



Western Australia

Fishing Industry Promotion Training and Management Levy Act 1994

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Contents

1.	Short title	1
2.	Commencement	1
3.	Interpretation	1
4.	Levy may be prescribed	1
5.	Levy imposed	2
6.	Levy payable by holder of licence or permit	2

Notes

	Compilation table	3
	Provisions that have not come into operation	3

Defined terms

Fishing Industry Promotion Training and Management Levy Act 1994

An Act to impose a levy in respect of certain licences and permits under the *Fish Resources Management Act 1994*.

1. Short title

This Act may be cited as the *Fishing Industry Promotion Training and Management Levy Act 1994*¹.

2. Commencement

This Act comes into operation on such day as is fixed by proclamation¹.

3. Interpretation

- (1) In this Act, *principal Act* means the *Fish Resources Management Act 1994*.
- (2) Unless the contrary intention appears, expressions defined in the principal Act have the same meanings in this Act as in that Act.

4. Levy may be prescribed

- (1) For the purposes of section 240 of the principal Act, the Governor may make regulations prescribing an amount by way of levy that is to be payable in respect of all or any of the following —
 - (a) aquaculture licences;
 - (b) fishing boat licences;
 - (c) fish processor's licences;
 - (d) interim managed fishery permits;

s. 5

- (e) managed fishery licences.
- (2) The regulations may, in respect of any of the licences or permits referred to in subsection (1) —
 - (a) prescribe an amount by way of levy in all cases, in all cases subject to specified exceptions or in a specified class of case; or
 - (b) prescribe different amounts by way of levies in respect of different classes of case.
- (3) A levy may be prescribed to be an amount calculated by reference to any factor or factors.
- (4) Nothing in this section is to be taken as limiting the operation of section 43 of the *Interpretation Act 1984*.

5. Levy imposed

If an amount by way of levy is prescribed in respect of a licence or permit that levy is imposed in respect of the licence or permit.

6. Levy payable by holder of licence or permit

The holder of a licence or permit is liable to pay the amount of any levy imposed in respect of the licence or permit.

Notes

- ¹ This is a compilation of the *Fishing Industry Promotion Training and Management Levy Act 1994* and includes the amendments made by the other written laws referred to in the following table ^{1a}. The table also contains information about any reprint.

Compilation table

Short title	Number and year	Assent	Commencement
<i>Fishing Industry Promotion Training and Management Levy Act 1994</i>	55 of 1994	2 Nov 1994	1 Oct 1995 (see s. 2 and Gazette 29 Sep 1995 p. 4649)
Reprint of the <i>Fishing Industry Promotion Training and Management Levy Act 1994</i> as at 13 Sep 2002			

- ^{1a} On the date as at which this compilation was prepared, provisions referred to in the following table had not come into operation and were therefore not included in this compilation. For the text of the provisions see the endnotes referred to in the table.

Provisions that have not come into operation

Short title	Number and year	Assent	Commencement
<i>Aquatic Resources Legislation Amendment Act 2016</i> Pt. 3 ²	40 of 2016	29 Nov 2016	Operative on commencement of the <i>Aquatic Resources Management Act 2016</i> s. 267 (see s. 2(c))
<i>Aquatic Resources Management Act 2016</i> Pt. 19 Div. 7 ³	53 of 2016	29 Nov 2016	To be proclaimed (see s. 2(b))

- ² On the date as at which this compilation was prepared the *Aquatic Resources Legislation Amendment Act 2016* Pt. 3 had not come into operation. It reads as follows:

Part 3 — *Fishing Industry Promotion Training and Management Levy Act 1994* amended

5. Act amended

This Part amends the *Fishing Industry Promotion Training and Management Levy Act 1994*.

6. Section 5 replaced

Delete section 5 and insert:

5. Levy imposed

If an amount by way of levy is prescribed in respect of a licence or resource share, that levy is imposed in respect of the licence or resource share.

³ On the date as at which this compilation was prepared the *Aquatic Resources Management Act 2016* Pt. 19 Div. 7 had not come into operation. It reads as follows:

Part 19 — Consequential amendments to other Acts

Division 7 — *Fishing Industry Promotion Training and Management Levy Act 1994* amended

353. Act amended

This Division amends the *Fishing Industry Promotion Training and Management Levy Act 1994*.

354. Long title amended

In the long title delete “**permits under the *Fish Resources Management Act 1994*.**” and insert:

resource shares under the *Aquatic Resources Management Act 2016*.

355. Section 3 amended

Delete section 3(1) and insert:

- (1) In this Act —
principal Act means the *Aquatic Resources Management Act 2016*.

356. Section 4 amended

- (1) In section 4(1):

- (a) delete “section 240” and insert:

section 232

- (b) delete paragraphs (c) and (d) and insert:

- (c) licences granted under the principal Act in relation to the processing of aquatic organisms;

- (c) in paragraph (e) delete “licences.” and insert:

licences;

- (d) after paragraph (e) insert:

- (f) resource shares.

- (2) In section 4(2) delete “or permits”.

357. Section 6 amended

In section 6:

- (a) delete “permit” and insert:

resource share

(b) delete “permit.” and insert:

resource share.

Note: The heading to amended section 6 is to read:
Levy payable by holder of licence or resource share

Defined terms

[This is a list of terms defined and the provisions where they are defined.

The list is not part of the law.]

Defined term	Provision(s)
principal Act	3(1)