

South Australia

Fisheries Management (Fees) Variation Regulations 2010

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 2010*.

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	\$13 903.00
	(b) additional fee for each abalone unit of the abalone quota entitlement under the licence	\$645.10
2	On application for a licence in respect of the Southern Zone Abalone Fishery—	
	(a) base fee	\$13 903.00
	(b) additional fee for each abalone unit of the abalone quota entitlement under the licence	\$275.25
3	On application for a licence in respect of the Western Zone Abalone Fishery—	
	(a) base fee	\$13 903.00
	(b) additional fee for each abalone unit of the abalone quota entitlement under the licence	\$479.25
4	On application for the issue of a licence in respect of the Blue Crab Fishery—	
	(a) base fee	\$2 436.00
	(b) additional fee for each blue crab unit of the blue crab quota entitlement under the licence	\$23.75
5	On application for the issue of a licence in respect of the Charter Boat Fishery	\$1 775.00
6	On application for the issue of a licence in respect of the Lakes and Coorong Fishery—	
	(a) base fee	\$5 000.00
	(b) additional fee if there is a pipi quota entitlement under the licence	\$1 115.00
	(c) additional fee for each pipi unit of the pipi quota entitlement under the licence	\$213.75
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	\$5 236.00

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	(iii) in any other case	\$3 717.00
	(b) additional fee for each blue crab unit of the blue crab quota entitlement under the licence	\$25.75
	(c) additional fee for each pipi unit of the pipi quota entitlement under the licence	\$213.75
	(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	\$34.25
	(ii) in the case of a cockle quota entitlement relating to the Port River cockle fishing zone	\$12.95
	(iii) in the case of a cockle quota entitlement relating to the West Coast cockle fishing zone	\$11.65
8	On application for a licence in respect of the Miscellaneous Fishery with a giant crab quota entitlement—	
	(a) base fee	\$3 551.00
	(b) additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$17.30
9	On application for a licence in respect of the Miscellaneous Fishery without a giant crab quota entitlement	\$2 651.00
10	On application for a licence in respect of the Gulf St Vincent Prawn Fishery	\$35 349.00
11	On application for a licence in respect of the Spencer Gulf Prawn Fishery	\$23 617.00
12	On application for a licence in respect of the West Coast Prawn Fishery	\$12 893.00
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	\$2 967.00
	(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	\$17.30
	(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	\$9.80

- 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 *Fisheries Management (Rock Lobster Fisheries) Regulations 2006* for the purpose of bait only—
- | | | |
|-----|---|------------|
| (a) | base fee | \$3 467.00 |
| (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 | \$17.30 |
| (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 | \$9.80 |
- 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 | \$4 826.00 |
| (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 | \$17.30 |
| (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 | \$9.80 |
- 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 | \$5 118.00 |
| (b) | additional fee for each rock lobster pot of the rock lobster pot entitlement under the licence | \$148.35 |
| (c) | additional fee for each giant crab unit of the giant crab quota entitlement under the licence | \$17.30 |
| (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 | \$9.80 |
- 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 *Fisheries Management (Rock Lobster Fisheries) Regulations 2006* for the purpose of bait only—
- | | | |
|-----|--|------------|
| (a) | base fee | \$5 618.00 |
| (b) | additional fee for each rock lobster pot of the rock lobster pot entitlement under the licence | \$148.35 |

	(c) additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$17.30
	(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	\$9.80
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	\$6 977.00
	(b) additional fee for each rock lobster pot of the rock lobster pot entitlement under the licence	\$148.35
	(c) additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$17.30
	(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	\$9.80

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	\$1 859.00
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	\$1 859.00
23	On application for registration of 1 or more sardine nets to be used under a licence in respect of the Marine Scalefish Fishery	\$67 093.00
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	\$3 717.00
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	\$444.00

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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 | \$887.00 |
| (c) | if the certificate of survey in force in respect of the boat specifies that the boat may carry more than unberthed 12 passengers | \$1 775.00 |

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 | \$13 903.00 |
| (b) | additional fee for each abalone unit of the abalone quota entitlement under the licence | \$645.10 |
| 29 | Annual fee for a licence in respect of the Southern Zone Abalone Fishery— | |
| (a) | base fee | \$13 903.00 |
| (b) | additional fee for each abalone unit of the abalone quota entitlement under the licence | \$275.25 |
| 30 | Annual fee for a licence in respect of the Western Zone Abalone Fishery— | |
| (a) | base fee | \$13 903.00 |
| (b) | additional fee for each abalone unit of the abalone quota entitlement under the licence | \$479.25 |
| 31 | Annual fee for a licence in respect of the Blue Crab Fishery— | |
| (a) | base fee | \$2 436.00 |
| (b) | additional fee for each blue crab unit of the blue crab quota entitlement under the licence | \$23.75 |
| 32 | Annual fee for a licence in respect of the Charter Boat Fishery | \$1 775.00 |
| 33 | Annual fee for a licence in respect of the Lakes and Coorong Fishery— | |
| (a) | base fee | \$5 000.00 |
| (b) | additional fee if there is a pipi quota entitlement under the licence | \$1 115.00 |
| (c) | additional fee for each pipi unit of the pipi quota entitlement under the licence | \$213.75 |
| 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 | \$5 236.00 |
| (ii) | in any other case | \$3 717.00 |

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(b)	additional fee for each blue crab unit of the blue crab quota entitlement under the licence	\$25.75
(c)	additional fee for each pipi unit of the pipi quota entitlement under the licence	\$213.75
(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	\$34.25
(ii)	in the case of a cockle quota entitlement relating to the Port River cockle fishing zone	\$12.95
(iii)	in the case of a cockle quota entitlement relating to the West Coast cockle fishing zone	\$11.65
35	Annual fee for a licence in respect of the Miscellaneous Fishery with a giant crab quota entitlement—	
(a)	base fee	\$3 551.00
(b)	additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$17.30
36	Annual fee for a licence in respect of the Miscellaneous Fishery without a giant crab quota entitlement	\$2 651.00
37	Annual fee for a licence in respect of the Gulf St Vincent Prawn Fishery	\$35 349.00
38	Annual fee for a licence in respect of the Spencer Gulf Prawn Fishery	\$23 617.00
39	Annual fee for a licence in respect of the West Coast Prawn Fishery	\$12 893.00
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	\$2 967.00
(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	\$17.30
(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	\$9.80
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	\$3 467.00

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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	\$17.30
(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	\$9.80
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	\$4 826.00
(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	\$17.30
(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	\$9.80
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	\$5 118.00
(b)	additional fee for each rock lobster pot of the rock lobster pot entitlement under the licence	\$148.35
(c)	additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$17.30
(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	\$9.80
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	\$5 618.00
(b)	additional fee for each rock lobster pot of the rock lobster pot entitlement under the licence	\$148.35
(c)	additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$17.30
(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	\$9.80

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	\$6 977.00
(b)	additional fee for each rock lobster pot of the rock lobster pot entitlement under the licence	\$148.35
(c)	additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$17.30
(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	\$9.80

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	\$1 859.00
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	\$1 859.00
50	Annual fee for registration of 1 or more sardine nets used under a licence in respect of the Marine Scalefish Fishery	\$67 093.00
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	\$3 717.00
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 2010.
- (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 2010.

- (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 2010;
 - (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 2009.

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 24 June 2010

No 158 of 2010

MAFF10/10CS