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South Australia

Fisheries (Fees) Variation Regulations 2006

under the *Fisheries Act 1982*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fisheries (Fees) Variation Regulations 2006*.

2—Commencement

These regulations come into operation on the day on which they are made.

3—Interpretation

In these regulations—

(a) ***licence period*** means the period of 12 months commencing on 1 July in any year;

(b) a reference to the ***principal regulations*** is a reference to the regulations specified in the heading to the Part in which the reference occurs.

4—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Fisheries (Fish Processors) Regulations 1991*

5—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

1	For registration or renewal of registration as a fish processor (regulation 5)—	
	(a) in the case of an application by an eligible applicant	$135.00
	(b) in any other case	$781.00
2	Fee (per species) (in addition to the fee payable under clause 1(b)) where the applicant (not being an eligible applicant) proposes to process any of the following species of fish pursuant to the registration: abalone (*Haliotis* spp.) of all species western king prawn (*Penaeus latisulcatus*) southern rock lobster (*Jasus edwardsii*). Where registration is to be granted or renewed for a term of less than the registration period, the fee is a proportion of the fee set out above, being the proportion that the number of complete months in the term of registration bears to the number of months in the registration period.	$1 009.00
3	For processing an application to have premises, places, boats or vehicles specified in the certificate of registration (regulation 6)	$23.00

Part 3—Variation of *Fisheries (General) Regulations 2000*

6—Variation of Schedule 5

(1) Schedule 5, items 3(b) and (c)—delete "$1 479" and substitute in each case:

$1 834

(2) Schedule 5, item 3(d)—delete "$68 602" and substitute:

$53 741

(3) Schedule 5, item 3(e)—delete "$2 956" and substitute:

$3 669

Part 4—Variation of *Fisheries (Scheme of Management—Abalone Fisheries) Regulations 1991*

7—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

1	On application for the renewal of a licence in respect of—		
	(a)	the Central Zone Abalone Fishery	$68 974.00
	(b)	the Southern Zone Abalone Fishery	$68 142.00
	(c)	the Western Zone Abalone Fishery	$68 225.00
2	On application for the transfer of a licence in respect of an abalone fishery		$300.00
3	On application under regulation 13, 13A or 13B by the holder of a licence in respect of an abalone fishery to vary the conditions of the licence so as to alter the unit entitlement of the licence in respect of abalone		$100.00

8—Transitional provision

(1) A fee prescribed by Schedule 1 of the principal regulations as substituted by this Part applies in relation to the licence period commencing on 1 July 2006.

(2) Despite regulation 7, a fee prescribed by Schedule 1 of the principal regulations as in force immediately before the commencement of these regulations continues to apply in relation to the licence period that commenced on 1 July 2005.

Part 5—Variation of *Fisheries (Scheme of Management—Blue Crab Fishery) Regulations 1998*

9—Substitution of Schedule 2

Schedule 2—delete the Schedule and substitute:

Schedule 2—Fees

1	On application for the issue of a licence in respect of the fishery	$4 110.00
2	On application for the issue of a licence (in addition to the fee payable under clause 1)—for each blue crab unit to be allocated to the licence	$22.55
3	On application for the renewal of a licence in respect of the fishery	$4 110.00
4	On application for the renewal of a licence (in addition to the fee payable under clause 3)—for each blue crab unit allocated to the licence	$22.55
5	On application for the transfer of a licence in respect of the fishery	$300.00

6	On application under regulation 15 by the holder of a licence in respect of the fishery to vary the conditions of the licence so as to alter the unit entitlement of the licence in respect of blue crab	$100.00

10—Transitional provision

(1) A fee prescribed by Schedule 2 of the principal regulations as substituted by this Part applies in relation to the licence period commencing on 1 July 2006.

(2) Despite regulation 9, a fee prescribed by Schedule 2 of the principal regulations as in force immediately before the commencement of these regulations continues to apply in relation to the licence period that commenced on 1 July 2005.

Part 6—Variation of *Fisheries (Scheme of Management—Charter Boat Fishery) Regulations 2005*

11—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

1	On application for the issue or renewal of a licence in respect of the fishery	$1 375.00
2	On application for the registration of a boat to be used pursuant to a licence in respect of the fishery—	
	(a) if the certificate of survey in force in respect of the boat specifies that the boat may carry up to unberthed 6 passengers	$344.00
	(b) if the certificate of survey in force in respect of the boat specifies that the boat may carry up to unberthed 12 passengers	$688.00
	(c) if the certificate of survey in force in respect of the boat specifies that the boat may carry more than unberthed 12 passengers	$1 375.00
3	On application for the transfer of a licence in respect of the fishery	$300.00

12—Transitional provision

(1) A fee prescribed by Schedule 1 of the principal regulations as substituted by this Part applies in relation to the licence period commencing on 1 July 2006.

