

South Australia

## **Fisheries Management (Fees) Variation Regulations 2008**

under the *Fisheries Management Act 2007*

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## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Fisheries Management (Fees) Variation Regulations 2008*.

### 2—Commencement

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

### 3—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 Management (Fees) Regulations 2007*

### 4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

### Schedule 1—Fees

#### Part 1—Commercial fishing

##### Division 1—Licence application fees

###### Application fees payable by an applicant for the issue of a fishery licence (section 54(1)(c) of Act)

1	On application for a licence in respect of the Central Zone Abalone Fishery	\$72 688.00
2	On application for a licence in respect of the Southern Zone Abalone Fishery	\$72 178.00
3	On application for a licence in respect of the Western Zone Abalone Fishery	\$72 018.00
4	On application for the issue of a licence in respect of the Blue Crab Fishery—	
	(a) base fee	\$2 278.00
	(b) additional fee for each blue crab unit of the blue crab quota entitlement under the licence	\$21.40
5	On application for the issue of a licence in respect of the Charter Boat Fishery	\$1 539.00
6	On application for the issue of a licence in respect of the Lakes and Coorong Fishery—	
	(a) base fee	\$3 135.00

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	(b)	additional fee if there is a pipi quota entitlement under the licence	\$3 892.00
	(c)	additional fee for each pipi unit of the pipi quota entitlement under the licence	\$177.60
7		On application for the issue of a licence in respect of the Marine Scalefish Fishery or Restricted Marine Scalefish Fishery—	
	(a)	base fee	\$3 565.00
	(b)	additional fee for each blue crab unit of the blue crab quota entitlement under the licence	\$24.25
8		On application for a licence in respect of the Miscellaneous Fishery with a giant crab quota entitlement—	
	(a)	base fee	\$3 134.00
	(b)	additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$28.50
9		On application for a licence in respect of the Miscellaneous Fishery without a giant crab quota entitlement	\$2 534.00
10		On application for a licence in respect of the Gulf St Vincent Prawn Fishery	\$32 532.00
11		On application for a licence in respect of the Spencer Gulf Prawn Fishery	\$24 700.00
12		On application for a licence in respect of the West Coast Prawn Fishery	\$7 873.00
13		On application for a licence in respect of the River Fishery	\$200.00
14		On application for a licence in respect of the Northern Zone Rock Lobster Fishery subject to a condition limiting the holder of the licence to the taking of Southern Rocklobster, Octopus and Giant Crab—	
	(a)	base fee	\$2 678.00
	(b)	additional fee for each rock lobster unit of the rock lobster quota entitlement under the licence	\$15.00
	(c)	additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$28.50
	(d)	additional fee if the licence is subject to a condition limiting the number of Giant Crab that may be taken on each boat trip	\$31.65
15		On application for a licence in respect of the Northern Zone Rock Lobster Fishery subject to a condition limiting the holder to the taking of Southern Rocklobster, Octopus and Giant Crab and limiting the holder to the taking of aquatic resources of a class (other than Octopus or Giant Crab) prescribed by Schedule 1 of the <i>Fisheries Management (Rock Lobster Fisheries) Regulations 2006</i> for the purpose of bait only—	
	(a)	base fee	\$3 178.00
	(b)	additional fee for each rock lobster unit of the rock lobster quota entitlement under the licence	\$15.00

