Western Zone);
  - (f) individual Greenlip abalone quota unit (Central Zone);
  - (g) individual Blacklip abalone quota unit (Central Zone);
  - (h) individual Blacklip abalone quota unit (Eastern Zone).
- (2) For the purposes of section 151(1) of the Act the following levies are prescribed in respect of each class of individual quota unit specified in Column 2 of the Table in Schedule 5—
- (a) the levy for management services (if any) set out in Column 3 of that Table corresponding to that class of individual quota unit;

- 
- (b) the levy for compliance services (if any) set out in Column 4 of that Table corresponding to that class of individual quota unit;
  - (c) the levy for research services (if any) set out in Column 5 of that Table corresponding to that class of individual quota unit;
  - (d) the levy for administration services (if any) set out in Column 6 of that Table corresponding to that class of individual quota unit;
  - (e) the levy for making a grant under section 151(5) of the Act (if any) set out in Column 7 of that Table corresponding to that class of individual quota unit.

Reg. 20(3)  
revoked by  
S.R. No.  
8/2016 reg. 8.

\* \* \* \* \*

Reg. 20A  
inserted by  
S.R. No.  
5/2014 reg. 11.

## 20A Research levy for Fisheries Research and Development Corporation

- (1) For the purposes of section 151(1) of the Act, the following levies are prescribed for the purposes of research provided by the Fisheries Research and Development Corporation—

Reg. 20A(1)(a)  
substituted by  
S.R. No.  
12/2015  
reg. 5(1).

- (a) for each class of access licence prescribed in regulation 17(1)(a), (b) and (c), a levy calculated in accordance with the following formula—

$$\frac{(0.00075 \times \text{GVPf})}{A};$$

- (b) for each class of licence prescribed in regulations 17(1)(g) to (x) and 19, a levy calculated in accordance with the following formula—

$$\frac{(0.0025 \times \text{GVPf})}{B};$$

- (c) for each class of individual quota unit prescribed in regulation 20(1)(a), (b) and (c), a levy calculated in accordance with the following formula—

$$\frac{(0.00175 \times \text{GVPf})}{C};$$

- (d) for each class of individual abalone quota unit prescribed in regulation 20(1)(d) to (h), a levy calculated in accordance with the following formula—

$$\frac{(0.0025 \times \text{GVPf})}{D};$$

- (2) In this regulation—

**A** means the number of licences of the relevant class held in the relevant fishery zone;

**B** means the number of licences of the relevant class held in the relevant fishery;

**C** means the number of individual quota units of the relevant class held in the relevant fishery zone;

**D** means the number of individual abalone quota units of the relevant class held in the relevant abalone fishery zone;

**GVPf** means the average weighted beach price per kilogram of fish landed from the relevant fishery or fishery zone over the preceding three financial years multiplied by the average weight per year of fish in kilograms

Reg. 20A(1)(c)  
substituted by  
S.R. No.  
12/2015  
reg. 5(2).

Reg. 20A(2)  
def. of GVPf  
amended by  
S.R. No.  
8/2016 reg. 9.

landed from the relevant fishery or fishery zone over the preceding three financial years.

Reg. 20B  
inserted by  
S.R. No.  
5/2014 reg. 11.

**20B Levy for making grants under section 151(5) of the Act**

For the purposes of section 151(1) of the Act the following levies are prescribed for the purposes of making grants under section 151(5) of the Act—

- (a) for each class of licence set out in Column 2 of the Table in Schedule 6—
  - (i) for the licensing year commencing on 1 April 2014, the levy set out in Column 3 of that Table corresponding to that class of licence; and
  - (ii) for the licensing year commencing on 1 April 2015 and any subsequent licensing year, a levy calculated in accordance with the following formula for that class of licence—

$$\frac{\text{base levy} \times \text{base number of licences}}{\text{number of licences}}$$

where—

**base levy** is the levy amount set out in Column 3 of the Table in Schedule 6 corresponding to that class of licence;

**base number of licences** is the number of licences of that class held at 1 January 2014 as set out in Column 4 of that Table corresponding to that class of licence;

**number of licences** is the number of licences of that class of licence held at 1 January preceding the

licensing year in respect of which the levy is to be paid.

(b) for each class of individual quota unit set out in Column 2 of the Table in Schedule 6—

(i) for the licensing year commencing on 1 April 2014, the levy set out in Column 3 of that Table corresponding to that class of individual quota unit; and

(ii) for the licensing year commencing on 1 April 2015 and any subsequent licensing year, a levy calculated in accordance with the following formula for that class of individual quota unit—

$$\frac{\text{base levy} \times \text{base number of individual quota units}}{\text{number of individual quota units}}$$

where—

**base levy** is the levy amount set out in Column 3 of the Table in Schedule 6 corresponding to that class of individual quota unit;

**base number of individual quota units** is the number of individual quota units of that class held at 1 January 2014 as set out in Column 4 of that Table corresponding to that class of individual quota unit;

**number of individual quota units** is the number of individual quota units of that class held at 1 January preceding the licensing year in respect of which the levy is to be paid.

Reg. 21  
substituted by  
S.R. No.  
5/2014 reg. 12.

## **21 Levies must be paid by due date**

The holder of an individual abalone quota unit, an individual giant crab quota unit or an individual rock lobster quota unit who is not the holder of a fishery access licence relating to the individual quota unit must pay to the Secretary the levies under regulations 20, 20A and 20B in respect of that quota unit by the date specified by the Secretary under regulation 23(2).

