

## Statutory Rules 1994 No. 2361

# Fishing Levy (Jack Mackerel Purse Seine Fishery) Regulations

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Fishing Levy Act 1991* and the *Fisheries Management Act 1991*.

Dated 27 June 1994.

BILL HAYDEN Governor-General

By His Excellency's Command,

# D. BEDDALL Minister for Resources

Citation

1. These Regulations may be cited as the Fishing Levy (Jack Mackerel Purse Seine Fishery) Regulations.

[NOTE: These Regulations commence on gazettal: see *Acts Interpretation Act 1901*, s. 48.]

## Interpretation

- **2.** In these Regulations, unless the contrary intention appears:
- "fishing" means fishing for Jack Mackerel by purse-seining methods;
- "Jack Mackerel" includes Greenback Jack Mackerel (or *Trachurus declivis*), Yellowtail Jack Mackerel (or *Trachurus novaezelandiae*), Peruvian Jack Mackerel (or *Trachurus murphyi*), Blue Mackerel (or *Scomber australasicus*) and Redbait (or *Emmelichthys nitidus*);
- "Jack Mackerel Purse Seine Fishery" means that part of the Australian fishing zone that is specified in the Schedule;
- "fishing permit" means a fishing permit for fishing in the Jack Mackerel Purse Seine Fishery;
- "Levy Act" means the Fishing Levy Act 1991;
- "Management Act" means the Fisheries Management Act 1991.

#### **Amount of levy**

- **3.** (1) For the purposes of section 6 of the Levy Act, the amount of levy prescribed for a fishing permit that is granted after 30 June 1994 in relation to all or part of the fishery is \$1,000.
  - (2) If:
  - (a) levy is payable for a fishing permit issued to a person in relation to a boat for part of the fishery; and
  - (b) during the period of operation of that fishing permit, another fishing permit is issued to the person in relation to the same boat for another part of the fishery;

the person is not liable to pay levy for the second fishing permit.

#### When levy is due and payable

**4.** For the purposes of section 110 of the Management Act, levy is due and payable for a fishing permit on the grant of the fishing permit.

#### **SCHEDULE**

Regulation 2

#### AREA OF THE JACK MACKEREL FISHERY

The Jack Mackerel Fishery comprises that part of the Australian fishing zone that is contained within the area bounded by a line:

- (a) beginning at the point of intersection of the West coast of Australia with the parallel of Latitude 31•00' South; and
- (b) running:
  - (i) from there west along that parallel of Latitude to its intersection with the outer limit of the Australian fishing zone;
  - (ii) from there southerly, easterly and northerly along that outer limit to its intersection with the parallel of Latitude 28•10' South;
  - (iii) from there west along that parallel to its intersection with the East coast of Australia; and
  - (iv) from there southerly, westerly and northerly along that coastline to the point where the line began.

## NOTE

1. Notified in the Commonwealth of Australia Gazette on 30 June 1994.