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	(c)	additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$28.50
	(d)	additional fee if the licence is subject to a condition limiting the number of Giant Crab that may be taken on each boat trip	\$31.65
16		On application for a licence in respect of the Northern Zone Rock Lobster Fishery not subject to a condition limiting the classes of aquatic resources that may be taken or the purpose for which aquatic resources may be taken—	
	(a)	base fee	\$4 460.00
	(b)	additional fee for each rock lobster unit of the rock lobster quota entitlement under the licence	\$15.00
	(c)	additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$28.50
	(d)	additional fee if the licence is subject to a condition limiting the number of Giant Crab that may be taken on each boat trip	\$31.65
17		On application for a licence in respect of the Southern Zone Rock Lobster Fishery subject to a condition limiting the holder of the licence to the taking of Southern Rocklobster, Octopus and Giant Crab—	
	(a)	base fee	\$4 349.00
	(b)	additional fee for each rock lobster pot of the rock lobster pot entitlement under the licence	\$145.60
	(c)	additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$28.50
	(d)	additional fee if the licence is subject to a condition limiting the number of Giant Crab that may be taken on each boat trip	\$31.65
18		On application for a licence in respect of the Southern Zone Rock Lobster Fishery subject to a condition limiting the holder to the taking of Southern Rocklobster, Octopus and Giant Crab and limiting the holder to the taking of aquatic resources of a class (other than Octopus or Giant Crab) prescribed by Schedule 1 of the <i>Fisheries Management (Rock Lobster Fisheries) Regulations 2006</i> for the purpose of bait only—	
	(a)	base fee	\$4 849.00
	(b)	additional fee for each rock lobster pot of the rock lobster pot entitlement under the licence	\$145.60
	(c)	additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$28.50
	(d)	additional fee if the licence is subject to a condition limiting the number of Giant Crab that may be taken on each boat trip	\$31.65

19	On application for a licence in respect of the Southern Zone Rock Lobster Fishery not subject to a condition limiting the classes of aquatic resources that may be taken or the purpose for which aquatic resources may be taken—	
(a)	base fee	\$6 131.00
(b)	additional fee for each rock lobster pot of the rock lobster pot entitlement under the licence	\$145.60
(c)	additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$28.50
(d)	additional fee if the licence is subject to a condition limiting the number of Giant Crab that may be taken on each boat trip	\$31.65

## **Division 2—Registration application fees**

### **Application fees payable by an applicant for the registration of a device to be used under a fishery licence (section 54(1)(c) of Act)**

20	On application for registration of 1 or more swinger nets to be used under a licence in respect of the Lakes and Coorong Fishery	no fee
21	On application for registration of 1 or more fish nets (other than swinger nets) to be used under a licence in respect of the Lakes and Coorong Fishery	\$1 782.00
22	On application for registration of 1 or more fish nets to be used under a licence in respect of the Northern Zone Rock Lobster Fishery or Southern Zone Rock Lobster Fishery	\$1 782.00
23	On application for registration of 1 or more sardine nets to be used under a licence in respect of the Marine Scalefish Fishery	\$58 109.00
24	On application for registration of 1 or more fish nets (other than sardine nets) to be used under a licence in respect of the Marine Scalefish Fishery, Restricted Marine Scalefish Fishery or Miscellaneous Fishery	\$3 565.00
25	On application for registration of 1 or more sand crab pots to be used under a licence in respect of the Marine Scalefish Fishery	no fee
26	On application for registration of a fish net used solely to take fish for bait provided that the bait is not for sale	no fee

### **Application fees payable by an applicant for the registration of a boat to be used under a fishery licence (section 54(1)(c) of Act)**

27	On application for registration of a boat to be used under a licence in respect of the Charter Boat 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	\$385.00
(b)	if the certificate of survey in force in respect of the boat specifies that the boat may carry up to unberthed 12 passengers	\$770.00
(c)	if the certificate of survey in force in respect of the boat specifies that the boat may carry more than unberthed 12 passengers	\$1 539.00