## **22 Levy for aquaculture licences applied on the basis of area specified in licence**

- (1) For the purposes of section 151(1) of the Act the Secretary may, by notice published in the Government Gazette, declare that a class or classes of aquaculture licence is or are subject to a levy calculated in accordance with subregulation (3).
- (2) The Secretary must specify in any declaration made under subregulation (1) the following—
  - (a) the purpose of the levy;
  - (b) each class of aquaculture licence to which the levy applies;
  - (c) each area in respect of which the levy applies (*levy area*);
  - (d) the period in respect of which the levy is to be paid;
  - (e) the estimated total fixed costs of the Secretary for the purpose of the levy (*ETFC*);
  - (f) the total area in hectares in which the holders of each class of aquaculture licence specified in the declaration may operate at the time the declaration is made (*TA*);

- (g) the estimated total variable costs of the Secretary for the purposes of the levy in each levy area (*ETVC*);
  - (h) the total area in hectares in which holders of aquaculture licences of a class or classes specified in the declaration may operate that comprises each levy area at the time the declaration is made (*TLA*);
  - (i) the proportion to be applied for the purposes of the formula in subregulation (3) (*P*).
- (3) The prescribed levy for an aquaculture licence of a class specified in a declaration under subregulation (1) is the total of the amounts for each levy area, each amount being calculated in accordance with the following formula—

$$\left( \frac{ETFC}{TA} + \frac{ETVC}{TLA} \right) \times NHA \times P$$

where **NHA** is the number of hectares of the area specified in the aquaculture licence that comprises the levy area in which the holder of the licence may operate at the time the declaration is made.

- (4) The Secretary must give a copy of any declaration made under subregulation (1) to each holder of an aquaculture licence of a class specified in the declaration within 14 days after publication of the declaration in the Government Gazette.

### **23 Manner in which and date by which levies payable**

- (1) A levy payable under regulation 17, 18, 19, 20, 20A, 20B or 22 is payable to the Secretary annually by the date specified by the Secretary.

Reg. 23(1)  
amended by  
S.R. No.  
5/2014  
reg. 13(a).

Reg. 23(2)  
amended by  
S.R. No.  
5/2014  
reg. 13(b).

- (2) The Secretary must give each licence holder or individual quota unit holder to whom subregulation (1) applies notice of the specified date in writing not later than 14 days before the specified date.

Reg. 23A  
inserted by  
S.R. No.  
13/2010 reg. 5,  
revoked by  
S.R. No.  
5/2014 reg. 14.

\* \* \* \* \*

Reg. 23B  
inserted by  
S.R. No.  
5/2014 reg. 15.

### **23B Reduction or waiver of levies**

Reg. 23B(1)  
amended by  
S.R. No.  
8/2016  
reg. 10(1).

- (1) The Minister may, in accordance with subregulation (2), reduce or waive in whole or in part a levy payable under regulation 17, 18, 19, 20 or 22 in respect of any class of licence or individual quota unit for—
- (a) management services; or
  - (b) compliance services; or
  - (c) research services; or
  - (d) administration services.

Reg. 23B(2)  
substituted by  
S.R. No.  
8/2016  
reg. 10(2).

- (2) The Minister may reduce or waive a levy imposed for any of the services referred to in subregulation (1), if the Minister is satisfied that—
- (a) the level of those services provided in the licensing year prior to the licensing year in respect of which the levy is payable, was materially less than the level of services on which the levy imposed in the prior licensing year was based; or

- (b) the level of those services to be provided in the licensing year in respect of which the levy is payable will be materially less than the level of those services on which the levy is based.

**23C Refund of grants levy**

The Minister may refund any levy or part of a levy imposed for the purposes of making a grant under section 151(5) of the Act to the person who at the date of the refund is the holder of the licence, individual quota unit or permit in respect of which the levy was paid, in the event that any proceeds of the levy are not granted to any person or body by the end of the licensing year in which the levy was paid.

Reg. 23C  
inserted by  
S.R. No.  
5/2014 reg. 15,  
amended by  
S.R. No.  
12/2015 reg. 6.

## **Part 3—Recreational fishery licences**

### **24 Fees payable for group recreational fishery licences**

Reg. 24  
(Heading)  
amended by  
S.R. No.  
71/2016  
reg. 7(1).

- (1) The application fee for a group recreational fishery licence issued under section 46 of the Act is \$35.
- (2) The Minister may, in writing, waive the fee prescribed under subregulation (1) if he or she is satisfied that special circumstances apply.

Reg. 24(1)  
amended by  
S.R. Nos  
92/2008 reg. 5,  
71/2016  
reg. 7(2).

### **25 Levies payable for recreational fishery licences**

- (1) For the purposes of section 151(1) of the Act, a recreational fishery licence is a prescribed class of licence.
- (2) For the purposes of section 151(1) of the Act, the following levies are prescribed—
  - (a) for a recreational fishery licence with a duration of 3 years, \$95;
  - (b) for a recreational fishery licence with a duration of 1 year, \$35;
  - (c) for a recreational fishery licence with a duration of 28 days, \$20;
  - (d) for a recreational fishery licence with a duration of 3 days, \$10.

Reg. 25(2)  
substituted by  
S.R. Nos  
92/2008 reg. 6,  
71/2016  
reg. 8(1).

- (2A) Despite subregulation (2)(a) and (b), the levy prescribed for the purposes of section 151(1) of the Act for a recreational fishery licence that is applied for online through the website administered by the Department of

Reg. 25(2A)  
inserted by  
S.R. No.  
71/2016  
reg. 8(1).

Economic Development, Jobs, Transport and Resources is—

- (a) for a recreational fishery licence with a duration of 3 years, \$90;
  - (b) for a recreational fishery licence with a duration of 1 year, \$33.
- (3) A person must pay the relevant levy under subregulation (2) or (2A) before a recreational fishery licence is issued to that person.
- (4) For the purposes of section 151(6) of the Act the Minister may exempt a person or class of persons from the payment of a levy under subregulation (2) or (2A) if he or she is satisfied that special circumstances apply.

