



New South Wales

Fisheries Management Legislation Amendment (Fees, Charges and Contributions) Regulation 2012

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*.

KATRINA HODGKINSON, MP
Minister for Primary Industries

Explanatory note

The object of this Regulation is to increase certain fees, charges and contributions payable under the *Fisheries Management Act 1994*.

This Regulation also:

- (a) reduces (from \$3,458 to \$281) the fee for the transfer of an endorsement in the inland restricted fishery so that it is the same amount as the fees for the transfers of shares or endorsements in respect of all commercial fisheries, and
- (b) removes some obsolete fee provisions, and updates a fee provision, in the Appendix to the *Fisheries Management (Supporting Plan) Regulation 2006*.

This Regulation is made under the *Fisheries Management Act 1994*, including sections 34E (2), 34I (4), 37 (6), 40 (2) (m), 70 (5), 76 (3), 84 (4), 91 (3) (d), 97 (1), 104 (8), 108 (8), 110 (7), 115A (3), 118 (2), 127C (8) (b), 145 (2) (c), 156 (1) (a), 165 (5), 167 (7), 172 (2), 173 (2), 174 (2) and 289 (the general regulation-making power).

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Clause 1

Fisheries Management Legislation Amendment (Fees, Charges and Contributions) Regulation 2012

Fisheries Management Legislation Amendment (Fees, Charges and Contributions) Regulation 2012

under the

Fisheries Management Act 1994

1 Name of Regulation

This Regulation is the *Fisheries Management Legislation Amendment (Fees, Charges and Contributions) Regulation 2012*.

2 Commencement

This Regulation commences on 1 July 2012 and is required to be published on the NSW legislation website.

Schedule 1 Amendments relating to fees, charges and contributions

1.1 Fisheries Management (Abalone Share Management Plan) Regulation 2000

[1] Appendix

Omit "\$277" from clause 9 (2) (a). Insert instead "\$281".

[2] Appendix, clause 9 (2) (b)

Omit "\$484". Insert instead "\$492".

[3] Appendix, clause 19 (2) (b)

Omit "\$208". Insert instead "\$211".

[4] Appendix, clause 36 (1)

Omit "\$345". Insert instead "\$351".

1.2 Fisheries Management (Aquaculture) Regulation 2007

[1] Clause 5 Fee payable when applying for aquaculture permit

Omit "\$277" wherever occurring in clause 5 (1) (a) and (b).
Insert instead "\$281".

[2] Clauses 5 (1) (c) and (f) and 38 (2) (b) and (d)

Omit "\$415" wherever occurring. Insert instead "\$422".

[3] Clauses 5 (1) (d), (g) and (h), 31 (2) (a)–(c) and 38 (2) (c)

Omit "\$692" wherever occurring. Insert instead "\$703".

[4] Clauses 5 (1) (e), 38 (2) (a), 48 (2) (c) and 49 (2) (c)

Omit "\$553" wherever occurring. Insert instead "\$562".

[5] Clauses 5 (1) (i) and (2) (a), 45 (3), 46 (2), 47 (2), 50 (1) (a) and (3) (c) and 54 (4)

Omit "\$70" wherever occurring. Insert instead "\$71".

[6] Clauses 5 (2) (b), 11 (3) (b) and (c) (i), 40 (1) (a) and 66 (10)

Omit "\$138" wherever occurring. Insert instead "\$140".

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- [7] **Clauses 7 (2), 44, 46 (1) (b) and 47 (3) (d)**
Omit “\$484” wherever occurring. Insert instead “\$492”.
- [8] **Clause 11 Aquaculture permit holders liable to pay contributions for research**
Omit “\$38” from clause 11 (3) (a). Insert instead “\$39”.
- [9] **Clause 31 Application for, and refusal of, aquaculture lease**
Omit “\$1,107” from clause 31 (2) (d). Insert instead “\$1,125”.
- [10] **Clause 40 Minimum rent for leased area**
Omit “\$51” from clause 40 (1) (b). Insert instead “\$52”.
- [11] **Clause 45 Procedure for getting Minister’s consent to transfer of aquaculture lease**
Omit “\$761” from clause 45 (2) (c). Insert instead “\$773”.
- [12] **Clause 47 Aquaculture lease may be surrendered**
Omit “\$346” from clause 47 (1) (b). Insert instead “\$352”.
- [13] **Clause 67 Fee for permit under section 37 of the Act**
Omit “\$208” from clause 67 (1). Insert instead “\$211”.

1.3 Fisheries Management (General) Regulation 2010

Schedule 8

Omit the Schedule. Insert instead:

Schedule 8 Fees

Column 1	Column 2	Column 3
Item	Matter for which fee is payable	Amount
1	Permit or renewal of permit to use explosives (clause 71 (5))	\$315.00
2	Permit or renewal of permit to use electrical devices (clause 73 (5))	\$315.00
3	Fishing fee (clause 81):	
	(a) for a period of 3 days	\$6.00