(2) Despite regulation 11, a fee prescribed by Schedule 2 of the principal regulations as in force immediately before the commencement of these regulations continues to apply in relation to the licence period that commenced on 1 July 2005.

Part 7—Variation of *Fisheries (Scheme of Management—Lakes and Coorong Fishery) Regulations 1991*

13—Variation of regulation 8—Renewal of licences

(1) Regulation 8(5)(a)(i)—delete "$5 816" and substitute:

$6 501

(2) Regulation 8(5)(a)(ii)—delete "$5 906" and substitute:

$6 591

14—Transitional provision

(1) A fee prescribed by regulation 8 of the principal regulations as varied by this Part applies in relation to the licence period commencing on 1 July 2006.

(2) Despite regulation 13, a fee prescribed by regulation 8 of the principal regulations as in force immediately before the commencement of these regulations continues to apply in relation to the licence period that commenced on 1 July 2005.

Part 8—Variation of *Fisheries (Scheme of Management—Marine Scalefish Fisheries) Regulations 1991*

15—Substitution of Schedule 2

Schedule 2—delete the Schedule and substitute:

Schedule 2—Fees

1	On application for the renewal of a licence in respect of a marine scalefish fishery	$3 669.00
2	On application for the renewal of a licence endorsed with a condition fixing a blue crab quota on the licence (in addition to the fee payable under clause 1)—for each blue crab unit allocated to the licence	$50.10
3	On application for the transfer of a licence in respect of a marine scalefish fishery	$300.00
4	On application under regulation 14B by the holder of a licence in respect of a marine scalefish fishery to vary the conditions of the licence so as to alter the unit entitlement of the licence in respect of blue crab	$100.00
5	On application under regulation 14C by the holder of a licence in respect of the Marine Scalefish Fishery to vary the conditions of the licence so as to alter the unit entitlement of the licence in respect of pilchards	$100.00

16—Transitional provision

(1) A fee prescribed by Schedule 2 of the principal regulations as substituted by this Part applies in relation to the licence period commencing on 1 July 2006.

(2) Despite regulation 15, a fee prescribed by Schedule 2 of the principal regulations as in force immediately before the commencement of these regulations continues to apply in relation to the licence period that commenced on 1 July 2005.

Part 9—Variation of *Fisheries (Scheme of Management—Miscellaneous Fishery) Regulations 2000*

17—Substitution of Schedule 4

Schedule 4—delete the Schedule and substitute:

Schedule 4—Fees

1	On application for the issue of a licence in respect of the fishery—	
	(a) in the case of a licence to be issued for the term of the licence period	$2 932.00
	(b) in the case of a licence to be issued for a term of less than the licence period—a proportion of the fee specified in paragraph (a), being the proportion that the number of months (part of a month being treated as a whole month) in the term of the licence bears to the number of months in the licence period.	
2	On application for the renewal of a licence in respect of the fishery	$2 932.00
3	On application for the renewal of a licence endorsed with a condition fixing a giant crab quota on the licence (in addition to the fee payable under clause 2)—for each giant crab unit allocated to the licence	$29.30
4	On application for the renewal of a licence endorsed with a condition fixing a giant crab quota on the licence (in addition to the fees payable under clauses 2 and 3)	$600.00
5	On application under regulation 11 by the holder of a licence in respect of the fishery to vary the conditions of the licence so as to alter the unit entitlement of the licence in respect of giant crab	$100.00

18—Transitional provision

(1) A fee prescribed by Schedule 4 of the principal regulations as substituted by this Part applies in relation to the licence period commencing on 1 July 2006.

(2) Despite regulation 17, a fee prescribed by Schedule 4 of the principal regulations as in force immediately before the commencement of these regulations continues to apply in relation to the licence period that commenced on 1 July 2005.

Part 10—Variation of *Fisheries (Scheme of Management—Prawn Fisheries) Regulations 1991*

19—Substitution of Schedule 2

Schedule 2—delete the Schedule and substitute:

Schedule 2—Fees

1	On application for the renewal of a licence in respect of—	
	(a) the Gulf St. Vincent Prawn Fishery	$25 715.00
	(b) the Spencer Gulf Prawn Fishery	$23 053.00
	(c) the West Coast Prawn Fishery	$4 969.00
2	On application for the transfer of a licence in respect of a prawn fishery	$300.00

20—Transitional provision

(1) A fee prescribed by Schedule 2 of the principal regulations as substituted by this Part applies in relation to the licence period commencing on 1 July 2006.