**Reg. 25(3)  
amended by  
S.R. No.  
71/2016  
reg. 8(2).**

**Reg. 25(4)  
amended by  
S.R. No.  
71/2016  
reg. 8(2).**

## Part 4—Permits

### Division 1—General permits

#### 26 General permit fees

- (1) Subject to subregulation (2), the application fee for the issue of a general permit is 10·5 fee units.
- (2) The application fee for the issue of a general permit in respect of a developing fishery is 27·8 fee units.
- (3) The application fee for the variation by the Secretary of a general permit to vary or revoke a condition imposed on the permit or to impose a new condition on the permit is 10·5 fee units.
- (4) The Secretary may, in writing, waive the fee prescribed under subregulation (1) or (3) if he or she is satisfied that special circumstances apply.

#### 27 Levies on general permits

- (1) For the purposes of section 151(1) of the Act, the following classes of general permit are prescribed—
  - (a) a general permit to take fish from the banded morwong developing fishery;
  - (b) a general permit to take fish from the jellyfish developing fishery.

Reg. 27(1)(b)  
amended by  
S.R. No.  
96/2014  
reg. 31(2).

Reg. 27(1)(c)  
revoked by  
S.R. No.  
96/2014  
reg. 31(1).

\* \* \* \* \*

(2) For the purposes of section 151(1) of the Act, the following levies are prescribed—

- (a) for a general permit to take fish from the banded morwong developing fishery, 199.5 fee units;
- (b) for a general permit to take fish from the jellyfish developing fishery, 999 fee units.

Reg. 27(2)(b)  
amended by  
S.R. No.  
96/2014  
reg. 31(3).

\* \* \* \* \*

Reg. 27(2)(c)  
revoked by  
S.R. No.  
96/2014  
reg. 31(1).

## **Division 2—Protected aquatic biota permits**

### **28 Protected aquatic biota permit fees**

- (1) The application fee for the issue of a protected aquatic biota permit is 10.5 fee units.
- (2) The application fee for the variation by the Secretary of a protected aquatic biota permit to vary or revoke a condition imposed on the permit or to impose a new condition on the permit is 10.5 fee units.
- (3) The Secretary may, in writing, waive the fee prescribed under subregulation (1) or (2) if he or she is satisfied that special circumstances apply.

## **Part 5—Boat registration**

### **29 Fishing boat registration fee**

The application fee for the registration of a boat is 3·6 fee units.

### **30 Fishing boat registration renewal fee**

The application fee for renewal of the registration of a boat is 3·6 fee units.

### **31 Fishing boat registration transfer fee**

The application fee for the transfer of the registration of a boat is 3·6 fee units.

Pt 6  
(Heading and  
regs 32–36)  
revoked by  
S.R. No.  
2/2009  
reg. 487.

\* \* \* \* \*

Fisheries (Fees, Royalties and Levies) Regulations 2008  
S.R. No. 4/2008  
Schedules

## Schedules

### Schedule 1—Application and transfer fees for commercial fishery licences

Sch. 1  
amended by  
S.R. Nos  
2/2009  
regs 485(1)(3),  
486(2),  
168/2013  
reg. 56,  
96/2014  
reg. 32.

Regulations 5 and 9			
<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Item</i>	<i>Class of Licence</i>	<i>Application Fee</i>	<i>Transfer Fee</i>
1	Abalone Fishery (Western Zone) Access Licence	27·8 fee units	27·8 fee units
2	Abalone Fishery (Central Zone) Access Licence	27·8 fee units	27·8 fee units
3	Abalone Fishery (Eastern Zone) Access Licence	27·8 fee units	27·8 fee units
4	Bait (General) Fishery Access Licence	18·5 fee units	Not applicable
5	Corner Inlet Fishery Access Licence	18·5 fee units	18·5 fee units
6	Eel Fishery Access Licence	18·5 fee units	18·5 fee units
7	Giant Crab Fishery (Western Zone) Access Licence	18·5 fee units	18·5 fee units
8	Gippsland Lakes Fishery Access Licence	18·5 fee units	18·5 fee units
9	Gippsland Lakes (Bait) Fishery Access Licence	18·5 fee units	18·5 fee units
10	Gippsland Lakes Fishery (Mussel Dive) Access Licence	18·5 fee units	Not applicable
11	Lake Tyers (Bait) Fishery Access Licence	18·5 fee units	Not applicable
12	Mallacoota Lower Lake (Bait) Fishery Access Licence	18·5 fee units	18·5 fee units

Fisheries (Fees, Royalties and Levies) Regulations 2008

S.R. No. 4/2008

Schedule 1—Application and transfer fees for commercial fishery licences

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Item</i>	<i>Class of Licence</i>	<i>Application Fee</i>	<i>Transfer Fee</i>
13	Ocean Fishery Access Licence	18.5 fee units	Not applicable
14	Port Phillip Bay (Mussel Bait) Fishery Access Licence	18.5 fee units	Not applicable
15	Purse Seine (Ocean) Fishery Access Licence	18.5 fee units	Not applicable
16	Purse Seine (Port Phillip Bay) Fishery Access Licence	18.5 fee units	Not applicable
17	Rock Lobster Fishery (Western Zone) Access Licence	18.5 fee units	18.5 fee units
18	Rock Lobster Fishery (Eastern Zone) Access Licence	18.5 fee units	18.5 fee units
19	Scallop (Ocean) Fishery Access Licence	18.5 fee units	18.5 fee units
19A	Scallop Dive (Port Phillip Bay) Fishery Access Licence	Nil	18.5 fee units
19B	Sea Urchin Fishery Access Licence	18.5 fee units	Not applicable
20	Snowy River (Bait) Fishery Access Licence	18.5 fee units	18.5 fee units
21	Sydenham Inlet (Bait) Fishery Access Licence	18.5 fee units	18.5 fee units
22	Trawl (Inshore) Fishery Access Licence	18.5 fee units	18.5 fee units
23	Western Port/Port Phillip Bay Fishery Access Licence	18.5 fee units	18.5 fee units
24	Wrasse (Ocean) Fishery Access Licence	18.5 fee units	Not applicable
25	Fish Receivers' (Abalone) Licence	27.8 fee units	Not applicable

