



New South Wales

Fisheries Management (Aquaculture) Amendment (Contributions, Rent and Fees) Regulation 2001

under the

Fisheries Management Act 1994

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Fisheries Management Act 1994*.

The Hon EDWARD OBEID, M.L.C.,
Minister for Fisheries

Explanatory note

The objects of this Regulation are as follows:

- (a) to enable the holder of an aquaculture permit to pay annual contributions towards the costs of administration of Part 6 of the *Fisheries Management Act 1994* within 30 days of the issue of the permit (or in instalments, as is presently the case),
- (b) to prescribe the minimum rental for aquaculture leases generally (rather than class 1 leases only, as is presently the case),
- (c) to prescribe reduced processing fees for multiple applications relating to the transfer or surrender of aquaculture leases,
- (d) to prescribe reduced processing fees relating to multiple claims for the transmission of aquaculture leases on the death of the lessee.

This Regulation is made under the *Fisheries Management Act 1994*, including sections 156, 165, 173, 174, 191 and 289 (the general power to make regulations).

2001 No 895

Clause 1 Fisheries Management (Aquaculture) Amendment (Contributions, Rent and Fees) Regulation 2001

Fisheries Management (Aquaculture) Amendment (Contributions, Rent and Fees) Regulation 2001

1 Name of Regulation

This Regulation is the *Fisheries Management (Aquaculture) Amendment (Contributions, Rent and Fees) Regulation 2001*.

2 Amendment of Fisheries Management (Aquaculture) Regulation 1995

The *Fisheries Management (Aquaculture) Regulation 1995* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 2)

[1] Clause 6A Aquaculture permit holders liable to pay contributions towards cost of administration

Omit clause 6A (4). Insert instead:

- (4) The annual contribution is payable within 30 days of the issue of the permit, or by instalments. If the contribution is to be paid by instalments, the Minister is required:
 - (a) to determine the amounts of the instalments, or the manner in which they are to be calculated, and
 - (b) to notify the amounts or the manner of their calculation, and the date by which each instalment must be paid, to the permit holder concerned.

[2] Clause 6A (5)

Omit “to make a payment”. Insert instead “to pay an instalment”.

[3] Clause 36 Minimum rent for leased area

Omit “for a class 1 lease” from clause 36 (1).

Insert instead “for a lease (of any class)”.

[4] Clause 41 Procedure for getting Minister’s consent to transfer of aquaculture lease

Insert after clause 41 (2):

- (2A) Despite subclause (2) (c), if more than one such application is made by the same applicant and lodged on the same day, the processing fee that must accompany the second (and each further) such application is \$50.

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Schedule 1 Amendments

[5] Clause 42 Transmission of aquaculture lease on lessee's death

Insert at the end of clause 42:

- (2) Despite subclause (1) (b), if more than one such claim is made by the same applicant and lodged on the same day, the processing fee that must accompany the second (and each further) such claim is \$50.

[6] Clause 43 Aquaculture lease may be surrendered

Insert after clause 43 (1):

- (1A) Despite subclause (1) (b), if more than one such application is made by the same applicant and lodged on the same day, the processing fee that must accompany the second (and each further) such application is \$50.

BY AUTHORITY
