

Authorised Version No. 001
Fisheries (Fees, Royalties and Levies)
Regulations 2017

S.R. No. 118/2017

Authorised Version as at
29 January 2018

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Part 1—Preliminary

1 Objectives

The objectives of these Regulations are to prescribe—

- (a) fees, royalties and levies payable in respect of commercial fishery licences, individual quota units, recreational fishery licences, permits and boat registrations under the **Fisheries Act 1995**; and
- (b) other provisions relating to those fees, royalties and levies.

2 Authorising provisions

These Regulations are made under sections 150, 151, 151A and 153 of the **Fisheries Act 1995**.

3 Commencement

These Regulations come into operation on 29 January 2018.

4 Revocations

The Regulations listed in Schedule 1 are **revoked**.

5 Definitions and interpretation

(1) In these Regulations—

abalone fishery access licence means any of the following classes of access licence—

- (a) Abalone Fishery (Central Zone) Access Licence;
- (b) Abalone Fishery (Eastern Zone) Access Licence;
- (c) Abalone Fishery (Western Zone) Access Licence;

commercial fishery licence means any of the following licences—

- (a) an access licence;
- (b) an aquaculture licence;
- (c) a fish receiver licence;

Fisheries Research and Development

Corporation means the Fisheries Research and Development Corporation established under section 8 of the Primary Industries Research and Development Act 1989 of the Commonwealth;

general permit means a permit issued under section 49 of the Act;

protected aquatic biota permit means a permit issued under section 72 of the Act;

renewable licence means an access licence, a fish receiver licence or any class of licence prescribed for the purposes of section 57(1) of the Act;

the Act means the **Fisheries Act 1995**.

- (2) A reference in these Regulations to a particular class of commercial fishery licence is a reference to that class of commercial fishery licence within the meaning of the Fisheries Regulations 2009¹.

Part 2—Commercial fishery licences and individual quota units

Division 1—Fees

6 Application fees—commercial fishery licences

- (1) The application fee for the issue of a commercial fishery licence of a class specified in Column 2 of the Table in Schedule 2 is the fee specified in Column 3 of that Table corresponding to that class of licence.
- (2) Despite subregulation (1)—
 - (a) a person who applies for more than one aquaculture licence to conduct aquaculture activities at the same specified area is liable to pay only one application fee in discharge of the application fees which would otherwise be individually payable for the licences; and
 - (b) the fee that is payable is the highest of the fees that would be individually payable in respect of the licences.
- (3) Despite subregulation (1)—
 - (a) a person who applies for an Aquaculture (Private Land—Yabbies Multi-waters) Licence is not liable to pay the application fee which would otherwise be individually payable if that person holds a current Aquaculture (Private Land—Yabbies) Licence which specifies the same specified area on the application; and

- (b) a person who applies for an Aquaculture (Private Land—Yabbies) Licence is not liable to pay the application fee which would otherwise be individually payable if that person holds a current Aquaculture (Private Land—Yabbies Multi-waters) Licence which specifies the same specified area on the application.

7 Transfer fees for commercial fishery licences

The fee for the transfer of a commercial fishery licence of a class specified in Column 2 of the Table in Schedule 2 is the fee specified in Column 4 of that Table that corresponds to that class of licence.

8 Time for application for renewal of renewable licence

- (1) An application for renewal of a renewable licence must be made by the date specified by the Victorian Fisheries Authority.
- (2) The Victorian Fisheries Authority must give each licence holder to whom subregulation (1) applies notice of the specified date in writing at least 14 days before the specified date.

9 Licence fees for commercial fishery licences

The fee for the issue or renewal of any commercial fishery licence is 2·6 fee units.

10 Manner in which and date by which fees are payable

- (1) The fee prescribed under regulation 9 for the renewal of a commercial fishery licence is payable to the Victorian Fisheries Authority annually by the date specified by the Victorian Fisheries Authority.