(2) Despite regulation 19, a fee prescribed by Schedule 2 of the principal regulations as in force immediately before the commencement of these regulations continues to apply in relation to the licence period that commenced on 1 July 2005.

Part 11—Variation of *Fisheries (Scheme of Management—Rock Lobster Fisheries) Regulations 1991*

21—Substitution of Schedule 2

Schedule 2—delete the Schedule and substitute:

Schedule 2—Fees

1	On application for the renewal of a licence in respect of the Northern Zone Rock Lobster Fishery—	
	(a) in the case of a licence that will, on its renewal, be subject to a condition limiting the holder of the licence to the taking of rock lobster, octopus and giant crab	$12 001.00
	(b) in the case of a licence that will, on its renewal, be subject to a condition limiting the holder of the licence to the taking of—	
	(i) rock lobster, octopus and giant crab; and	
	(ii) fish of a species (other than octopus or giant crab) prescribed by Schedule 1 for the purpose of bait only	$ 12 501.00
	(c) in any other case	$13 835.00
2	On application for the renewal of a licence in respect of the Northern Zone Rock Lobster Fishery (in addition to the fee payable under clause 1)—for each rock lobster pot endorsed on the licence	$88.00

3	On application for the renewal of a licence endorsed with a condition fixing a giant crab quota on the licence (in addition to the fees payable under clauses 1 and 2)—for each giant crab unit allocated to the licence	$29.30
4	On application for the renewal of a licence endorsed with a condition limiting the number of giant crab that may be taken on each boat trip (in addition to the fees payable under clauses 1, 2 and 3)	$32.60
5	On application for the renewal of a licence in respect of the Southern Zone Rock Lobster Fishery—	
	(a) in the case of a licence that will, on its renewal, be subject to a condition limiting the holder of the licence to the taking of rock lobster, octopus and giant crab	$10 118.00
	(b) in the case of a licence that will, on its renewal, be subject to a condition limiting the holder of the licence to the taking of—	
	(i) rock lobster, octopus and giant crab; and	
	(ii) fish of a species (other than octopus or giant crab) prescribed by Schedule 1 for the purpose of bait only	$10 618.00
	(c) in any other case	$11 952.00
6	On application for the renewal of a licence in respect of the Southern Zone Rock Lobster Fishery (in addition to the fee payable under clause 5)—for each rock lobster pot endorsed on the licence	$96.00
7	On application for the renewal of a licence in respect of the Southern Zone Rock Lobster Fishery endorsed with a condition fixing a giant crab quota on the licence (in addition to the fees payable under clauses 5 and 6)—for each giant crab unit allocated to the licence	$29.30
8	On application for the renewal of a licence endorsed with a condition limiting the number of giant crab that may be taken on each boat trip (in addition to the fees payable under clauses 5, 6 and 7)	$32.60
9	On application for transfer of a licence in respect of either rock lobster fishery	$300.00
10	On application under regulation 14 by the holder of a licence in respect of a rock lobster fishery to vary the conditions of the licence so as to alter the rock lobster pot entitlement under the licence	$100.00
11	On application under regulation 4AA by the holder of a licence in respect of the Northern Zone Rock Lobster Fishery to vary the conditions of the licence so as to alter the unit entitlement of the licence in respect of rock lobster	$100.00
12	On application under regulation 14A by the holder of a licence in respect of the Southern Zone Rock Lobster Fishery to vary the conditions of the licence so as to alter the unit entitlement of the licence in respect of rock lobster	$100.00
13	On application under regulation 14B by the holder of a licence in respect of a rock lobster fishery to vary the conditions of the licence so as to alter the unit entitlement of the licence in respect of giant crab	$100.00
	The fee prescribed in relation to an application under regulation 14 is not payable if, at the same time, an application under regulation 14AA or regulation 14A is made in respect of the same licence and the fee prescribed in relation to that application is paid.	

22—Transitional provision

(1) A fee prescribed by Schedule 2 of the principal regulations as substituted by this Part applies in relation to the licence period commencing on 1 July 2006.

(2) Despite regulation 21, a fee prescribed by Schedule 2 of the principal regulations as in force immediately before the commencement of these regulations continues to apply in relation to the licence period that commenced on 1 July 2005.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 15 June 2006

No 136 of 2006

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