



New South Wales

Fisheries Management Legislation Amendment (Fees, Charges and Contributions) Regulation 2014

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 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) and (2), 165 (5), 167 (7), 172 (2), 173 (2), 174 (2), 191 and 289 (the general regulation-making power).

Fisheries Management Legislation Amendment (Fees, Charges and Contributions) Regulation 2014

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Fisheries Management Act 1994

1 Name of Regulation

This Regulation is the *Fisheries Management Legislation Amendment (Fees, Charges and Contributions) Regulation 2014*.

2 Commencement

This Regulation commences on 1 July 2014 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 "\$288" from clause 9 (2) (a). Insert instead "\$296".

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

Omit "\$504". Insert instead "\$519".

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

Omit "\$216". Insert instead "\$222".

[4] Appendix, clause 36 (1)

Omit "\$360". Insert instead "\$370".

1.2 Fisheries Management (Aquaculture) Regulation 2012

Schedule 3

Omit the Schedule. Insert instead:

Schedule 3 Fees, charges and contributions

Column 1	Column 2	Column 3
Item	Matter for which fee, charge or contribution is payable	Amount
1	Application for an aquaculture permit (clause 6 (1))	
	(a) for a class A permit	\$296
	(b) for a class B permit	\$296
	(c) for a class C permit	\$446
	(d) for a class D permit	\$742
	(e) for a class E permit	\$593
	(f) for a class F permit	\$446
	(g) for a class G permit	\$742
	(h) for a class H permit	\$742
2	Each additional application for an aquaculture permit (clause 6 (2))	\$148
3	Annual contribution for industry administration costs (clause 8 (1))	\$519
4	Annual contribution for research (clause 10)	
	(a) for a class A permit	\$41 for each hectare (or part of a hectare) of the area to which the permit relates

Column 1	Column 2	Column 3
Item	Matter for which fee, charge or contribution is payable	Amount
	(b) for a class B permit	\$41 for each hectare (or part of a hectare) of the area to which the permit relates
	(c) for a class C permit	\$148
	(d) for a class D permit	The greater of \$148, or \$31 for each hectare (or part of a hectare) of the total water area available for aquaculture (not including any water storage or effluent storage areas) to which the permit relates
	(e) for a class E permit	\$148
	(f) for a class F permit	\$148
	(g) for a class H permit	The greater of \$148, or \$31 for each hectare (or part of a hectare) of the total water area available for aquaculture (not including any water storage or effluent storage areas) to which the permit relates
5	Required amount for financial arrangements to provide security (clause 15 (4))	\$1,000 for each hectare (or part of a hectare) of the leased area or areas to which the permit relates
6	Class A annual contribution (clause 19)	\$40 for each hectare (or part of a hectare) of the leased area or areas to which the permit relates
7	Application for an aquaculture lease (clause 25 (1) (b))	
	(a) for a class 1 lease	\$742
	(b) for a class 2 lease	\$742
	(c) for a class 3 lease	\$742
	(d) for a class 4 lease	\$1,186
8	Application for renewal of an aquaculture lease (clause 32 (1) (b))	
	(a) for a class 1 lease	\$593
	(b) for a class 2 lease	\$446
	(c) for a class 3 lease	\$742
	(d) for a class 4 lease	\$446

Column 1	Column 2	Column 3
Item	Matter for which fee, charge or contribution is payable	Amount
9	Minimum rent payable per year for a lease (clause 34 (1))	The greater of \$148, or \$55 for each hectare (or part of a hectare) of the leased area or areas
10	Application for consent to sublease (clause 38 (1))	\$519
11	Application for consent to transfer aquaculture lease (clause 39 (2) (c))	\$815
12	Each additional application for consent to transfer aquaculture lease lodged on same day (clause 39 (2) (c))	\$75
13	Transmission of aquaculture lease on lessee's death (clause 40 (b))	\$519
14	Each additional application for transmission of aquaculture lease lodged on same day (clause 40 (b))	\$75
15	Application to surrender an aquaculture lease (clause 41 (1) (b))	\$371
16	Each additional application to surrender an aquaculture lease lodged on same day (clause 41 (1) (b))	\$75
17	Application to surrender part of a leased area (clause 41 (2) (d))	\$519
18	Application for consolidation of leases (clause 42 (2) (c))	\$593
19	Application for subdivision of a lease (clause 43 (2) (c))	\$593
20	Certified copy of lease or plan (clause 44 (1) (a))	\$75
21	Copy of a survey plan or map (clause 44 (3) (c))	\$75
22	Permit or renewal of permit to gather marine vegetation for commercial purposes (clause 56 (5))	\$148
23	Application for permit under section 37 of the Act for aquaculture (clause 57)	\$222

1.3 Fisheries Management (Estuary General Share Management Plan) Regulation 2006

Appendix

Omit "\$27" from clause 35C (4). Insert instead "\$28".