- (2) The Victorian Fisheries Authority must give each licence holder to whom subregulation (1) applies notice of the specified date in writing at least 14 days before the specified date.

Note

Under section 58 of the Act, the Victorian Fisheries Authority may require the holder of a fishery licence to show sufficient cause why the licence should not be cancelled or suspended if the holder of the licence has not paid any fee that is due in respect of the licence within 14 days of the date that it was due. If the licence holder fails to show sufficient cause the Victorian Fisheries Authority may cancel or suspend the licence in accordance with that section.

11 Fee for application for transfer of individual abalone quota units

The fee for an application for the transfer of one or more individual abalone quota units under section 66K of the Act is 15·3 fee units.

12 Fee for application for transfer of individual quota units for fisheries other than the abalone fishery

- (1) The fee for an application for the transfer of a fraction of, or one or more individual quota units under section 65A of the Act in the following fisheries is—
- (a) 2·6 fee units in respect of the giant crab fishery; and
 - (b) 2·6 fee units in respect of the rock lobster fishery; and
 - (c) 2·6 fee units in respect of the scallop (ocean) fishery.
- (2) In this regulation—
- (a) giant crab fishery has the same meaning as Giant Crab fishery has in Schedule 4 to the Fisheries Regulations 2009;

(b) rock lobster fishery has the same meaning as Rock lobster fishery has in Schedule 4 to the Fisheries Regulations 2009;

(c) scallop (ocean) fishery has the same meaning as Scallop (Ocean) fishery has in Schedule 4 to the Fisheries Regulations 2009.

13 Fees for variation of a commercial fishery licence

The application fee for the variation of a commercial fishery licence is 2·6 fee units.

14 Fee to obtain abalone quota unit holding statement

For the purposes of section 66H(2) of the Act, the application fee to obtain an abalone quota unit holding statement is 2·6 fee units.

15 Fee for a notification by holder of an individual abalone quota unit

The fee payable for a notification to the Victorian Fisheries Authority under section 66J(1) of the Act of the nomination of the holder of an abalone fishery access licence to take abalone under an individual abalone quota unit is 2·6 fee units.

Division 2—Royalties

16 Prescribed factors for fixing royalty rates

For the purposes of section 150(2)(b)(vii) of the Act the number of licences or individual abalone quota units in a fishery or fishery zone are prescribed factors.

17 Royalty for individual abalone quota unit

For the purposes of section 150 of the Act, the royalty payable in respect of an individual abalone quota unit is the amount calculated in accordance with the following formula—

$$(0\cdot072 \times \text{GVPr}) - (\text{FS} + \text{FRDC})$$

where—

GVPr is the average weighted beach price per kilogram of abalone for the financial year preceding the licensing year in which the royalty is payable multiplied by the weight of abalone in kilograms allocated to the individual abalone quota unit in the quota period for the licensing year in which the royalty is payable;

FS is comprised of—

- (a) the total combined amount of each of the levies set out in Columns 3, 4, 5 and 6 of the Table in Schedule 6 corresponding to that class of individual abalone quota unit; and
- (b) an amount determined in accordance with the formula—

$$\frac{A \times B}{C}$$

where—

A is the amount of the levy set out in Column 3 of the Table in Schedule 3 corresponding to the class of abalone fishery access licence in respect of which the quota unit is allocated;

B is the number of abalone fishery access licences of the class referred to in "A" that are in force immediately before the quota period for the licensing year in which the royalty is payable for the abalone zone in respect of which the individual abalone quota unit is held;

C is the number of individual abalone quota units allocated in respect of the abalone zone referred to in "B";

FRDC is the amount of the levy for research provided by the Fisheries Research and Development Corporation calculated under regulation 23(1)(d) in respect of that class of individual abalone quota unit.

18 Manner in which and date by which royalty is payable

- (1) The royalty prescribed under regulation 17 is payable to the Victorian Fisheries Authority annually by the date specified by the Victorian Fisheries Authority.