Fisheries (Fees, Royalties and Levies) Regulations 2008

S.R. No. 4/2008

Schedule 1—Application and transfer fees for commercial fishery licences

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Item</i>	<i>Class of Licence</i>	<i>Application Fee</i>	<i>Transfer Fee</i>
26	Fish Receivers' (Scallop) Licence	18.9 fee units	Not applicable
27	Aquaculture (Private Land—Eels) Licence	27.8 fee units	18.9 fee units
28	Aquaculture (Private Land—Marine) Licence	27.8 fee units	18.9 fee units
29	Aquaculture (Private Land—Ornamentals) Licence	27.8 fee units	18.9 fee units
30	Aquaculture (Private Land—Other) Licence	27.8 fee units	18.9 fee units
31	Aquaculture (Private Land—Salmonids) Licence	27.8 fee units	18.9 fee units
32	Aquaculture (Private Land—Warm Water Finfish) Licence	27.8 fee units	18.9 fee units
33	Aquaculture (Private Land—Yabbies) Licence	27.8 fee units	18.9 fee units
34	Aquaculture (Private Land—Yabbies Multiwaters) Licence	27.8 fee units	18.9 fee units
35	Aquaculture (Private Land—Indoor Intensive) Licence	27.8 fee units	18.9 fee units
36	Aquaculture (Private Land—Tourism) Licence	27.8 fee units	18.9 fee units
37	Aquaculture (Crown Land—Bivalve Shellfish) Licence	120.6 fee units	18.9 fee units
38	Aquaculture (Crown Land—Other) Licence	120.6 fee units	18.9 fee units
39	Aquaculture (Crown Land—Abalone) Licence	120.6 fee units	18.9 fee units
40	Aquaculture (Crown Land—Eels) Licence	120.6 fee units	18.9 fee units

Fisheries (Fees, Royalties and Levies) Regulations 2008

S.R. No. 4/2008

Schedule 1—Application and transfer fees for commercial fishery licences

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Item</i>	<i>Class of Licence</i>	<i>Application Fee</i>	<i>Transfer Fee</i>
41	Aquaculture (Crown Land— Offshore) Licence	120.6 fee units	18.9 fee units
42	Aquaculture (On-shore Abalone) Licence	120.6 fee units	18.9 fee units

Fisheries (Fees, Royalties and Levies) Regulations 2008

S.R. No. 4/2008

Schedule 2—Levies for access licences

**Schedule 2—Levies for access licences**

Regulations 14 and 17

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>	<i>Column 6</i>
<i>Item No.</i>	<i>Class of licence</i>	<i>Management FS<sup>1</sup> levy</i>	<i>Compliance FS<sup>1</sup> levy</i>	<i>Research FS<sup>1</sup> levy</i>	<i>Administration FS<sup>1</sup> levy</i>
1	Abalone Fishery (Western Zone) Access Licence	27.9 fee units	Nil	Nil	Nil
2	Abalone Fishery (Central Zone) Access Licence	12.5 fee units	Nil	Nil	Nil
3	Abalone Fishery (Eastern Zone) Access Licence	12.0 fee units	Nil	Nil	Nil
4	Bait (General) Fishery Access Licence	8.6 fee units	41.5 fee units	Nil	24.5 fee units
5	Corner Inlet Fishery Access Licence	6.3 fee units	49.7 fee units	85.0 fee units	38.1 fee units
6	Eel Fishery Access Licence	29.0 fee units	78.9 fee units	Nil	50.4 fee units
7	Giant Crab Fishery (Western Zone) Access Licence	11.5 fee units	22.1 fee units	25.4 fee units	10.3 fee units
8	Gippsland Lakes Fishery Access Licence	62.1 fee units	79.9 fee units	259.8 fee units	50.4 fee units
9	Gippsland Lakes (Bait) Fishery Access Licence	12.4 fee units	28.8 fee units	10.0 fee units	30.6 fee units
10	Gippsland Lakes (Mussel Dive) Fishery Access Licence	51.8 fee units	Nil	Nil	25.4 fee units

Sch. 2 substituted by S.R. No. 3/2009 reg. 4, amended by S.R. Nos 2/2009 regs 485(1)(3), 486(3), 13/2010 reg. 6, substituted by S.R. Nos 12/2011 reg. 8, 28/2013 reg. 5, 5/2014 reg. 16, amended by S.R. Nos 96/2014 reg. 33, 12/2015 reg. 7, substituted by S.R. No. 8/2016 reg. 11.

