

South Australia

# **Fisheries Management (Fees) Variation Regulations 2009**

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 2009*.

### **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—Variation of Schedule 1—Fees

Schedule 1, Part 1, Divisions 1 to 4 inclusive—delete Divisions 1 to 4 and substitute:

#### 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—	
	(a) base fee	\$14 356.00
	(b) additional fee for each abalone unit of the abalone quota entitlement under the licence	\$658.00
2	On application for a licence in respect of the Southern Zone Abalone Fishery—	
	(a) base fee	\$14 356.00
	(b) additional fee for each abalone unit of the abalone quota entitlement under the licence	\$515.00
3	On application for a licence in respect of the Western Zone Abalone Fishery—	
	(a) base fee	\$14 356.00
	(b) additional fee for each abalone unit of the abalone quota entitlement under the licence	\$504.00
4	On application for the issue of a licence in respect of the Blue Crab Fishery—	
	(a) base fee	\$2 266.00
	(b) additional fee for each blue crab unit of the blue crab quota entitlement under the licence	\$24.55
5	On application for the issue of a licence in respect of the Charter Boat Fishery	\$1 553.00
6	On application for the issue of a licence in respect of the Lakes and Coorong Fishery—	
	(a) base fee	\$3 749.00
	(b) additional fee if there is a pipi quota entitlement under the licence	\$1 000.00
	(c) additional fee for each pipi unit of the pipi quota entitlement under the licence	\$204.10
7	On application for the issue of a licence in respect of the Marine Scalefish Fishery or Restricted Marine Scalefish Fishery—	
	(a) base fee—	
	(i) if there is a cockle quota entitlement under the licence	\$4 856.00

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(iii) in any other case	\$3 574.00
(b) additional fee for each blue crab unit of the blue crab quota entitlement under the licence	\$26.45
(c) additional fee for each pipi unit of the pipi quota entitlement under the licence	\$204.10
(d) additional fee for each cockle unit of the cockle quota entitlement under the licence—	
(i) in the case of a cockle quota entitlement relating to the Coffin Bay cockle fishing zone	\$63.20
(ii) in the case of a cockle quota entitlement relating to the Port River cockle fishing zone	\$49.30
(iii) in the case of a cockle quota entitlement relating to the West Coast cockle fishing zone	\$22.15
8 On application for a licence in respect of the Miscellaneous Fishery with a giant crab quota entitlement—	
(a) base fee	\$3 267.00
(b) additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$16.35
9 On application for a licence in respect of the Miscellaneous Fishery without a giant crab quota entitlement	\$2 567.00
10 On application for a licence in respect of the Gulf St Vincent Prawn Fishery	\$34 012.00
11 On application for a licence in respect of the Spencer Gulf Prawn Fishery	\$23 508.00
12 On application for a licence in respect of the West Coast Prawn Fishery	\$9 505.00
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	\$2 742.00
(b) additional fee for each rock lobster unit of the rock lobster quota entitlement under the licence	\$15.65
(c) additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$16.35
(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	\$18.15

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	\$3 242.00
	(b) additional fee for each rock lobster unit of the rock lobster quota entitlement under the licence	\$15.65
	(c) additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$16.35
	(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	\$18.15
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	\$4 529.00
	(b) additional fee for each rock lobster unit of the rock lobster quota entitlement under the licence	\$15.65
	(c) additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$16.35
	(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	\$18.15
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	\$4 516.00
	(b) additional fee for each rock lobster pot of the rock lobster pot entitlement under the licence	\$149.05
	(c) additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$16.35
	(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	\$18.15
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	\$5 016.00
	(b) additional fee for each rock lobster pot of the rock lobster pot entitlement under the licence	\$149.05

	(c) additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$16.35
	(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	\$18.15
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	\$6 303.00
	(b) additional fee for each rock lobster pot of the rock lobster pot entitlement under the licence	\$149.05
	(c) additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$16.35
	(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	\$18.15

## **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	\$1 787.00
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	\$1 787.00
23	On application for registration of 1 or more sardine nets to be used under a licence in respect of the Marine Scalefish Fishery	\$43 285.00
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	\$3 574.00
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	\$388.00

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|-----|--|------------|
| (b) | if the certificate of survey in force in respect of the boat specifies that the boat may carry up to unberthed 12 passengers     | \$777.00   |
| (c) | if the certificate of survey in force in respect of the boat specifies that the boat may carry more than unberthed 12 passengers | \$1 553.00 |

