



New South Wales

Fisheries Management Legislation Amendment (Fees, Charges and Contributions) Regulation 2018

under the

Fisheries Management Act 1994

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

NIALL BLAIR, MLC
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 section 289 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Fisheries Management Legislation Amendment (Fees, Charges and Contributions) Regulation 2018*.

2 Commencement

This Regulation commences on 1 July 2018 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

Appendix

Omit “\$388” from clause 36 (1). Insert instead “\$395”.

1.2 Fisheries Management (Aquaculture) Regulation 2017

Schedule 3

Omit the Schedule. Insert instead:

Schedule 3 Fees, charges and contributions

Column 1 Item	Column 2 Matter for which fee, charge or contribution is payable	Column 3 Amount
1	Application for aquaculture permit (clause 6 (1))	
	(a) class A permit	\$316
	(b) class B permit	\$316
	(c) class C permit	\$477
	(d) class D permit	\$793
	(e) class E permit	\$634
	(f) class F permit	\$477
	(g) class G permit	\$793
	(h) class H permit	\$793
2	Additional application for aquaculture permit (clause 6 (2))	\$158
3	Request for variation of aquaculture permit (clause 7 (1))	
	(a) class A permit	\$158
	(b) class B permit	\$158
	(c) class C permit	\$238
	(d) class D permit	\$396
	(e) class E permit	\$317
	(f) class F permit	\$238
	(g) class G permit	\$396
	(h) class H permit	\$396
4	Additional request for variation of aquaculture permit (clause 7 (2) (c))	\$79
5	Annual contribution for industry administration costs (clause 14 (1))	\$554

Column 1	Column 2	Column 3
Item	Matter for which fee, charge or contribution is payable	Amount
6	Annual contribution for research (clause 16 (1)):	
	(a) class A permit—for each hectare (or part of a hectare) of area to which permit relates	\$45
	(b) class B permit—for each hectare (or part of a hectare) of area to which permit relates	\$45
	(c) class C permit	\$158
	(d) class D permit—the greater of:	
	(i) minimum contribution, or	\$158
	(ii) for each hectare (or part of a hectare) of total water area available for aquaculture (not including any water storage or effluent storage areas) to which permit relates	\$34
	(e) class E permit	\$158
	(f) class F permit	\$158
	(g) class H permit—the greater of:	
	(i) minimum contribution, or	\$158
	(ii) for each hectare (or part of a hectare) of total water area available for aquaculture (not including any water storage or effluent storage areas) to which permit relates	\$34
7	Required amount for financial arrangements to provide security (clause 21 (4))—for each hectare (or part of a hectare) of leased area or areas to which permit relates	\$1,000
8	Class A annual contribution (clause 25)—for each hectare (or part of a hectare) of leased area or areas to which permit relates	\$40
9	Application for aquaculture lease (clause 31 (1) (b)):	
	(a) class 1 lease	\$793
	(b) class 2 lease	\$793
	(c) class 3 lease	\$793
	(d) class 4 lease	\$1,267
10	Application for renewal of aquaculture lease (clause 38 (1) (b)):	
	(a) class 1 lease	\$634
	(b) class 2 lease	\$477
	(c) class 3 lease	\$793
	(d) class 4 lease	\$477
11	Minimum rent payable per year for aquaculture lease (clause 40 (1))—the greater of:	
	(a) minimum amount, or	\$158
	(b) for each hectare (or part of a hectare) of leased area or areas	\$59
12	Application for consent to sublet (clause 44 (1))	\$554
13	Additional application for consent to sublet lodged on same day (clause 44 (1))	\$81

Column 1	Column 2	Column 3
Item	Matter for which fee, charge or contribution is payable	Amount
14	Application for consent to transfer aquaculture lease (clause 45 (2) (c))	\$871
15	Additional application for consent to transfer aquaculture lease lodged on same day (clause 45 (2) (c))	\$81
16	Transmission of aquaculture lease on lessee's death (clause 46 (b))	\$554
17	Additional application for transmission of aquaculture lease lodged on same day (clause 46 (b))	\$81
18	Application to surrender aquaculture lease (clause 47 (1) (b))	\$396
19	Additional application to surrender aquaculture lease lodged on same day (clause 47 (1) (b))	\$81
20	Application to surrender part of leased area (clause 47 (2) (d))	\$554
21	Application for consolidation of aquaculture leases (clause 48 (2) (c))	\$634
22	Application for subdivision of aquaculture lease (clause 49 (2) (c))	\$634
23	Certified copy of lease or plan (clause 50 (1) (a))	\$81
24	Copy of survey plan or map (clause 50 (3) (c))	\$81
25	Request for endorsement (clause 51 (6))	\$158
26	Permit or renewal of permit to gather marine vegetation for commercial purposes (clause 63 (5))	\$187
27	Application for permit under section 37 of the Act for aquaculture (clause 64)	\$237

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

Appendix

Omit "\$30" from clause 35C (4). Insert instead "\$31".

1.4 Fisheries Management (General) Regulation 2010

[1] Clause 164A Transfer of quota

Omit "\$233" from clause 164A (3). Insert instead "the amount specified in Schedule 8".