Note

Under section 66Q of the Act, failure to pay the royalty imposed in respect of an individual abalone quota unit within 14 days of the date that the payment of the royalty is due may result in suspension of the entitlement under the individual abalone quota unit until the royalty is paid. Failure to pay the royalty within 12 months will result in cancellation of the individual abalone quota unit on the day after the end of that period.

- (2) The Victorian Fisheries Authority must give each individual abalone quota unit holder to whom subregulation (1) applies a written notice of the specified date at least 14 days before the specified date.

Division 3—Levies

19 Levies on access licences

- (1) For the purposes of section 151(1) of the Act the following classes of access licence are prescribed—
 - (a) an Abalone Fishery (Central Zone) Access Licence;

- (b) an Abalone Fishery (Eastern Zone) Access Licence;
- (c) an Abalone Fishery (Western Zone) Access Licence;
- (d) a Bait (General) Fishery Access Licence;
- (e) a Corner Inlet Fishery Access Licence;
- (f) an Eel Fishery Access Licence;
- (g) a Giant Crab Fishery (Western Zone) Access Licence;
- (h) a Gippsland Lakes (Bait) Fishery Access Licence;
- (i) a Gippsland Lakes Fishery Access Licence;
- (j) a Gippsland Lakes (Mussel Dive) Fishery Access Licence;
- (k) a Lake Tyers (Bait) Fishery Access Licence;
- (l) a Mallacoota Lower Lake (Bait) Fishery Access Licence;
- (m) an Ocean Fishery Access Licence;
- (n) Port Phillip Bay (Mussel Bait) Fishery Access Licence;
- (o) a Purse Seine (Ocean) Fishery Access Licence;
- (p) a Rock Lobster Fishery (Eastern Zone) Access Licence;
- (q) a Rock Lobster Fishery (Western Zone) Access Licence;
- (r) a Scallop Dive (Port Phillip Bay) Fishery Access Licence;
- (s) a Scallop (Ocean) Fishery Access Licence;
- (t) a Sea Urchin Fishery Access Licence;

- (u) a Snowy River (Bait) Fishery Access Licence;
 - (v) a Sydenham Inlet (Bait) Fishery Access Licence;
 - (w) a Trawl (Inshore) Fishery Access Licence;
 - (x) a Western Port/Port Phillip Bay Fishery Access Licence;
 - (y) a Wrasse (Ocean) Fishery Access Licence.
- (2) For the purposes of section 151(1) of the Act, the following levies are prescribed in respect of each class of access licence set out in Column 2 of the Table in Schedule 3—
- (a) the levy for management services (if any) set out in Column 3 of that Table corresponding to that class of access licence;
 - (b) the levy for compliance services (if any) set out in Column 4 of that Table corresponding to that class of access licence;
 - (c) the levy for research services (if any) set out in Column 5 of that Table corresponding to that class of access licence;
 - (d) the levy for administration services (if any) set out in Column 6 of that Table corresponding to that class of access licence.
- (3) Despite the levies prescribed under subregulation (2)(a) to (d), if the averaged annual catch over the 3 financial years preceding the licensing year in which the levies are payable in respect of any class of access licence subject to those levies is less than 500 kilograms, the total amount of levy payable instead of those levies for each licence in that class of licence must not exceed 38.9 fee units.

20 Levies on fish receiver licences

- (1) For the purposes of section 151(1) of the Act, the following classes of fish receiver licence are prescribed—
 - (a) a Fish Receivers' (Abalone) Licence;
 - (b) a Fish Receivers' (Scallop) Licence.
- (2) For the purposes of section 151(1) of the Act, the following levies are prescribed in respect of each class of fish receiver licence specified in Column 2 of the Table in Schedule 4—
 - (a) the levy for management services (if any) set out in Column 3 of that Table corresponding to that class of licence;
 - (b) the levy for compliance services (if any) set out in Column 4 of that Table corresponding to that class of licence;
 - (c) the levy for research services (if any) set out in Column 5 of that Table corresponding to that class of licence;
 - (d) the levy for administration services (if any) set out in Column 6 of that Table corresponding to that class of licence.

