

1991

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

FOREIGN FISHING LICENCES LEVY BILL 1991

EXPLANATORY MEMORANDUM

(Circulated by authority of the Minister for Primary  
Industries and Energy the Honourable John Kerin MP)

## FOREIGN FISHING LICENCES LEVY BILL 1991

### GENERAL OUTLINE

This Bill replaces the Foreign Fishing Boats Levy Act 1981 and is designed to reflect the changed fisheries management arrangements arising from the replacement of the Fisheries Act 1952 and the Continental Shelf (Living Natural Resources) Act 1968 by the Fisheries Management Bill 1991.

### FINANCIAL IMPACT STATEMENT

This Bill will in itself have no impact on Government expenditure or receipts as it does not vary the content of the Foreign Fishing Boats Levy Act 1981.

## NOTES ON CLAUSES

### Clause 1 - Short title

1. The clause provides for the Bill to be cited as the Foreign Fishing Licences Levy Act 1991.

### Clause 2 - Commencement

2. This clause provides for clauses 1 and 2 to commence from date of Royal Assent. The remainder of the Bill commences on a date fixed by Proclamation or six months after receiving Royal Assent, whichever occurs sooner.

### Clause 3 - Interpretation

3. This clause defines certain terms used in the Bill.

### Clause 4 - Imposition of levy

4. This clause identifies the circumstances under which levy is payable.

### Clause 5 - Amount of levy

5. This clause identifies the ways in which the amount of levy to be paid can be indicated.
6. This clause contains no provision for determining maximum payments. It is the Government's policy to obtain the maximum amount possible from foreigners given the right to exploit the Australian Fishing Zone. Under these circumstances, the fixing of maximum levies is not considered appropriate.

### Clause 6 - By whom is levy payable?

7. This clause requires levy to be paid by the person to whom a foreign fishing licence is granted, or where the granting of such a licence or licences is in accordance with an agreement with a person other than the government of another country in accordance with that agreement.

**Clause 7 - Regulations**

8. This clause allows the Governor-General to make regulations not inconsistent with this Bill.



9 780644 210836