Fisheries Levy (Torres Strait Prawn Fishery) Regulations 1998

Statutory Rules No. 7, 1998 as amended

made under the

Fisheries Levy Act 1984

Compilation start date: 14 December 2013
Includes amendments up to: SLI No. 259, 2013

Prepared by the Office of Parliamentary Counsel, Canberra
About this compilation

This compilation

This is a compilation of the Fisheries Levy (Torres Strait Prawn Fishery) Regulations 1998 as in force on 14 December 2013. It includes any commenced amendment affecting the legislation to that date.

This compilation was prepared on 23 December 2013.

The notes at the end of this compilation (the endnotes) include information about amending laws and the amendment history of each amended provision.

Uncommenced amendments

The effect of uncommenced amendments is not reflected in the text of the compiled law but the text of the amendments is included in the endnotes.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Modifications

If a provision of the compiled law is affected by a modification that is in force, details are included in the endnotes.

Provisions ceasing to have effect

If a provision of the compiled law has expired or otherwise ceased to have effect in accordance with a provision of the law, details are included in the endnotes.
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1 Name of Regulations

These Regulations are the *Fisheries Levy (Torres Strait Prawn Fishery) Regulations 1998*.

2 Interpretation

(1) In these Regulations:

- *allocated fishing day*, for a licence mentioned in regulation 3, means a day that is 1 of the total number of days on which the boat for which the licence was granted may be in the reporting area.

- *Levy Act* means the *Fisheries Levy Act 1984*.

- *reporting area* has the meaning given by Torres Strait Fisheries Management Notice No. 43.

- *TSF Act* means the *Torres Strait Fisheries Act 1984*.

(2) Unless the contrary intention appears, a word or phrase that is used in these Regulations has the same meaning as in the *Torres Strait Fisheries Regulations 1985*.

3 Prescribed licences and units of fishing capacity

(1) For paragraphs 5(d) and (f) of the Levy Act, licences of the kind to which this regulation applies are prescribed.

(2) This regulation applies to a licence that:

   (a) is granted under subsection 19(2) of the TSF Act; and

   (b) includes a condition under subsection 22(2) of the TSF Act that limits the number of days in a year that the boat for which the licence was granted may be in the reporting area.

(3) For paragraphs 5(bc) and (bd) of the Levy Act, units of fishing capacity are prescribed.
4 Amount of levy

Licences—grant, renewal or variation

(1) For subsection 6(1) of the Levy Act, the amount of levy imposed on the grant of a licence mentioned in subregulations 3(1) and (2) to a person is $3,766.54 plus $25.63 for each unit of fishing capacity (if any) allocated to the person.

(2) For subsection 6(1) of the Levy Act, the amount of levy imposed on the renewal of a licence mentioned in subregulations 3(1) and (2) held by a person is $3,766.54 plus $25.63 for each unit of fishing capacity (if any) allocated to the person.

(3) For subsection 6(1) of the Levy Act, the amount of levy imposed on the variation of a licence mentioned in subregulations 3(1) and (2) held by a person is $25.63 for each additional unit of fishing capacity allocated to the person.

Units of fishing capacity—allocation or renewal of allocation

(4) For subsection 6(1) of the Levy Act, the amount of levy imposed on the allocation of a unit of fishing capacity mentioned in subregulation 3(3) is $25.63 for each unit of fishing capacity that is so allocated.

(5) For subsection 6(1) of the Levy Act, the amount of levy imposed on the renewal of the allocation of a unit of fishing capacity mentioned in subregulation 3(3) is $25.63 for each unit of fishing capacity that is so renewed.

Note 1: To identify by whom levy is payable, see section 7 of the Levy Act.

Note 2: Subsection 3(2) of the Levy Act interprets references to ‘units of fishing capacity’.
Endnotes

Endnote 1—About the endnotes

The endnotes provide details of the history of this legislation and its provisions. The following endnotes are included in each compilation:

Endnote 1—About the endnotes
Endnote 2—Abbreviation key
Endnote 3—Legislation history
Endnote 4—Amendment history
Endnote 5—Uncommenced amendments
Endnote 6—Modifications
Endnote 7—Misdescribed amendments
Endnote 8—Miscellaneous

If there is no information under a particular endnote, the word “none” will appear in square brackets after the endnote heading.

Abbreviation key—Endnote 2

The abbreviation key in this endnote sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended the compiled law. The information includes commencement information for amending laws and details of application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision level. It also includes information about any provisions that have expired or otherwise ceased to have effect in accordance with a provision of the compiled law.

Uncommenced amendments—Endnote 5

The effect of uncommenced amendments is not reflected in the text of the compiled law but the text of the amendments is included in endnote 5.
Endnotes

Endnote 1—About the endnotes

Modifications—Endnote 6
If the compiled law is affected by a modification that is in force, details of the modification are included in endnote 6.

Misdcribed amendments—Endnote 7
An amendment is a misnamed amendment if the effect of the amendment cannot be incorporated into the text of the compilation. Any misnamed amendment is included in endnote 7.

Miscellaneous—Endnote 8
Endnote 8 includes any additional information that may be helpful for a reader of the compilation.

4 Fisheries Levy (Torres Strait Prawn Fishery) Regulations 1998
Endnotes

Endnote 2—Abbreviation key

ad = added or inserted               pres = present
am = amended                         prev = previous
c = clause(s)                        (prev) = previously
Ch = Chapter(s)                      Pt = Part(s)
def = definition(s)                 r = regulation(s)/rule(s)
Dict = Dictionary                    Reg = Regulation/Regulations
disallowed = disallowed by Parliament reloc = relocated
Div = Division(s)                   rem = relocated
exp = expired or ceased to have effect rep = repealed
hdlg = heading(s)                   rs = repealed and substituted
LI = Legislative Instrument          s = section(s)
LIA = Legislative Instruments Act 2003 Sch = Schedule(s)
mod = modified/modification          Sdiv = Subdivision(s)
No = Number(s)                       SLI = Select Legislative Instrument
o = order(s)                         SR = Statutory Rules
Ord = Ordinance                     Sub-Ch = Sub-Chapter(s)
orig = original                      SubPt = Subpart(s)
par = paragraph(s)/subparagraph(s)   /sub-subparagraph(s)
### Endnote 3—Legislation history

<table>
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<th>Number and year</th>
<th>FRLI registration or gazettal</th>
<th>Commencement</th>
<th>Application, saving and transitional provisions</th>
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### Endnote 4—Amendment history

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<td>rs. 2008 No. 6; 2009 Nos. 2 and 346</td>
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Endnotes

Endnote 5—Uncommenced amendments [none]

Endnote 6—Modifications [none]

Endnote 7—Misdescribed amendments [none]

Endnote 8—Miscellaneous [none]

8  Fisheries Levy (Torres Strait Prawn Fishery) Regulations 1998