21 Levies on aquaculture licences

- (1) For the purposes of section 151(1) of the Act, the following classes of aquaculture licence are prescribed—
 - (a) an Aquaculture (Crown Land—Abalone) Licence;
 - (b) an Aquaculture (Crown Land—Bivalve Shellfish) Licence;
 - (c) an Aquaculture (Crown Land—Eels) Licence;

- (d) an Aquaculture (Crown Land—Offshore) Licence;
 - (e) an Aquaculture (Crown Land—Other) Licence;
 - (f) an Aquaculture (On-shore Abalone) Licence;
 - (g) an Aquaculture (Private Land—Eels) Licence;
 - (h) an Aquaculture (Private Land—Indoor Intensive) Licence;
 - (i) an Aquaculture (Private Land—Marine) Licence;
 - (j) an Aquaculture (Private Land—Ornamentals) Licence;
 - (k) an Aquaculture (Private Land—Other) Licence;
 - (l) an Aquaculture (Private Land—Salmonids) Licence;
 - (m) an Aquaculture (Private Land—Tourism) Licence;
 - (n) an Aquaculture (Private Land—Warm Water Finfish) Licence;
 - (o) an Aquaculture (Private Land—Yabbies) Licence;
 - (p) an Aquaculture (Private Land—Yabbies Multi-waters) Licence.
- (2) For the purposes of section 151(1) of the Act, the following levies are prescribed in respect of each class of aquaculture licence specified in Column 2 of the Table in Schedule 5—
- (a) the levy for management services (if any) set out in Column 3 of that Table corresponding to that class of licence;

- (b) the levy for compliance services (if any) set out in Column 4 of that Table corresponding to that class of licence;
 - (c) the levy for research services (if any) set out in Column 5 of that Table corresponding to that class of licence;
 - (d) the levy for administration services (if any) set out in Column 6 of that Table corresponding to that class of licence.
- (3) Despite the levies prescribed under subregulation (2)(a) to (d), if the averaged annual production of fish over the 3 financial years preceding the licensing year in which the levies are payable in respect of any class of aquaculture licence subject to those levies is less than 500 kilograms, the total amount of levy payable instead of those levies for each licence in that class of licence must not exceed 38.9 fee units.

22 Levies on individual quota units

- (1) For the purposes of section 151(1) of the Act, the following classes of individual quota unit are prescribed—
- (a) an individual Blacklip abalone quota unit (Central Zone);
 - (b) an individual Blacklip abalone quota unit (Eastern Zone);
 - (c) an individual Blacklip abalone quota unit (Western Zone).
 - (d) an individual giant crab quota unit (Western Zone);
 - (e) an individual Greenlip abalone quota unit (Central Zone);
 - (f) an individual Greenlip abalone quota unit (Western Zone);

- (g) an individual rock lobster quota unit (Eastern Zone);
 - (h) an individual rock lobster quota unit (Western Zone).
- (2) For the purposes of section 151(1) of the Act the following levies are prescribed in respect of each class of individual quota unit specified in Column 2 of the Table in Schedule 6—
- (a) the levy for management services (if any) set out in Column 3 of that Table corresponding to that class of individual quota unit;
 - (b) the levy for compliance services (if any) set out in Column 4 of that Table corresponding to that class of individual quota unit;
 - (c) the levy for research services (if any) set out in Column 5 of that Table corresponding to that class of individual quota unit;
 - (d) the levy for administration services (if any) set out in Column 6 of that Table corresponding to that class of individual quota unit;
 - (e) the levy for making a grant under section 151(5) of the Act (if any) set out in Column 7 of that Table corresponding to that class of individual quota unit.