### **Division 3—Licence annual fees**

**Annual fees payable by the holder of a fishery licence  
(section 56(5)(a) of Act)**

28	Annual fee for a licence in respect of the Central Zone Abalone Fishery	\$72 688.00
29	Annual fee for a licence in respect of the Southern Zone Abalone Fishery	\$72 178.00
30	Annual fee for a licence in respect of the Western Zone Abalone Fishery	\$72 018.00
31	Annual fee for a licence in respect of the Blue Crab Fishery—	
	(a) base fee	\$2 278.00
	(b) additional fee for each blue crab unit of the blue crab quota entitlement under the licence	\$21.40
32	Annual fee for a licence in respect of the Charter Boat Fishery	\$1 539.00
33	Annual fee for a licence in respect of the Lakes and Coorong Fishery—	
	(a) base fee	\$3 135.00
	(b) additional fee if there is a pipi quota entitlement under the licence	\$3 892.00
	(c) additional fee for each pipi unit of the pipi quota entitlement under the licence	\$177.60
34	Annual fee for a licence in respect of the Marine Scalefish Fishery or Restricted Marine Scalefish Fishery—	
	(a) base fee	\$3 565.00
	(b) additional fee for each blue crab unit of the blue crab quota entitlement under the licence	\$24.25
35	Annual fee for a licence in respect of the Miscellaneous Fishery with a giant crab quota entitlement—	
	(a) base fee	\$3 134.00
	(b) additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$28.50
36	Annual fee for a licence in respect of the Miscellaneous Fishery without a giant crab quota entitlement	\$2 534.00
37	Annual fee for a licence in respect of the Gulf St Vincent Prawn Fishery	\$32 532.00
38	Annual fee for a licence in respect of the Spencer Gulf Prawn Fishery	\$24 700.00
39	Annual fee for a licence in respect of the West Coast Prawn Fishery	\$7 873.00
40	Annual fee for a licence in respect of the River Fishery	\$200.00

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- 41 Annual fee for a licence in respect of the Northern Zone Rock Lobster Fishery subject to a condition limiting the holder of the licence to the taking of Southern Rocklobster, Octopus and Giant Crab—
- |     |   |            |
|-----|---|------------|
| (a) | base fee  | \$2 678.00 |
| (b) | additional fee for each rock lobster unit of the rock lobster quota entitlement under the licence                             | \$15.00    |
| (c) | additional fee for each giant crab unit of the giant crab quota entitlement under the licence                                 | \$28.50    |
| (d) | additional fee if the licence is subject to a condition limiting the number of Giant Crab that may be taken on each boat trip | \$31.65    |
- 42 Annual fee for a licence in respect of the Northern Zone Rock Lobster Fishery subject to a condition limiting the holder to the taking of Southern Rocklobster, Octopus and giant crab and limiting the holder to the taking of aquatic resources of a class (other than Octopus or Giant Crab) prescribed by Schedule 1 of the *Fisheries Management (Rock Lobster Fisheries) Regulations 2006* for the purpose of bait only—
- |     |   |            |
|-----|---|------------|
| (a) | base fee  | \$3 178.00 |
| (b) | additional fee for each rock lobster unit of the rock lobster quota entitlement under the licence                             | \$15.00    |
| (c) | additional fee for each giant crab unit of the giant crab quota entitlement under the licence                                 | \$28.50    |
| (d) | additional fee if the licence is subject to a condition limiting the number of giant crab that may be taken on each boat trip | \$31.65    |
- 43 Annual fee for a licence in respect of the Northern Zone Rock Lobster Fishery not subject to a condition limiting the classes of aquatic resources that may be taken or the purpose for which aquatic resources may be taken—
- |     |   |            |
|-----|---|------------|
| (a) | base fee  | \$4 460.00 |
| (b) | additional fee for each rock lobster unit of the rock lobster quota entitlement under the licence                             | \$15.00    |
| (c) | additional fee for each giant crab unit of the giant crab quota entitlement under the licence                                 | \$28.50    |
| (d) | additional fee if the licence is subject to a condition limiting the number of Giant Crab that may be taken on each boat trip | \$31.65    |
- 44 Annual fee for a licence in respect of the Southern Zone Rock Lobster Fishery subject to a condition limiting the holder of the licence to the taking of Southern Rocklobster, Octopus and Giant Crab—
- |     |  |            |
|-----|--|------------|
| (a) | base fee   | \$4 349.00 |
| (b) | additional fee for each rock lobster pot of the rock lobster pot entitlement under the licence | \$145.60   |
| (c) | additional fee for each giant crab unit of the giant crab quota entitlement under the licence  | \$28.50    |