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

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

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|------|---|-------------|
| 28   | Annual fee for a licence in respect of the Central Zone Abalone Fishery—                                    |             |
| (a)  | base fee  | \$14 356.00 |
| (b)  | additional fee for each abalone unit of the abalone quota entitlement under the licence                     | \$658.00    |
| 29   | Annual fee for a licence in respect of the Southern Zone Abalone Fishery—                                   |             |
| (a)  | base fee  | \$14 356.00 |
| (b)  | additional fee for each abalone unit of the abalone quota entitlement under the licence                     | \$515.00    |
| 30   | Annual fee for a licence in respect of the Western Zone Abalone Fishery—                                    |             |
| (a)  | base fee  | \$14 356.00 |
| (b)  | additional fee for each abalone unit of the abalone quota entitlement under the licence                     | \$504.00    |
| 31   | Annual fee for a licence in respect of the Blue Crab Fishery—   |             |
| (a)  | base fee  | \$2 266.00  |
| (b)  | additional fee for each blue crab unit of the blue crab quota entitlement under the licence                 | \$24.55     |
| 32   | Annual fee for a licence in respect of the Charter Boat Fishery   | \$1 553.00  |
| 33   | Annual fee for a licence in respect of the Lakes and Coorong Fishery—                                       |             |
| (a)  | base fee  | \$3 749.00  |
| (b)  | additional fee if there is a pipi quota entitlement under the licence                                       | \$1 000.00  |
| (c)  | additional fee for each pipi unit of the pipi quota entitlement under the licence                           | \$204.10    |
| 34   | Annual fee for a licence in respect of the Marine Scalefish Fishery or Restricted Marine Scalefish Fishery— |             |
| (a)  | base fee—   |             |
| (i)  | if there is a cockle quota entitlement under the licence  | \$4 856.00  |
| (ii) | in any other case   | \$3 574.00  |

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(b)	additional fee for each blue crab unit of the blue crab quota entitlement under the licence	\$26.45
(c)	additional fee for each pipi unit of the pipi quota entitlement under the licence	\$204.10
(d)	additional fee for each cockle unit of the cockle quota entitlement under the licence—	
(i)	in the case of a cockle quota entitlement relating to the Coffin Bay cockle fishing zone	\$63.20
(ii)	in the case of a cockle quota entitlement relating to the Port River cockle fishing zone	\$49.30
(iii)	in the case of a cockle quota entitlement relating to the West Coast cockle fishing zone	\$22.15
35	Annual fee for a licence in respect of the Miscellaneous Fishery with a giant crab quota entitlement—	
(a)	base fee	\$3 267.00
(b)	additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$16.35
36	Annual fee for a licence in respect of the Miscellaneous Fishery without a giant crab quota entitlement	\$2 567.00
37	Annual fee for a licence in respect of the Gulf St Vincent Prawn Fishery	\$34 012.00
38	Annual fee for a licence in respect of the Spencer Gulf Prawn Fishery	\$23 508.00
39	Annual fee for a licence in respect of the West Coast Prawn Fishery	\$9 505.00
40	Annual fee for a licence in respect of the River Fishery	\$200.00
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	\$2 742.00
(b)	additional fee for each rock lobster unit of the rock lobster quota entitlement under the licence	\$15.65
(c)	additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$16.35
(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	\$18.15
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 <i>Fisheries Management (Rock Lobster Fisheries) Regulations 2006</i> for the purpose of bait only—	
(a)	base fee	\$3 242.00

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	(b)	additional fee for each rock lobster unit of the rock lobster quota entitlement under the licence	\$15.65
	(c)	additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$16.35
	(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	\$18.15
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	\$4 529.00
	(b)	additional fee for each rock lobster unit of the rock lobster quota entitlement under the licence	\$15.65
	(c)	additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$16.35
	(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	\$18.15
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	\$4 516.00
	(b)	additional fee for each rock lobster pot of the rock lobster pot entitlement under the licence	\$149.05
	(c)	additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$16.35
	(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	\$18.15
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	\$5 016.00
	(b)	additional fee for each rock lobster pot of the rock lobster pot entitlement under the licence	\$149.05
	(c)	additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$16.35
	(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	\$18.15



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	\$6 303.00
(b)	additional fee for each rock lobster pot of the rock lobster pot entitlement under the licence	\$149.05
(c)	additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$16.35
(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	\$18.15

## **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	\$1 787.00
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	\$1 787.00
50	Annual fee for registration of 1 or more sardine nets used under a licence in respect of the Marine Scalefish Fishery	\$43 285.00
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	\$3 574.00
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

## **Schedule 1—Transitional provisions**

### **1—Transitional provisions**

- (1) The licence and registration application fees prescribed by Schedule 1 Divisions 1 and 2 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 2009.
- (2) The licence and registration annual fees prescribed by Schedule 1 Divisions 3 and 4 of the *Fisheries Management (Fees) Regulations 2007*, as substituted by these regulations, apply in respect of the period of 12 months commencing on 1 July 2009.

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### Schedule 1—Transitional provisions

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- (3) Despite regulation 4 of these regulations—
- (a) the licence and registration application fees prescribed by Schedule 1 Divisions 1 and 2 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 2009;
  - (b) the licence and registration annual fees prescribed by Schedule 1 Divisions 3 and 4 of the *Fisheries Management (Fees) Regulations 2007*, as in force immediately before the commencement of these regulations, continue to apply in respect of the period of 12 months that commenced on 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**

with the advice and consent of the Executive Council  
on 18 June 2009

No 178 of 2009

MAFF09/014CS