Fisheries (Fees, Royalties and Levies) Regulations 2008

S.R. No. 4/2008

Schedule 2—Levies for access licences

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>	<i>Column 6</i>
<i>Item No.</i>	<i>Class of licence</i>	<i>Management FS<sup>1</sup> levy</i>	<i>Compliance FS<sup>1</sup> levy</i>	<i>Research FS<sup>1</sup> levy</i>	<i>Administration FS<sup>1</sup> levy</i>
11	Lake Tyers (Bait) Fishery Access Licence	103.6 fee units	14.9 fee units	89.9 fee units	21.9 fee units
12	Mallacoota Lower Lake (Bait) Fishery Access Licence	103.6 fee units	39.0 fee units	89.9 fee units	65.3 fee units
13	Ocean Fishery Access Licence	1.4 fee units	9.5 fee units	Nil	11.9 fee units
14	Port Phillip Bay (Mussel Bait) Fishery Access Licence	61.7 fee units	14.9 fee units	Nil	29.8 fee units
15	Purse Seine (Ocean) Fishery Access Licence	45.6 fee units	14.9 fee units	Nil	47.5 fee units
16	Purse Seine (Port Phillip Bay) Fishery Access Licence	7.9 fee units	79.7 fee units	93.3 fee units	63.0 fee units
17	Rock Lobster Fishery (Western Zone) Access Licence	16.1 fee units	15.2 fee units	121.7 fee units	29 fee units
18	Rock Lobster Fishery (Eastern Zone) Access Licence	24.0 fee units	28.7 fee units	89.8 fee units	31.8 fee units
19	Scallop (Ocean) Fishery Access Licence	11.8 fee units	Nil	Nil	11.7 fee units
20	Scallop Dive (Port Phillip Bay) Fishery Access Licence	406.3 fee units	365.8 fee units	149.8 fee units	381.8 fee units

Fisheries (Fees, Royalties and Levies) Regulations 2008

S.R. No. 4/2008

Schedule 2—Levies for access licences

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>	<i>Column 6</i>
<i>Item No.</i>	<i>Class of licence</i>	<i>Management FS<sup>1</sup> levy</i>	<i>Compliance FS<sup>1</sup> levy</i>	<i>Research FS<sup>1</sup> levy</i>	<i>Administration FS<sup>1</sup> levy</i>
20A	Sea Urchin Fishery Access Licence	66.4 fee units	26.8 fee units	Nil	53.7 fee units
21	Snowy River (Bait) Fishery Access Licence	51.8 fee units	7.5 fee units	44.9 fee units	25.4 fee units
22	Sydenham Inlet (Bait) Fishery Access Licence	51.8 fee units	29.2 fee units	44.9 fee units	43.1 fee units
23	Trawl (Inshore) Fishery Access Licence	7.7 fee units	7.5 fee units	15.7 fee units	11.8 fee units
24	Western Port/Port Phillip Bay Fishery Access Licence	7.9 fee units	79.7 fee units	93.3 fee units	63.0 fee units
25	Wrasse (Ocean) Fishery Access Licence	9.1 fee units	40.5 fee units	3.9 fee units	28.8 fee units

Note <sup>1</sup>: FS means the fisheries services provided by the Department.

Fisheries (Fees, Royalties and Levies) Regulations 2008

S.R. No. 4/2008

Schedule 3—Levies for fish receiver licences

Sch. 3  
substituted by  
S.R. No.  
3/2009 reg. 5,  
amended by  
S.R. Nos  
13/2010 reg. 7,  
12/2011 reg. 9,  
substituted by  
S.R. Nos  
28/2013 reg. 5,  
5/2014 reg. 16,  
amended by  
S.R. No.  
12/2015 reg. 8,  
substituted by  
S.R. No.  
8/2016 reg. 12.

**Schedule 3—Levies for fish receiver licences**

Regulation 18

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>	<i>Column 6</i>
<i>Item No.</i>	<i>Class of licence</i>	<i>Management FS<sup>1</sup> levy</i>	<i>Compliance FS<sup>1</sup> levy</i>	<i>Research FS<sup>1</sup> levy</i>	<i>Administration FS<sup>1</sup> levy</i>
1	Fish Receivers' (Abalone) Licence	Nil	88.3 fee units	Nil	286.3 fee units
2	Fish Receivers' (Scallop) Licence	Nil	29.8 fee units	Nil	13.8 fee units

Note <sup>1</sup>: FS means the fisheries services provided by the Department.

Fisheries (Fees, Royalties and Levies) Regulations 2008

S.R. No. 4/2008

Schedule 4—Levies for aquaculture licences

Sch. 4  
substituted by  
S.R. No.  
3/2009 reg. 6,  
amended by  
S.R. Nos  
2/2009  
reg. 486(4),  
13/2010 reg. 7,  
substituted by  
S.R. Nos  
12/2011  
reg. 10,  
28/2013 reg. 5,  
5/2014 reg. 16,  
amended by  
S.R. No.  
12/2015 reg. 9,  
substituted by  
S.R. No.  
8/2016 reg. 13.

**Schedule 4—Levies for aquaculture licences**

Regulation 19

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>	<i>Column 6</i>
<i>Item No.</i>	<i>Class of licence</i>	<i>Management FS<sup>1</sup> levy</i>	<i>Compliance FS<sup>1</sup> levy</i>	<i>Research FS<sup>1</sup> levy</i>	<i>Administration FS<sup>1</sup> levy</i>
1	Aquaculture (Crown Land—Abalone) Licence	104.5 fee units	16.5 fee units	Nil	8.5 fee units
2	Aquaculture (Crown Land—Bivalve Shellfish) Licence	179.1 fee units	44.0 fee units	Nil	10.3 fee units
3	Aquaculture (Crown Land—Eels) Licence	49.4 fee units	115.5 fee units	Nil	90.4 fee units
4	Aquaculture (Crown Land—Offshore) Licence	77.7 fee units	13.4 fee units	Nil	8.9 fee units
5	Aquaculture (Crown Land—Other) Licence	56.0 fee units	9.7 fee units	Nil	10.9 fee units
6	Aquaculture (On-shore Abalone) Licence	209.0 fee units	13.2 fee units	Nil	8.5 fee units
7	Aquaculture (Private Land—Eels) Licence	15.9 fee units	14.9 fee units	Nil	10.9 fee units
8	Aquaculture (Private Land—Indoor Intensive) Licence	29.2 fee units	2.6 fee units	Nil	6.5 fee units
9	Aquaculture (Private Land—Marine) Licence	128.5 fee units	18.3 fee units	Nil	15.3 fee units