Note

The grants from the levies imposed under regulation 22(2)(e) are made under section 151(5) of the Act to certain bodies which represent the interests of the holders of access licences relating to the abalone fishery and individual abalone quota unit holders in the central and western zones of the abalone fishery.

23 Research levy for Fisheries Research and Development Corporation

(1) For the purposes of section 151(1) of the Act, the following levies are prescribed for the purposes of research carried out on behalf of the Fisheries Research and Development Corporation—

- (a) for each class of access licence prescribed in regulation 19(1)(g), (p) and (q), a levy calculated in accordance with the following formula—

$$\frac{(0.00075 \times \text{GVPf})}{A};$$

- (b) for each class of licence prescribed in regulations 19(1)(d) to (f), (h) to (o) and (r) to (y) and 21 a levy calculated in accordance with the following formula—

$$\frac{(0.0025 \times \text{GVPf})}{B};$$

- (c) for each class of individual quota unit prescribed in regulation 22(1)(d), (g) and (h), a levy calculated in accordance with the following formula—

$$\frac{(0.00175 \times \text{GVPf})}{C};$$

- (d) for each class of individual abalone quota unit prescribed in regulation 22(1)(a) to (c), (e) and (f), a levy calculated in accordance with the following formula—

$$\frac{(0.0025 \times \text{GVPf})}{D};$$

(2) In this regulation—

A means the number of licences of the relevant class held in the relevant fishery zone as at 1 January immediately before the commencement of the licensing year in which the levy is payable;

B means the number of licences of the relevant class held in the relevant fishery as at 1 January immediately before the commencement of the licensing year in which the levy is payable;

C means the number of individual quota units of the relevant class held in the relevant fishery zone as at 1 January immediately before the commencement of the licensing year in which the levy is payable;

D means the number of individual abalone quota units of the relevant class held in the relevant abalone fishery zone as at 1 January immediately before the commencement of the licensing year in which the levy is payable;

GVPf means the average weighted beach price per kilogram of fish landed from the relevant fishery or fishery zone over the 3 financial years immediately before the commencement of the licensing year in which the levy is payable, multiplied by the average weight per year of fish in kilograms landed from the relevant fishery or fishery zone over those 3 financial years.

24 Levy for making grants under section 151(5) of the Act

For the purposes of section 151(1) of the Act the following levies are prescribed for the purposes of making grants under section 151(5) of the Act—

- (a) for each class of licence set out in Column 2 of the Table in Schedule 7, the levy set out in Column 3 of that Table corresponding to that class of licence; and
- (b) for each class of individual quota unit set out in Column 2 of the Table in Schedule 7, the levy set out in Column 3 of that Table corresponding to that class of individual quota unit.

Note

The grants made from the levies imposed under this regulation are made under section 151(5) of the Act to the industry body which represents Victoria's seafood industry.

25 Manner in which and date by which levies payable

- (1) A levy prescribed under regulation 19, 20, 21, 22, 23 or 24 is payable to the Victorian Fisheries Authority annually by the date specified by the Victorian Fisheries Authority.
- (2) The Victorian Fisheries Authority must give each licence holder or individual quota unit holder to whom subregulation (1) applies notice of the specified date in writing at least 14 days before the specified date.

Notes

- 1 Under section 58 of the Act, the Victorian Fisheries Authority may require the holder of a fishery licence to show sufficient cause why the licence should not be cancelled or suspended if the holder of the licence has not paid any levy that is due in respect of the licence within 14 days of the date that it was due. If the licence holder fails to show sufficient cause the Victorian Fisheries Authority may cancel or suspend the licence in accordance with that section.

- 2 Under section 66Q of the Act, failure to pay the levy for an individual abalone quota unit specified in regulation 22, 23 or 24 within 14 days of the date that the levy was due may result in suspension of the entitlement under the individual abalone quota unit until the levy is paid. Failure to pay the levy within 12 months will result in cancellation of the individual abalone quota unit on the day after the end of that period.

