

1990-91

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA
HOUSE OF REPRESENTATIVES

Presented and read a first time, 31 May 1991 a.m.

(*Minister for Primary Industries and Energy*)

A BILL

FOR

An Act to impose a charge on the grant of statutory fishing rights

The Parliament of Australia enacts:

Short title

1. This Act may be cited as the *Statutory Fishing Rights Charge Act 1991*.

5 Commencement

2. (1) Sections 1 and 2 commence on the day on which this Act receives the Royal Assent.

(2) Subject to subsection (3), the remaining provisions of this Act commence on a day to be fixed by Proclamation.

10 (3) If a provision mentioned in subsection (2) does not commence under that subsection within the period of 6 months commencing on the day on which this Act receives the Royal Assent, it commences on the first day after the end of that period.

Interpretation

3. In this Act, unless the contrary intention appears:
“**statutory fishing right**” means a statutory fishing right granted under Part 3 of the *Fisheries Management Act 1991*.

Application of Act 5

4. This Act extends to every external Territory and applies both within and outside Australia.

Imposition of charge 10

5. Subject to section 6, charge is imposed on the grant of a statutory fishing right.

Exemption from charge

6. Charge is not payable on a grant of a statutory fishing right declared by the regulations to be exempt from charge.

Amount of charge 15

7. The amount of the charge payable in respect of the grant of a statutory fishing right is such amount as is equal to:

- (a) if the right is auctioned—the amount of the highest bid made at the auction by the grantee of the right; or
- (b) if tenders were called in respect of the grant of the right—the amount of the bid submitted by the grantee of the right; or 20
- (c) if the grant of the right is made otherwise than by auction or by calling tenders—such amount as is calculated in accordance with the regulations.

By whom is charge payable? 25

8. Charge is payable by the person to whom the right is granted.

Regulations 30

9. The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters:

- (a) required or permitted by this Act to be prescribed; or
- (b) necessary or convenient to be prescribed in carrying out or giving effect to this Act.