Fisheries (Fees, Royalties and Levies) Regulations 2008

S.R. No. 4/2008

Schedule 4—Levies for aquaculture licences

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>	<i>Column 6</i>
<i>Item No.</i>	<i>Class of licence</i>	<i>Management FS<sup>1</sup> levy</i>	<i>Compliance FS<sup>1</sup> levy</i>	<i>Research FS<sup>1</sup> levy</i>	<i>Administration FS<sup>1</sup> levy</i>
10	Aquaculture (Private Land—Ornamentals) Licence	7.0 fee units	13.5 fee units	Nil	7.4 fee units
11	Aquaculture (Private Land—Other) Licence	319.5 fee units	14.9 fee units	Nil	15.3 fee units
12	Aquaculture (Private Land—Salmonids) Licence	27.7 fee units	5.5 fee units	Nil	7.2 fee units
13	Aquaculture (Private Land—Tourism) Licence	51.1 fee units	10.6 fee units	Nil	8.5 fee units
14	Aquaculture (Private Land—Warm Water Finfish) Licence	59.7 fee units	8.0 fee units	Nil	7.7 fee units
15	Aquaculture (Private Land—Yabbies) Licence	3.1 fee units	6.0 fee units	Nil	9.1 fee units
16	Aquaculture (Private Land—Yabbies Multiwaters) Licence	36.5 fee units	10.0 fee units	Nil	7.4 fee units

Note <sup>1</sup>: FS means the fisheries services provided by the Department.

Fisheries (Fees, Royalties and Levies) Regulations 2008

S.R. No. 4/2008

Schedule 5—Levies for individual quota units

**Schedule 5—Levies for individual quota units**

Regulations 14 and 20

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>	<i>Column 6</i>	<i>Column 7</i>
<i>Item No.</i>	<i>Class of individual quota unit</i>	<i>Management FS<sup>1</sup> levy</i>	<i>Compliance FS<sup>1</sup> levy</i>	<i>Research FS<sup>1</sup> levy</i>	<i>Administration FS<sup>1</sup> levy</i>	<i>Grants levy</i>
1	Individual Greenlip abalone quota unit (Western Zone)	Nil	Nil	Nil	Nil	26.7 fee units
2	Individual Blacklip abalone quota unit (Western Zone)	8.0 fee units	2.8 fee units	34.6 fee units	6.3 fee units	26.7 fee units
3	Individual Greenlip abalone quota unit (Central Zone)	3.3 fee units	8.0 fee units	6.3 fee units	6.6 fee units	24.6 fee units
4	Individual Blacklip abalone quota unit (Central Zone)	3.3 fee units	8.0 fee units	22.7 fee units	6.6 fee units	24.6 fee units
5	Individual Blacklip abalone quota unit (Eastern Zone)	5.7 fee units	4.4 fee units	34.1 fee units	6.6 fee units	Nil
6	Individual giant crab quota unit (Western Zone)	1.0 fee units	2.0 fee units	2.2 fee units	0.9 fee units	Nil
7	Individual rock lobster quota unit (Western Zone)	Nil	Nil	5.6 fee units	1.3 fee units	Nil

Sch. 5 substituted by S.R. Nos 3/2009 reg. 7, 13/2010 reg. 8, 12/2011 reg. 10, 28/2013 reg. 5, 5/2014 reg. 16, amended by S.R. No. 12/2015 reg. 10, substituted by 8/2016 reg. 14.

Fisheries (Fees, Royalties and Levies) Regulations 2008

S.R. No. 4/2008

Schedule 5—Levies for individual quota units

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>	<i>Column 6</i>	<i>Column 7</i>
<i>Item No.</i>	<i>Class of individual quota unit</i>	<i>Management FS<sup>1</sup> levy</i>	<i>Compliance FS<sup>1</sup> levy</i>	<i>Research FS<sup>1</sup> levy</i>	<i>Administration FS<sup>1</sup> levy</i>	<i>Grants levy</i>
8	Individual rock lobster quota unit (Eastern Zone)	2.5 fee units	3.0 fee units	9.4 fee units	3.3 fee units	Nil

Note <sup>1</sup>: FS means the fisheries services provided by the Department.

Fisheries (Fees, Royalties and Levies) Regulations 2008  
S.R. No. 4/2008  
Schedule 6—Levies for grants made under section 151(5) of the Act

**Schedule 6—Levies for grants made under  
section 151(5) of the Act**

Sch. 6  
inserted by  
S.R. No.  
5/2014 reg. 16,  
amended by  
S.R. No.  
96/2014  
reg. 34.

			Regulation 20B
<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Item No.</i>	<i>Class of Licence or Individual Quota Unit</i>	<i>Base Levy</i>	<i>Base Number of Licences or Individual Quota Units</i>
1	Abalone Fishery (Western Zone) Access Licence	4.7 fee units	14
2	Abalone Fishery (Central Zone) Access Licence	4.7 fee units	34
3	Abalone Fishery (Eastern Zone) Access Licence	4.7 fee units	23
4	Bait (General) Fishery Access Licence	32.1 fee units	18
5	Corner Inlet Fishery Access Licence	32.1 fee units	18
6	Eel Fishery Access Licence	32.1 fee units	18
7	Giant Crab Fishery (Western Zone) Access Licence	32.1 fee units	23
8	Gippsland Lakes Fishery Access Licence	32.1 fee units	10
9	Gippsland Lakes (Bait) Fishery Access Licence	24.0 fee units	9
10	Gippsland Lakes Fishery (Mussel Dive) Access Licence	32.1 fee units	2
11	Lake Tyers (Bait) Fishery Access Licence	24.0 fee units	2
12	Mallacoota Lower Lake (Bait) Fishery Access Licence	24.0 fee units	2

