

Fisheries Management (Fishing Levy Collection) Regulations 2018

made under the

Fisheries Management Act 1991

**Compilation No. 6**

**Compilation date:** 7 December 2024

**Includes amendments:** F2024L01593

**About this compilation**

**This compilation**

This is a compilation of the *Fisheries Management (Fishing Levy Collection) Regulations 2018* that shows the text of the law as amended and in force on 7 December 2024 (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 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 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 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If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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1 Name

 This instrument is the *Fisheries Management (Fishing Levy Collection) Regulations 2018*.

3 Authority

 This instrument is made under the *Fisheries Management Act 1991*.

4 Definitions

Note: ***Dealing*** is defined in the *Fisheries Management Act 1991*.

 In this instrument:

***leviable fishing concession*** has the same meaning as in the Levy Regulations.

***leviable SESSF quota fishing permit*** has the same meaning as in section 18 of the Levy Regulations.

***leviable SESSF quota SFR*** has the same meaning as in section 17 of the Levy Regulations.

***levy*** means levy imposed by the Levy Act.

***Levy Act*** means the *Fishing Levy Act 1991*.

***Levy Regulations*** means the *Fishing Levy Regulations 2018*.

***Management Act*** means the *Fisheries Management Act 1991*.

5 Collection and payment of levy

 (1) For the purposes of sections 110 and 111 of the Management Act, this section provides for:

 (a) when levy is due and payable; and

 (b) the payment of levy by instalments.

Leviable fishing concessions—general

 (2) Subject to subsections (7) to (9), an amount of levy in respect of a leviable fishing concession must be paid in 3 approximately equal instalments.

 (3) The instalments are due and payable as follows:

 (a) the first instalment is due and payable on 12 February 2025;

 (b) the second instalment is due and payable on 9 April 2025;

 (c) the third instalment is due and payable on 30 May 2025.

 (4) Despite paragraph (3)(a), if a dealing occurs on or after 15 January 2025 and before 12 February 2025 that would, but for subsection 46(2) of the Management Act, have the effect of transferring the leviable fishing concession, the first instalment is due and payable on the earlier of:

 (a) 12 February 2025; and

 (b) the day before the day an application is made to register the dealing under section 46 of the Management Act.

 (5) Despite paragraph (3)(b), if a dealing occurs on or after 12 March 2025 and before 9 April 2025 that would, but for subsection 46(2) of the Management Act, have the effect of transferring the leviable fishing concession, the second instalment is due and payable on the earlier of:

 (a) 9 April 2025; and

 (b) the day before the day an application is made to register the dealing under section 46 of the Management Act.

 (6) Despite paragraph (3)(c), if a dealing occurs on or after 2 May 2025 and before 30 May 2025 that would, but for subsection 46(2) of the Management Act, have the effect of transferring the leviable fishing concession, the third instalment is due and payable on the earlier of:

 (a) 30 May 2025; and

 (b) the day before the day an application is made to register the dealing under section 46 of the Management Act.

Leviable SESSF quota fishing permits to which subsection 18(4) of the Levy Regulations applies

 (7) If subsection 18(4) of the Levy Regulations applies to a leviable SESSF quota fishing permit, the amount of levy in respect of the permit must be paid in 2 approximately equal instalments.

 (8) The instalments are due and payable as follows:

 (a) the first instalment is due and payable on 12 February 2025;

 (b) the second instalment is due and payable on 9 April 2025.

Certain leviable SESSF quota SFRs

 (9) An amount of levy in respect of a leviable SESSF quota SFR that authorises the taking of a quota species mentioned in item 14 or 17 of the table in subsection 17(3) of the Levy Regulations, or item 1, 2, 10 or 11 of the table in subsection 17(4) of that instrument, is due and payable on:

 (a) 30 May 2025; or

 (b) if a dealing occurs on or after 2 May 2025 and before 30 May 2025 that would, but for subsection 46(2) of the Management Act, have the effect of transferring the SFR—the earlier of:

 (i) 30 May 2025; and

 (ii) the day before the day an application is made to register the dealing under section 46 of the Management Act.

Note: Section 7 of the Levy Act provides that levy in respect of a fishing concession is payable by the person who, at the time at which the levy is due and payable, is the holder of the fishing concession.

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.

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

Endnote 3—Legislation history

| Name | Registration | Commencement | Application, saving and transitional provisions |
| --- | --- | --- | --- |
| Fisheries Management (Fishing Levy Collection) Regulations 2018 | 5 Nov 2018 (F2018L01536) | 6 Nov 2018 (s 2(1) item 1) |  |
| Fisheries Management (Fishing Levy Collection) Amendment (2019‑2020 Instalment Dates) Regulations 2019 | 3 Dec 2019 (F2019L01562) | 4 Dec 2019 (s 2(1) item 1) | — |
| Fisheries Management (Fishing Levy Collection) Amendment (2020‑2021 Instalment Dates) Regulations 2020 | 7 Dec 2020 (F2020L01538) | 8 Dec 2020 (s 2(1) item 1) | — |
| Fisheries Management (Fishing Levy Collection) Amendment (2021‑2022 Instalment Dates) Regulations 2021 | 30 Nov 2021 (F2021L01647) | 1 Dec 2021 (s 2(1) item 1) | — |
| Fisheries Management (Fishing Levy Collection) Amendment (2022‑2023 Instalment Dates) Regulations 2022 | 15 Dec 2022 (F2022L01655) | 16 Dec 2022 (s 2(1) item 1) | — |
| Fisheries Management (Fishing Levy Collection) Amendment (2023‑2024 Instalment Dates) Regulations 2023 | 15 Dec 2023 (F2023L01688) | 16 Dec 2023 (s 2(1) item 1) | — |
| Fisheries Management (Fishing Levy Collection) Amendment (2024‑2025 Instalment Dates) Regulations 2024 | 6 Dec 2024 (F2024L01593) | 7 Dec 2024 (s 2(1) item 1) | — |

Endnote 4—Amendment history

| Provision affected | How affected |
| --- | --- |
| s 2  | rep LA s 48D |
| s 5  | am F2019L01562; F2020L01538; F2021L01647; F2022L01655; F2023L01688; F2024L01593 |