(d)	additional fee if the licence is subject to a condition limiting the number of giant crab that may be taken on each boat trip	\$31.65
45	Annual fee for a licence in respect of the Southern Zone Rock Lobster Fishery subject to a condition limiting the holder to the taking of Southern Rocklobster, Octopus and giant crab and limiting the holder to the taking of aquatic resources of a class (other than Octopus or Giant Crab) prescribed by Schedule 1 of the <i>Fisheries Management (Rock Lobster Fisheries) Regulations 2006</i> for the purpose of bait only—	
(a)	base fee	\$4 849.00
(b)	additional fee for each rock lobster pot of the rock lobster pot entitlement under the licence	\$145.60
(c)	additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$28.50
(d)	additional fee if the licence is subject to a condition limiting the number of Giant Crab that may be taken on each boat trip	\$31.65
46	Annual fee for a licence in respect of the Southern Zone Rock Lobster Fishery not subject to a condition limiting the classes of aquatic resources that may be taken or the purpose for which aquatic resources may be taken—	
(a)	base fee	\$6 131.00
(b)	additional fee for each rock lobster pot of the rock lobster pot entitlement under the licence	\$145.60
(c)	additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$28.50
(d)	additional fee if the licence is subject to a condition limiting the number of Giant Crab that may be taken on each boat trip	\$31.65

#### **Division 4—Registration annual fees**

##### **Annual fees payable by the holder of registration of a device used under a fishery licence (section 56(5)(a) of Act)**

47	Annual fee for registration of 1 or more swinger nets used under a licence in respect of the Lakes and Coorong Fishery	no fee
48	Annual fee for registration of 1 or more fish nets (other than swinger nets) used under a licence in respect of the Lakes and Coorong Fishery	\$1 782.00
49	Annual fee for registration of 1 or more fish nets used under a licence in respect of the Northern Zone Rock Lobster Fishery or Southern Zone Rock Lobster Fishery	\$1 782.00
50	Annual fee for registration of 1 or more sardine nets used under a licence in respect of the Marine Scalefish Fishery	\$58 109.00
51	Annual fee for registration of 1 or more fish nets (other than sardine nets) used under a licence in respect of a marine scalefish fishery or the Miscellaneous Fishery	\$3 565.00



- |    |   |        |
|----|---|--------|
| 52 | Annual fee for registration of 1 or more sand crab pots to be used under a licence in respect of the Marine Scalefish Fishery | no fee |
| 53 | Annual fee for registration of a fish net used solely to take fish for bait provided that the bait is not for sale            | no fee |

### **Division 5—Miscellaneous fees**

- |    |   |          |
|----|---|----------|
| 54 | On application for consent to the transfer of a fishery authority   | \$335.00 |
| 55 | On application to vary the registration of a boat used under a fishery licence  | \$89.50  |
| 56 | On application to vary the registration of a master   | \$89.50  |
| 57 | On application to vary a quota entitlement under a fishery licence  | \$112.00 |
| 58 | On application to vary a rock lobster pot entitlement under a licence in respect of the Northern Zone Rock Lobster Fishery or Southern Zone Rock Lobster Fishery  | \$112.00 |
|    | The fee fixed by this clause is not payable if an application to vary a rock lobster pot entitlement under a licence in respect of Northern Zone Rock Lobster Fishery or Southern Zone Rock Lobster Fishery is made at the same time as an application to vary a giant crab or rock lobster quota entitlement under the licence |          |
| 59 | On application for registration of an additional boat under a fishery licence   | \$89.50  |
| 60 | On application for—   |          |
|    | (a) notation of an interest in a fishery licence on the register of authorities   | \$146.00 |
|    | (b) removal from the register of authorities of such a notation   | \$146.00 |