Column 1	Column 2	Column 3
Item	Matter for which fee is payable	Amount
	(b) for a period of 1 month	\$12.00
	(c) for a period of 12 months	\$30.00
	(d) for a period of 3 years	\$75.00
4	Issue of replacement receipt (clause 84 (2))	\$6.80
5	Fishing fee exemption certificates:	
	(a) one year exemption certificate under clause 87 (1) (a)	\$120.00
	(b) one year exemption certificate under clause 87 (1) (b)	\$2,400.00
	(c) one year exemption certificate under clause 87 (1) (c) (i)	\$120.00
	(d) one year exemption certificate under clause 87 (1) (c) (ii)	\$120.00 plus \$30.00 for the fifth and each additional passenger to be exempted
	(e) one year exemption certificate under clause 87 (1) (c) (iii)	\$300.00
6	Application for amendment of exemption certificate (clause 88 (3) (a))	\$12.00
7	Marine park permit (clause 98)	\$71.00
8	Application for approval by Director-General of transfer of endorsement or share (clause 114 (5))	\$281.00
9	Special endorsement to take fish in share management fishery (clause 119)	\$140.00
10	Lodgment of appeal to Share Appeal Panel (clause 122 (1) (c))	\$275.00
11	Application for registration of transaction under clause 123 (1) (a)	\$281.00
12	Application for registration of transaction under clause 123 (1) (b)	\$492.00
13	Inspection of entry in the Share Register conducted with assistance of officer of the Department (clause 124 (a) (i))	\$15.00

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Schedule 1 Amendments relating to fees, charges and contributions

Column 1	Column 2	Column 3
Item	Matter for which fee is payable	Amount
14	Inspection of registered document retained by Director-General (clause 124 (b))	\$71.00
15	Application for issue of Class 1 commercial fishing licence (clause 127 (2))	\$562.00
16	Application for renewal of Class 1 commercial fishing licence (clause 130 (3))	\$281.00
17	Contribution by owner of southern fish trawl fishing business the other components of which include shares in a share management fishery (clause 132 (2) (a))	\$374.00
18	Contribution by owner of any other southern fish trawl fishing business (clause 132 (2) (b))	\$586.00
19	Contribution by participant in sea urchin and turban shell restricted fishery (clause 133 (2))	\$1,408.00
20	Application for issue of fishing boat licence under clause 135 (2) (a)	\$196.00
21	Application for issue of fishing boat licence under clause 135 (2) (b)	\$196.00 plus \$29.00 for each metre or part of metre by which the boat exceeds 3 metres
22	Application for renewal of fishing boat licence under clause 139 (3) (a)	\$55.00
23	Application for renewal of fishing boat licence under clause 139 (3) (b)	\$55.00 plus \$29.00 for each metre or part of metre by which the boat exceeds 3 metres
24	Application for approval of transfer of right to fishing boat licence (clause 143 (3))	\$352.00
25	Application for registration of crew members (clause 147)	\$140.00
26	Application for approval of transfer of quota (clause 164 (2) (c))	\$211.00
27	Class A endorsement in inland restricted fishery (clause 186 (1))	\$2,812.00

Column 1	Column 2	Column 3
Item	Matter for which fee is payable	Amount
28	Class B endorsement in inland restricted fishery (clause 186 (1))	\$352.00
29	Class D endorsement in inland restricted fishery (clause 186 (1))	\$352.00
30	Approval of transfer of endorsement (clause 190 (1))	\$281.00
31	Application for registration as Class A Registered Fish Receiver (clause 209 (2))	\$1,054.00
32	Application for registration as Class B Registered Fish Receiver (clause 209 (2))	\$3,434.00 for one or two premises at which the fish receiver receives fish and \$1,716.00 for each additional premises
33	Issue or renewal of charter fishing boat licence (clause 226 (1))	\$527.00
34	Authorised activity specified on charter fishing boat licence (clause 226 (1))	\$106.00
35	Application for approval of transfer of right to transferable licence (clause 229 (2))	\$352.00
36	Application for approval of boat replacement (clause 231 (1) (b))	\$352.00
37	Additional licence fee for application for renewal of charter fishing boat licence (clause 233 (5))	\$140.00
38	Application for a permit under Part 7 of the Act (clause 258 (2) (a))	\$157.00
39	Minor assessment (clause 258 (4) (a))	\$157.00
40	Moderate assessment (clause 258 (4) (b))	\$367.00
41	Major assessment (clause 258 (4) (c))	\$1,312.00
42	Complex assessment (clause 258 (4) (d))	\$3,411.00
43	Additional assessment (clause 258 (8))	\$65.00

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Schedule 1 Amendments relating to fees, charges and contributions

1.4 Fisheries Management (Lobster Share Management Plan) Regulation 2000

[1] Appendix Lobster Share Management Plan

Omit "\$277" from clause 9 (2) (a). Insert instead "\$281".

[2] Appendix, clause 9 (2) (b)

Omit "\$484". Insert instead "\$492".

[3] Appendix, clause 19 (2) (b)

Omit "\$208". Insert instead "\$211".

[4] Appendix, clause 53 (1)

Omit "\$85". Insert instead "\$86".

1.5 Fisheries Management (Supporting Plan) Regulation 2006

[1] Appendix

Omit clause 10A (2) and (3).

[2] Appendix, clause 10A (3A)

Omit "On and from 1 July 2011, if a fishing business is comprised of, or includes, shares in more than one relevant share management fishery".

Insert instead "If a fishing business is comprised of, or includes, shares in one or more relevant share management fisheries".

[3] Appendix, clause 10A (3A) (a)

Omit "\$839". Insert instead "\$852".