1.4 Fisheries Management (General) Regulation 2010

Schedule 8

Omit the Schedule. Insert instead:

Schedule 8 Fees and contributions

Column 1	Column 2	Column 3
Item	Matter for which fee or contribution is payable	Amount
1	Permit or renewal of permit to use explosives (clause 71 (5))	\$332
2	Permit or renewal of permit to use electrical devices (clause 73 (5))	\$332
3	Fishing fee (clause 81):	
	(a) for a period of 3 days	\$7
	(b) for a period of 1 month	\$14
	(c) for a period of 12 months	\$35
	(d) for a period of 3 years	\$85
4	Issue of replacement receipt (clause 84 (2))	\$7
5	Fishing fee exemption certificates:	
	(a) one year exemption certificate under clause 87 (1) (a)	\$140
	(b) one year exemption certificate under clause 87 (1) (b)	\$2,800
	(c) one year exemption certificate under clause 87 (1) (c) (i)	\$140
	(d) one year exemption certificate under clause 87 (1) (c) (ii)	\$140 plus \$35 for the fifth and each additional passenger to be exempted
	(e) one year exemption certificate under clause 87 (1) (c) (iii)	\$350
6	Application for amendment of exemption certificate (clause 88 (3) (a))	\$13
7	Marine park permit (clause 98)	\$75
8	Application for approval by Director-General of transfer of endorsement or share (clause 114 (5))	\$296
9	Special endorsement to take fish in share management fishery (clause 119)	\$148
10	Lodgment of appeal to Share Appeal Panel (clause 122 (1) (c))	\$275
11	Application for registration of transaction under clause 123 (1) (a)	\$296
12	Application for registration of transaction under clause 123 (1) (b)	\$519

Column 1	Column 2	Column 3
Item	Matter for which fee or contribution is payable	Amount
13	Inspection of entry in the Share Register conducted with assistance of officer of the Department (clause 124 (a) (i))	\$16
14	Inspection of registered document retained by Director-General (clause 124 (b))	\$75
15	Application for issue of Class 1 commercial fishing licence (clause 127 (2))	\$593
16	Application for renewal of Class 1 commercial fishing licence (clause 130 (3))	\$296
17	Contribution by participant in southern fish trawl restricted fishery (clause 132 (2))	\$1,095
18	Contribution by participant in sea urchin and turban shell restricted fishery (clause 133 (2))	\$1,095
19	Contribution by owner of inland restricted fishing business, a component of which is a class A endorsement (clause 133A (2))	\$1,095
20	Contribution by owner of inland restricted fishing business, a component of which is a class B endorsement (clause 133A (2))	\$371
21	Contribution by owner of inland restricted fishing business, a component of which is a class D endorsement (clause 133A (2))	\$371
22	Application for issue of fishing boat licence under clause 135 (2) (a)	\$207
23	Application for issue of fishing boat licence under clause 135 (2) (b)	\$207 plus \$31 for each metre (or part of a metre) by which the boat exceeds 3 metres
24	Application for renewal of fishing boat licence under clause 139 (3) (a)	\$58
25	Application for renewal of fishing boat licence under clause 139 (3) (b)	\$58 plus \$31 for each metre (or part of a metre) by which the boat exceeds 3 metres
26	Application for approval of transfer of right to fishing boat licence (clause 143 (3))	\$371
27	Application for registration of crew members (clause 147)	\$148
28	Application for approval of transfer of quota (clause 164 (2) (c))	\$222
29	Approval of transfer of endorsement (clause 190 (1))	\$296
30	Application for registration as Class A Registered Fish Receiver (clause 209 (2))	\$1,111
31	Application for registration as Class B Registered Fish Receiver (clause 209 (2))	\$3,622 for one or two premises at which the fish receiver receives fish plus \$1,810 for each additional premises

Column 1	Column 2	Column 3
Item	Matter for which fee or contribution is payable	Amount
32	Issue or renewal of charter fishing boat licence (clause 226 (1))	\$556
33	Authorised activity specified on charter fishing boat licence (clause 226 (1))	\$112
34	Application for approval of transfer of right to transferable licence (clause 229 (2))	\$371
35	Application for approval of boat replacement (clause 231 (1) (b))	\$371
36	Additional licence fee for application for renewal of charter fishing boat licence (clause 233 (5))	\$148
37	Application for a permit under Part 7 of the Act (clause 258 (2) (a))	\$166
38	Minor assessment (clause 258 (4) (a))	\$166
39	Moderate assessment (clause 258 (4) (b))	\$387
40	Major assessment (clause 258 (4) (c))	\$1,384
41	Complex assessment (clause 258 (4) (d))	\$3,597
42	Additional assessment (clause 258 (8))	\$69

1.5 Fisheries Management (Lobster Share Management Plan) Regulation 2000

[1] Appendix Lobster Share Management Plan

Omit "\$288" from clause 9 (2) (a). Insert instead "\$296".

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

Omit "\$504". Insert instead "\$519".

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

Omit "\$216". Insert instead "\$222".

[4] Appendix, clause 53 (1)

Omit "\$88". Insert instead "\$91".

1.6 Fisheries Management (Ocean Hauling Share Management Plan) Regulation 2006

Appendix

Omit "\$27" from clause 13G (4). Insert instead "\$28".

1.7 Fisheries Management (Supporting Plan) Regulation 2006

[1] Appendix

Omit "\$1,064" wherever occurring in clause 10A (2) (a) and (b) and (3) (a) and the note to clause 10A (3A).

Insert instead "\$1,095".

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

Omit "\$638". Insert instead "\$657".