



# **Fisheries Agreements (Payments) Amendment Act 1985**

**No. 113 of 1985**

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## **An Act to amend the *Fisheries Agreements (Payments) Act 1981***

[Assented to 21 October 1985]

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

### **Short title, &c.**

1. (1) This Act may be cited as the *Fisheries Agreements (Payments) Amendment Act 1985*.

(2) The *Fisheries Agreements (Payments) Act 1981*<sup>1</sup> is in this Act referred to as the Principal Act.

### **Commencement**

2. This Act shall come into operation on the day on which it receives the Royal Assent.

### **Effect of sections 4 and 5**

3. Section 3 of the Principal Act is amended by inserting "or 5" before "has effect".

4. After section 4 of the Principal Act the following section is added:

**Payments under fisheries agreements entered into otherwise than with the government of another country**

“5. (1) Where—

- (a) the Minister has entered into an agreement with a person other than the government of another country or with persons none of whom is the government of another country; and
- (b) the agreement contains a provision under which licences are agreed to be granted in respect of foreign fishing boats if an amount specified in the provision is paid to Australia,

the Minister or the Secretary to the Department shall, in determining whether or not to grant any of the licences to which the provision relates, have regard only to the terms of the agreement.

“(2) Neither the Minister nor the Secretary to the Department is entitled to grant any of the licences to which the provision relates unless the amount specified in the provision has been paid to Australia in accordance with the terms of the provision.

“(3) In this section, ‘foreign fishing boat’ has the same meaning as in the *Foreign Fishing Boats Levy Act 1981*.”.

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**NOTE**

1. No. 180, 1981.

*Minister's second reading speech made in  
House of Representatives on 22 August 1985  
Senate on 16 September 1985*