Fisheries (Fees, Royalties and Levies) Regulations 2008  
S.R. No. 4/2008  
Schedule 6—Levies for grants made under section 151(5) of the Act

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Item No.</i>	<i>Class of Licence or Individual Quota Unit</i>	<i>Base Levy</i>	<i>Base Number of Licences or Individual Quota Units</i>
13	Ocean Fishery Access Licence	32.1 fee units	204
14	Port Phillip Bay (Mussel Bait) Fishery Access Licence	24.0 fee units	1
15	Purse Seine (Ocean) Fishery Access Licence	32.1 fee units	1
16	Purse Seine (Port Phillip Bay) Fishery Access Licence	32.1 fee units	1
17	Rock Lobster Fishery (Western Zone) Access Licence	32.1 fee units	71
18	Rock Lobster Fishery (Eastern Zone) Access Licence	32.1 fee units	45
19	Scallop (Ocean) Fishery Access Licence	32.1 fee units	91
20	Scallop Dive (Port Phillip Bay) Fishery Access Licence	32.1 fee units	1
20A	Sea Urchin Fishery Access Licence	32.1 fee units	9
21	Snowy River (Bait) Fishery Access Licence	24.0 fee units	2
22	Sydenham Inlet (Bait) Fishery Access Licence	24.0 fee units	2
23	Trawl (Inshore) Fishery Access Licence	32.1 fee units	57
24	Western Port/Port Phillip Bay Fishery Access Licence	32.1 fee units	42

Fisheries (Fees, Royalties and Levies) Regulations 2008  
S.R. No. 4/2008  
Schedule 6—Levies for grants made under section 151(5) of the Act

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Item No.</i>	<i>Class of Licence or Individual Quota Unit</i>	<i>Base Levy</i>	<i>Base Number of Licences or Individual Quota Units</i>
25	Wrasse (Ocean) Fishery Access Licence	32.1 fee units	23
26	Fish Receivers' (Abalone) Licence	349.7 fee units	11
27	Fish Receivers' (Scallop) Licence	63.0 fee units	2
28	Individual abalone quota unit (Western Zone)	4.7 fee units	294
29	Individual abalone quota unit (Central Zone)	4.7 fee units	714
30	Individual abalone quota unit (Eastern Zone)	4.7 fee units	460

## Endnotes

### 1 General information

See [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au) for Victorian Bills, Acts and current authorised versions of legislation and up-to-date legislative information.

The Fisheries (Fees, Royalties and Levies) Regulations 2008, S.R. No. 4/2008 were made on 30 January 2008 by the Governor in Council under sections 150, 151A and 153 of the **Fisheries Act 1995**, No. 92/1995 and came into operation on 1 February 2008: regulation 3.

The Fisheries (Fees, Royalties and Levies) Regulations 2008 will sunset 10 years after the day of making on 30 January 2018 (see section 5 of the **Subordinate Legislation Act 1994**).

#### INTERPRETATION OF LEGISLATION ACT 1984 (ILA)

##### Style changes

Section 54A of the ILA authorises the making of the style changes set out in Schedule 1 to that Act.

##### References to ILA s. 39B

Sidenotes which cite ILA s. 39B refer to section 39B of the ILA which provides that where an undivided regulation, rule or clause of a Schedule is amended by the insertion of one or more subregulations, subrules or subclauses the original regulation, rule or clause becomes subregulation, subrule or subclause (1) and is amended by the insertion of the expression "(1)" at the beginning of the original regulation, rule or clause.

##### Interpretation

As from 1 January 2001, amendments to section 36 of the ILA have the following effects:

- **Headings**

All headings included in a Statutory Rule which is made on or after 1 January 2001 form part of that Statutory Rule. Any heading inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, forms part of that Statutory Rule. This includes headings to Parts, Divisions or Subdivisions in a Schedule; Orders; Parts into which an Order is divided; clauses; regulations; rules; items; tables; columns; examples; diagrams; notes or forms. See section 36(1A)(2A)(2B).

- **Examples, diagrams or notes**

All examples, diagrams or notes included in a Statutory Rule which is made on or after 1 January 2001 form part of that Statutory Rule. Any examples, diagrams or notes inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, form part of that Statutory Rule. See section 36(3A).

- **Punctuation**

All punctuation included in a Statutory Rule which is made on or after 1 January 2001 forms part of that Statutory Rule. Any punctuation inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, forms part of that Statutory Rule. See section 36(3B).

- **Provision numbers**

All provision numbers included in a Statutory Rule form part of that Statutory Rule, whether inserted in the Statutory Rule before, on or after 1 January 2001. Provision numbers include regulation numbers, rule numbers, subregulation numbers, subrule numbers, paragraphs and subparagraphs. See section 36(3C).

- **Location of "legislative items"**

A "legislative item" is a penalty, an example or a note. As from 13 October 2004, a legislative item relating to a provision of a Statutory Rule is taken to be at the foot of that provision even if it is preceded or followed by another legislative item that relates to that provision. For example, if a penalty at the foot of a provision is followed by a note, both of these legislative items will be regarded as being at the foot of that provision. See section 36B.

- **Other material**

Any explanatory memorandum, table of provisions, endnotes, index and other material printed after the Endnotes does not form part of a Statutory Rule. See section 36(3)(3D)(3E).

Fisheries (Fees, Royalties and Levies) Regulations 2008  
S.R. No. 4/2008  
Endnotes

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## 2 Table of Amendments

This publication incorporates amendments made to the Fisheries (Fees, Royalties and Levies) Regulations 2008 by statutory rules, subordinate instruments and Acts.