[2] Schedules 8 and 9

Omit the Schedules. 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))	\$354
2	Permit or renewal of permit to use electrical devices (clause 73 (5))	\$354
3	Fishing fee (clause 81):	
	(a) for period of 3 days	\$7

Column 1	Column 2	Column 3
Item	Matter for which fee is payable	Amount
	(b) for period of 1 month	\$14
	(c) for period of 12 months	\$35
	(d) for period of 3 years	\$85
4	Issue of replacement receipt (clause 84 (2))	\$8
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):	
	(i) base fee, and	\$140
	(ii) for the fifth and each additional passenger to be exempted	\$35
	(e) one year exemption certificate under clause 87 (1) (c) (iii)	\$350
6	Application for amendment of exemption certificate (clause 88 (3) (a))	\$14
7	Application for marine park permit or renewal of permit (clause 98 (a))	\$81
8	Application for permit or renewal of permit for research purposes (clause 98 (b))	\$395
9	Application for permit or renewal of permit for aquarium collection purposes (clause 98 (c))	\$187
10	Application for permit or renewal of permit for purpose approved by Minister (clause 98 (d))	\$395
11	Application for approval by Secretary of transfer of endorsement or share (clause 114 (5))	\$316
12	Special endorsement to take fish in share management fishery (clause 119)	\$158
13	Application for registration of transaction under clause 123 (1) (a)	\$316
14	Application for registration of transaction under clause 123 (1) (b)	\$554
15	Inspection of entry in Share Register conducted with assistance of officer of Department (clause 124 (a) (i))	\$18
16	Inspection of registered document retained by Secretary (clause 124 (b))	\$81
17	Application for issue of Class 1 commercial fishing licence (clause 127 (2))	\$634
18	Application for renewal of Class 1 commercial fishing licence (clause 130 (3))	\$316
19	Application for issue of fishing boat licence under clause 135 (2) (a)	\$221
20	Application for issue of fishing boat licence under clause 135 (2) (b):	
	(a) base fee, and	\$221
	(b) for each metre (or part of a metre) by which boat exceeds 3 metres	\$34

Column 1	Column 2	Column 3
Item	Matter for which fee is payable	Amount
21	Application for renewal of fishing boat licence under clause 139 (3) (a)	\$62
22	Application for renewal of fishing boat licence under clause 139 (3) (b):	
	(a) base fee, and	\$62
	(b) for each metre (or part of a metre) by which boat exceeds 3 metres	\$34
23	Application for approval of transfer of right to fishing boat licence (clause 143 (3))	\$396
24	Application for registration of crew members (clause 147)	\$155
25	Manual transfer of quota (clause 164A (3))	\$237
26	Approval of transfer of endorsement (clause 190 (1))	\$316
27	Application for registration as Class A Registered Fish Receiver (clause 209 (2))	\$1,186
28	Application for registration as Class B Registered Fish Receiver (clause 209 (2)):	
	(a) for one or two premises at which fish receiver receives fish, and	\$3,867
	(b) for each additional premises	\$1,933
29	Issue or renewal of charter fishing boat licence (clause 226 (1))	\$593
30	Authorised activity specified on charter fishing boat licence (clause 226 (1))	\$118
31	Application for approval of transfer of right to transferable licence (clause 229 (2))	\$396
32	Application for approval of boat replacement (clause 231 (1) (b))	\$396
33	Additional licence fee for application for renewal of charter fishing boat licence (clause 233 (5))	\$158
34	Application for permit under Part 7 of the Act (clause 258 (2) (a))	\$177
35	Minor assessment (clause 258 (4) (a))	\$177
36	Moderate assessment (clause 258 (4) (b))	\$413
37	Major assessment (clause 258 (4) (c))	\$1,478
38	Complex assessment (clause 258 (4) (d))	\$3,841
39	Additional assessment (clause 258 (8))—for each hour (or part of an hour) of work performed	\$73

Schedule 9 Maximum contributions by participants in restricted fisheries

(Clause 132)

Column 1	Column 2	Column 3
Item	Matter for which contribution is payable	Maximum amount
1	Contribution by participant and owner of fishing business in southern fish trawl restricted fishery (clause 132 (a))	\$1,169
2	Contribution by participant and owner of fishing business in sea urchin and turban shell restricted fishery (clause 132 (b))	\$1,169
3	Contribution by participant and owner of fishing business in inland restricted fishery, a component of which is a class A endorsement (clause 132 (c))	\$1,169
4	Contribution by participant and owner of fishing business in inland restricted fishery, a component of which is a class B endorsement (clause 132 (c))	\$396
5	Contribution by participant and owner of fishing business in inland restricted fishery, a component of which is a class D endorsement (clause 132 (c))	\$396

1.5 Fisheries Management (Lobster Share Management Plan) Regulation 2000

Appendix

Omit “\$95” from clause 53 (1). Insert instead “\$97”.

1.6 Fisheries Management (Supporting Plan) Regulation 2006

[1] Appendix

Omit “\$379” from clause 4A (2) (c). Insert instead “\$386”.

[2] Appendix, clause 4C (4)

Omit “\$233”. Insert instead “\$237”.

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

Omit “\$1,147” wherever occurring. Insert instead “\$1,169”.

[4] Appendix, clause 10A (2) (d)

Omit the paragraph.

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

Omit “\$688”. Insert instead “\$701”.

[6] Appendix, clause 10A (3A), note

Omit “an annual contribution of \$1,147”. Insert instead “a contribution of \$1,169”.