26 Reduction or waiver of levies

- (1) The Minister may, in accordance with subregulation (2), reduce or waive in whole or in part a levy payable under regulation 19, 20, 21 or 22 in respect of any class of licence or individual quota unit for—
- (a) management services; or
 - (b) compliance services; or
 - (c) research services; or
 - (d) administration services.
- (2) The Minister may reduce or waive a levy imposed for any of the services referred to in subregulation (1), if the Minister is satisfied that—
- (a) the level of those services provided in the licensing year prior to the licensing year in respect of which the levy is payable, was materially less than the level of services on which the levy imposed in the prior licensing year was based; or
 - (b) the level of those services to be provided in the licensing year in respect of which the levy is payable will be materially less than the level of those services on which the levy is based.

27 Refund of grants levy

The Minister may refund any levy or part of a levy imposed for the purposes of making a grant under section 151(5) of the Act to the person who at the date of the refund is the holder of the licence, individual quota unit or permit in respect of which the levy was paid, in the event that any proceeds of the levy are not granted to any person or body by the end of the licensing year in which the levy was paid.

Part 3—Recreational fishery licences

28 Fees payable for group recreational fishery licences

- (1) The application fee for a group recreational fishery licence issued under section 46 of the Act is 2·51 fee units.
- (2) The Minister may, in writing, waive the fee prescribed under subregulation (1) if the Minister is satisfied that special circumstances apply.

29 Levies payable for recreational fishery licences

- (1) For the purposes of section 151(1) of the Act, a recreational fishery licence is a prescribed class of licence.
- (2) For the purposes of section 151(1) of the Act, the following levies are prescribed—
 - (a) for a recreational fishery licence with a duration of 3 years, 6·8 fee units;
 - (b) for a recreational fishery licence with a duration of 1 year, 2·51 fee units;
 - (c) for a recreational fishery licence with a duration of 28 days, 1·43 fee units
 - (d) for a recreational fishery licence with a duration of 3 days, \$10.
- (3) Despite subregulation (2)(a) and (b), the levy prescribed for the purposes of section 151(1) of the Act for a recreational fishery licence that is applied for online through the website administered by the Victorian Fisheries Authority is—
 - (a) for a recreational fishery licence with a duration of 3 years, 6·44 fee units
 - (b) for a recreational fishery licence with a duration of 1 year, 2·36 fee units.

- (4) A person must pay the relevant levy prescribed under subregulation (2) or (3) before a recreational fishery licence is issued to that person.
- (5) For the purposes of section 151(6) of the Act the Minister may exempt a person or class of persons from the payment of a levy prescribed under subregulation (2) or (3) if the Minister is satisfied that special circumstances apply.

Part 4—Permits

Division 1—General permits

30 General permit fees

- (1) Subject to subregulation (2), the application fee for the issue of a general permit is 10·2 fee units.
- (2) The application fee for the issue of a general permit in respect of a developing fishery is 15·3 fee units.
- (3) The application fee for either of the following variations by the Victorian Fisheries Authority of a general permit is 10·2 fee units—
 - (a) a variation or revocation of a condition imposed on the permit;
 - (b) the imposition of a new condition on the permit.
- (4) The Victorian Fisheries Authority may, in writing, waive the fee prescribed under subregulation (1) or (3) if the Victorian Fisheries Authority is satisfied that special circumstances apply.
- (5) The application fee for the reissue of a general permit by the Victorian Fisheries Authority under section 49(5) of the Act is 10·2 fee units.

Division 2—Protected aquatic biota permits

31 Protected aquatic biota permit fees

- (1) The application fee for the issue of a protected aquatic biota permit is 10·2 fee units.
- (2) The application fee for either of the following variations by the Victorian Fisheries Authority of a protected aquatic biota permit is 10·2 fee units—

- (a) a variation or revocation of a condition imposed on the permit;
 - (b) the imposition of a new condition on the permit.
- (3) The Victorian Fisheries Authority may, in writing, waive the fee prescribed under subregulation (1) or (2) if the Victorian Fisheries Authority is satisfied that special circumstances apply.