## **Part 2—Processing**

### **Division 1—Registration application fees**

#### **Registration fees payable by an applicant for registration as a fish processor (section 64(1)(d) of Act)**

- |    |   |            |
|----|---|------------|
| 61 | On application for registration as a fish processor made by an eligible person  | \$146.00   |
| 62 | On application for registration as a fish processor made by a person other than an eligible person—                               |            |
|    | (a) base fee  | \$841.00   |
|    | (b) additional fee if the applicant proposes to process any of the following classes of aquatic resources under the registration: | \$1 089.00 |
|    | Abalone ( <i>Haliotis</i> spp)  |            |
|    | King Prawn ( <i>Merlicertus latisulcatus</i> )  |            |
|    | Southern Rocklobster ( <i>Jasus edwardsii</i> )   |            |

If registration is to be granted for a period of less than 12 months, the fee payable 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 12.

## **Division 2—Registration annual fees**

### **Annual fees payable by a registered fish processor (section 66(2)(a) of Act)**

63	Annual fee payable by a fish processor who is an eligible person	\$146.00
64	Annual fee payable by a fish processor who is not an eligible person—	
	(a) base fee	\$841.00
	(b) additional fee if the fish processor processes any of the classes of aquatic resources specified in clause 62(b)	\$1 089.00

## **Division 3—Miscellaneous fees**

65	On application by a registered fish processor to have additional premises, places, boats or vehicles specified in the certificate of registration	\$25.75
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## **Part 3—Recreational fishing**

### **Application fees payable by an applicant for registration under the *Fisheries Management (General) Regulations 2007* of a device to be used for recreational fishing**

66	On application for registration of a mesh net to be used by a person for recreational fishing—	
	(a) if the applicant produces evidence to the satisfaction of the Minister that he or she is in receipt of an age or invalid pension or is the holder of a State Concession Card issued by the Department for Families and Communities (for each year in the term of the registration)	\$16.90
	(b) in any other case (for each year in the term of the registration)	\$33.75

No fee is payable where the Minister registers a mesh net for a period of less than 1 year for the purpose of achieving a common expiry date for the registration of that mesh net and the registration of any other mesh net owned by the same person.

67	On application for registration of a rock lobster pot to be used by a person for recreational fishing—	
	(a) for registration of 1 rock lobster pot	\$56.00
	(b) for registration of 2 rock lobster pots	\$156.00

## **Part 4—Miscellaneous**

68	On application for the issue of a replacement tag for a rock lobster pot registered for recreational fishing	\$22.50
69	On application for a permit under Part 7 Division 2 of the Act	\$89.50
70	On application for an exemption under section 115 of the Act	\$112.00
71	On application for the issue of a duplicate authority under section 68 of the Act	\$22.50

## **Schedule 1—Transitional provisions**

### **1—Transitional provisions**

- (1) The licence and registration application fees prescribed by clauses 1 to 27 and 61 and 62 of Schedule 1 of the *Fisheries Management (Fees) Regulations 2007*, as substituted by these regulations, apply where a licence or registration is to take effect on or after 1 July 2008.
- (2) All other fees prescribed by Schedule 1 of the *Fisheries Management (Fees) Regulations 2007*, as substituted by these regulations, apply from 1 July 2008.
- (3) Despite regulation 4—
  - (a) the licence and registration application fees prescribed by clauses 1 to 27 and 61 and 62 of Schedule 1 of the *Fisheries Management (Fees) Regulations 2007*, as in force immediately before the commencement of these regulations, continue to apply where a licence or registration is to take effect before 1 July 2008; and
  - (b) all other fees prescribed by Schedule 1 of the *Fisheries Management (Fees) Regulations 2007*, as in force immediately before the commencement of these regulations, continue to apply until 1 July 2008.

**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's Deputy**

with the advice and consent of the Executive Council  
on 5 June 2008

No 160 of 2008

MAFF08/006CS & MAFF08/009CS