

1985

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

FISHERIES LEVY AMENDMENT BILL 1985

EXPLANATORY MEMORANDUM

(Circulated by authority of the Minister for
Primary Industry, the Hon. John Kerin, MP)

OUTLINE

The Fisheries Licences Levy Act 1984 imposes levy on the granting of fisheries licences in prescribed classes and provides for amounts of levy to be as prescribed in the regulations and for the manner of payment of levy.

The Bill adds to the Principal Act, power to impose levy on the renewal or variation of a licence in a prescribed class or on the allocation, or renewal of the allocation, of prescribed classes of units of fishing capacity determined in a plan of management for a fishery under s.7B(1) of the Fisheries Act 1952 as proposed to be amended. The Bill also provides with respect to amounts of levy payable and the manner of payment of the levy and authorises the regulations to provide for matters by application of the matters in a plan of management.

This Bill and its associated Fishing Legislation Amendment Bill have no direct implications in themselves for revenue or expenditure.

FISHERIES LEVY AMENDMENT BILL 1985

NOTES ON CLAUSES

Clause 1 Short title

1. Formal provision.

Clause 2. Commencement

2. The amendments are to come into force on the day fixed for commencement of the Fishing Legislation Amendment Bill 1985

Clause 3. Principal Act

3. Formal provision.

Clause 4. Long title

4. Amends the long title of the Principal Act to reflect the addition of units of fishing capacity to the matters on which levy may be imposed.

Clause 5. Short title

5. Consequential amendment.

Clause 6. Interpretation

6. Adds to the expressions interpreted for purposes of the Principal Act -

- . "fishery", having the same meaning as in the Fisheries act 1952 as proposed to be amended
- . "plan of management" meaning one determined under s.7B(1) of that Act as proposed to be amended
- . "units of fishing capacity" means units into which the permitted capacity of a fishery under a plan of management is divided.

Clause 7. Imposition of levy

7. Sub-clause 7(a) - adds to the matters on which levy may be imposed -

- . renewal and variation of a prescribed class of boat licence under the Fisheries Act 1952
- . allocation of prescribed units of fishing capacity to a person and the renewal of such an allocation;

- sub-clauses 7(b),(c) - variation of a prescribed class of boat licence under the Torres Strait Fisheries Act 1984.

Clause 8. Amount of levy

8. Sub-clause 8(a) - adds to the matters in respect of which the regulations may prescribe the amount of levy, the variation of a licence and the allocation, or renewal of the allocation, of units of fishing capacity;

sub-clause 8(b)(c) - adds to the matters in respect of which the regulations may prescribe different amounts of levy, units of fishing capacity in different cases of such units.

Clause 9. Payment of Levy

9. Provides for payment of levy -

- . on allocation of units of fishing capacity, at the time of the allocation;
- . on renewal of an allocation of units of fishing capacity, at the time of the renewal.

Clause 10. Regulations

10. Empowers the making of regulations incorporating a matter provided in a plan of management.