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Fisheries (Fees, Royalties and Levies) Amendment Regulations 2008,  
S.R. No. 92/2008

*Date of Making:* 29.7.08  
*Date of Commencement:* 1.8.08: reg. 3

Fisheries Regulations 2009, S.R. No. 2/2009

*Date of Making:* 3.2.09  
*Date of Commencement:* Regs 484–487 on 2.3.09: reg. 3

Fisheries (Fees, Royalties and Levies) Amendment Regulations 2009,  
S.R. No. 3/2009

*Date of Making:* 3.2.09  
*Date of Commencement:* 3.2.09

Fisheries (Fees, Royalties and Levies) Amendment Regulations 2010,  
S.R. No. 13/2010

*Date of Making:* 2.3.10  
*Date of Commencement:* 2.3.10

Fisheries (Fees, Royalties and Levies) Amendment Regulations 2011,  
S.R. No. 12/2011

*Date of Making:* 15.3.11  
*Date of Commencement:* 1.4.11: reg. 3

Fisheries (Fees, Royalties and Levies) Amendment Regulations 2013,  
S.R. No. 28/2013

*Date of Making:* 5.3.13  
*Date of Commencement:* 1.4.13: reg. 3

Fisheries and Fisheries (Fees, Royalties and Levies) Further Amendment  
Regulations 2013, S.R. No. 168/2013

*Date of Making:* 17.12.13  
*Date of Commencement:* Regs 55, 56 on 1.4.14: reg. 3(2); reg. 57 never  
commenced, revoked by S.R. No. 5/2014 reg. 18

Fisheries (Fees, Royalties and Levies) and Fisheries Amendment Regulations 2014,  
S.R. No. 5/2014

*Date of Making:* 25.2.14  
*Date of Commencement:* Reg. 15 on 1.3.14: reg. 3(1); regs 5–14, 16 on  
1.4.14: reg. 3(3)

Fisheries and Fisheries (Fees, Royalties and Levies) Further Amendment  
Regulations 2014, S.R. No. 96/2014

*Date of Making:* 8.7.14  
*Date of Commencement:* Regs 30–34 on 10.7.14: reg. 3

Fisheries (Fees, Royalties and Levies) Regulations 2008

S.R. No. 4/2008

Endnotes

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Fisheries (Fees, Royalties and Levies) Amendment Regulations 2015,  
S.R. No. 12/2015

*Date of Making:* 10.3.15

*Date of Commencement:* 1.4.15: reg. 3

Fisheries (Fees, Royalties and Levies) Amendment Regulations 2016,  
S.R. No. 8/2016

*Date of Making:* 1.3.16

*Date of Commencement:* 1.4.16: reg. 3

Fisheries and Fisheries (Fees, Royalties and Levies) Amendment (Recreational  
Fishery Licences) Regulations 2016, S.R. No. 71/2016

*Date of Making:* 28.6.16

*Date of Commencement:* Regs 7, 8 on 1.7.16: reg. 3(1)

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### 3 Amendments Not in Operation

This publication does not include amendments made to the Fisheries (Fees, Royalties and Levies) Regulations 2008 by the following Statutory Rules:

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Fisheries and Fisheries (Fees, Royalties and Levies) Amendment (Recreational Fishery Licences) Regulations 2016, S.R. No. 71/2016

*Date of Making:* 28.6.16

*Date of Commencement:* Regs 9, 10 on 1.7.17: reg. 3(2)

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At the date of this publication, the following provisions amending the Fisheries (Fees, Royalties and Levies) Regulations 2008 were Not in Operation:

#### **Amending Statutory Rule/s:**

Fisheries and Fisheries (Fees, Royalties and Levies) Amendment (Recreational Fishery Licences) Regulations 2016, S.R. No. 71/2016

#### **9 Fees payable for group recreational fishery licences**

In regulation 24(1) of the Fisheries (Fees, Royalties and Levies) Regulations 2008 for "\$35" **substitute** "2.51 fee units".

#### **10 Levies payable for recreational fishery licences**

- (1) In regulation 25(2) of the Fisheries (Fees, Royalties and Levies) Regulations 2008—
- (a) in paragraph (a) for "\$95" **substitute** "6.8 fee units";
  - (b) in paragraph (b) for "\$35" **substitute** "2.51 fee units";
  - (c) in paragraph (c) for "\$20" **substitute** "1.43 fee units";
  - (d) in paragraph (d) for "10" **substitute** "1 fee unit".

- (2) In regulation 25(2A) of the Fisheries  
(Fees, Royalties and Levies) Regulations 2008—
- (a) in paragraph (a) for "\$90" **substitute**  
"6.44 fee units";
  - (b) in paragraph (b) for "\$33" **substitute**  
"2.36 fee units".

#### 4 Explanatory details

<sup>1</sup> Reg. 4(2): S.R. No. 2/2009.

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##### Fee Units

These Regulations provide for fees by reference to fee units within the meaning of the **Monetary Units Act 2004**.

The amount of the fee is to be calculated, in accordance with section 7 of that Act, by multiplying the number of fee units applicable by the value of a fee unit.

The value of a fee unit for the financial year commencing 1 July 2016 is \$13.94. The amount of the calculated fee may be rounded to the nearest 10 cents.

The value of a fee unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a fee unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.

##### Penalty Units

These Regulations provide for penalties by reference to penalty units within the meaning of section 110 of the **Sentencing Act 1991**. The amount of the penalty is to be calculated, in accordance with section 7 of the **Monetary Units Act 2004**, by multiplying the number of penalty units applicable by the value of a penalty unit.

The value of a penalty unit for the financial year commencing 1 July 2016 is \$155.46.

The amount of the calculated penalty may be rounded to the nearest dollar.

The value of a penalty unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a penalty unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.