



Fisheries Levy (Torres Strait Prawn Fishery) Regulation 2016

made under the

Fisheries Levy Act 1984

Compilation No. 6

Compilation date: 16 December 2022

Includes amendments up to: F2022L01654

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Prepared by the Office of Parliamentary Counsel, Canberra

About this compilation

This compilation

This is a compilation of the *Fisheries Levy (Torres Strait Prawn Fishery) Regulation 2016* that shows the text of the law as amended and in force on 16 December 2022 (the **compilation date**).

The notes at the end of this compilation (the **endnotes**) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

Contents

1	Name.....	1
3	Authority.....	1
5	Definitions	1
6	Prescribed units of fishing capacity	1
7	Prescribed licences.....	1
8	Amount of levy	1
	Endnotes	3
	Endnote 1—About the endnotes	3
	Endnote 2—Abbreviation key	4
	Endnote 3—Legislation history	5
	Endnote 4—Amendment history	6

1 Name

This is the *Fisheries Levy (Torres Strait Prawn Fishery) Regulation 2016*.

3 Authority

This instrument is made under the *Fisheries Levy Act 1984*.

5 Definitions

(1) In this instrument:

Levy Act means the *Fisheries Levy Act 1984*.

PNG unit has the same meaning as in the *Torres Strait Prawn Fishery Management Plan 2009*.

Torres Strait Prawn Fishery means the fishery to which the *Torres Strait Prawn Fishery Management Plan 2009* applies.

TSF Act means the *Torres Strait Fisheries Act 1984*.

(2) A reference in this instrument to units of fishing capacity does not include a reference to PNG units.

6 Prescribed units of fishing capacity

For the purposes of paragraphs 5(bc) and (bd) of the Levy Act, units of fishing capacity for the Torres Strait Prawn Fishery under the plan of management in force for that fishery are prescribed.

Note 1: See subsection 3(2) of the Levy Act for the meaning of unit of fishing capacity.

Note 2: The plan of management for the Torres Strait Prawn Fishery is determined under section 15A of the TSF Act.

7 Prescribed licences

For the purposes of paragraphs 5(d) and (f) of the Levy Act, a licence that:

- (a) is granted under subsection 19(2) of the TSF Act; and
- (b) authorises the taking, carrying, or processing and carrying of prawn in the Torres Strait Prawn Fishery; and
- (c) allows the boat in respect of which the licence was granted to be used for commercial fishing for prawn in the Fishery;

is prescribed.

8 Amount of levy

(1) This section applies for the purposes of subsection 6(1) of the Levy Act.

Section 8

Licences—grant

- (2) The amount of levy imposed on the grant of a licence prescribed by section 7 to a person is \$1,471.87 plus \$13.71 for each unit of fishing capacity prescribed by section 6 allocated to the person in respect of the licence.

Licences—renewal

- (3) The amount of levy imposed on the renewal of a licence prescribed by section 7 to a person is \$1,471.87 plus \$13.71 for each unit of fishing capacity prescribed by section 6 to be held by the person in respect of the renewed licence.

Units of fishing capacity—allocation

- (4) The amount of levy imposed on the allocation of a unit of fishing capacity prescribed by section 6 (other than a unit of fishing capacity referred to in subsection (2) or (3) of this section) is \$13.71 for each unit of fishing capacity allocated.

Units of fishing capacity—renewal of allocation

- (5) The amount of levy imposed on the renewal of the allocation of a unit of fishing capacity prescribed by section 6 (other than a unit of fishing capacity referred to in subsection (2) or (3) of this section) is \$13.71 for each unit of fishing capacity the allocation of which is renewed.

Note: See section 7 of the Levy Act for the person who is liable to pay the levy.

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

Editorial changes

The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe how an amendment is to be made. If, despite the misdescription, the amendment can be given effect as intended, then the misdescribed amendment can be incorporated through an editorial change made under section 15V of the *Legislation Act 2003*.

If a misdescribed amendment cannot be given effect as intended, the amendment is not incorporated and “(md not incorp)” is added to the amendment history.

Endnotes

Endnote 2—Abbreviation key

Endnote 2—Abbreviation key

ad = added or inserted	o = order(s)
am = amended	Ord = Ordinance
amdt = amendment	orig = original
c = clause(s)	par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)
C[x] = Compilation No. x	pres = present
Ch = Chapter(s)	prev = previous
def = definition(s)	(prev...) = previously
Dict = Dictionary	Pt = Part(s)
disallowed = disallowed by Parliament	r = regulation(s)/rule(s)
Div = Division(s)	reloc = relocated
ed = editorial change	renum = renumbered
exp = expires/expired or ceases/ceased to have effect	rep = repealed
F = Federal Register of Legislation	rs = repealed and substituted
gaz = gazette	s = section(s)/subsection(s)
LA = <i>Legislation Act 2003</i>	Sch = Schedule(s)
LIA = <i>Legislative Instruments Act 2003</i>	Sdiv = Subdivision(s)
(md) = misdescribed amendment can be given effect	SLI = Select Legislative Instrument
(md not incorp) = misdescribed amendment cannot be given effect	SR = Statutory Rules
mod = modified/modification	Sub-Ch = Sub-Chapter(s)
No. = Number(s)	SubPt = Subpart(s)
	<u>underlining</u> = whole or part not commenced or to be commenced

Endnote 3—Legislation history

Endnote 3—Legislation history

Name	Registration	Commencement	Application, saving and transitional provisions
Fisheries Levy (Torres Strait Prawn Fishery) Regulation 2016	25 Nov 2016 (F2016L01802)	26 Nov 2016 (s 2(1) item 1)	
Fisheries Levy (Torres Strait Prawn Fishery) Amendment (Levy Amount) Regulations 2017	3 Nov 2017 (F2017L01424)	4 Nov 2017 (s 2(1) item 1)	—
Fisheries Levy (Torres Strait Prawn Fishery) Amendment (Levy Amount) Regulations 2018	26 Oct 2018 (F2018L01475)	27 Oct 2018 (s 2(1) item 1)	—
Fisheries Levy (Torres Strait Prawn Fishery) Amendment (Levy Amount) Regulations 2019	3 Dec 2019 (F2019L01561)	4 Dec 2019 (s 2(1) item 1)	—
Fisheries Levy (Torres Strait Prawn Fishery) Amendment (Levy Amount) Regulations 2020	16 Dec 2020 (F2020L01619)	17 Dec 2020 (s 2(1) item 1)	—
Fisheries Levy (Torres Strait Prawn Fishery) Amendment (Levy Amount) Regulations 2021	30 Nov 2021 (F2021L01639)	1 Dec 2021 (s 2(1) item 1)	—
Fisheries Levy (Torres Strait Prawn Fishery) Amendment (Levy Amount) Regulations 2022	15 Dec 2022 (F2022L01654)	16 Dec 2022 (s 2(1) item 1)	—

Endnotes

Endnote 4—Amendment history

Endnote 4—Amendment history

Provision affected	How affected
s 2	rep LA s 48D
s 4	rep LA s 48C
s 5	am F2017L01424; F2018L01475
s 7	am F2018L01475
s 8	am F2017L01424; F2018L01475; F2019L01561; F2020L01619; F2021L01639; F2022L01654
Schedule 1	rep LA s 48C