Part 5—Boat registration

32 Fishing boat registration fee

The application fee for the registration of a boat under Part 5 of the Fisheries Regulations 2009 is 2·6 fee units.

33 Fishing boat registration renewal fee

The application fee for renewal of the registration of a boat under Part 5 of the Fisheries Regulations 2009 is 2·6 fee units.

34 Fishing boat registration transfer fee

The application fee for the transfer of the registration of a boat under Part 5 of the Fisheries Regulations 2009 is 2·6 fee units.

Note

For the purposes of section 114 of the Act, the carrying out of the commercial fishing activities set out in regulation 105 of the Fisheries Regulations 2009 from a boat that is not registered under Part 5 of those Regulations is prohibited.

Fisheries (Fees, Royalties and Levies) Regulations 2017
S.R. No. 118/2017
Schedule 1—Regulations revoked

Schedule 1—Regulations revoked

Regulation 4

<i>S.R. No.</i>	<i>Title</i>
4/2008	Fisheries (Fees, Royalties and Levies) Regulations 2008
92/2008	Fisheries (Fees, Royalties and Levies) Amendment Regulations 2008
3/2009	Fisheries (Fees, Royalties and Levies) Amendment Regulations 2009
13/2010	Fisheries (Fees, Royalties and Levies) Amendment Regulations 2010
12/2011	Fisheries (Fees, Royalties and Levies) Amendment Regulations 2011
28/2013	Fisheries (Fees, Royalties and Levies) Amendment Regulations 2013
168/2013	Fisheries and Fisheries (Fees, Royalties and Levies) Further Amendment Regulations 2013
5/2014	Fisheries (Fees, Royalties and Levies) and Fisheries Amendment Regulations 2014
96/2014	Fisheries and Fisheries (Fees, Royalties and Levies) Further Amendment Regulations 2014
12/2015	Fisheries (Fees, Royalties and Levies) Amendment Regulations 2015
8/2016	Fisheries (Fees, Royalties and Levies) Amendment Regulations 2016
71/2016	Fisheries and Fisheries (Fees, Royalties and Levies) Amendment (Recreational Fishery Licences) Regulations 2016
1/2017	Fisheries (Fees, Royalties and Levies) Amendment Regulations 2017
58/2017	Fisheries and Fisheries and Fisheries (Fees, Royalties and Levies) Amendment (Recreational Fishery Licences) Further Amendment Regulations 2017

Schedule 2—Application and transfer fees for commercial fishery licences

Regulations 6 and 7			
<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Item</i>	<i>Class of licence</i>	<i>Application fee</i>	<i>Transfer fee</i>
1	Abalone Fishery (Central Zone) Access Licence	20·4 fee units	15·3 fee units
2	Abalone Fishery (Eastern Zone) Access Licence	20·4 fee units	15·3 fee units
3	Abalone Fishery (Western Zone) Access Licence	20·4 fee units	15·3 fee units
4	Bait (General) Fishery Access Licence	20·4 fee units	Not applicable
5	Corner Inlet Fishery Access Licence	20·4 fee units	15·3 fee units
6	Eel Fishery Access Licence	20·4 fee units	15·3 fee units
7	Giant Crab Fishery (Western Zone) Access Licence	20·4 fee units	15·3 fee units
8	Gippsland Lakes (Bait) Fishery Access Licence	20·4 fee units	15·3 fee units
9	Gippsland Lakes Fishery Access Licence	20·4 fee units	15·3 fee units
10	Gippsland Lakes (Mussel Dive) Fishery Access Licence	20·4 fee units	Not applicable
11	Lake Tyers (Bait) Fishery Access Licence	20·4 fee units	Not applicable
12	Mallacoota Lower Lake (Bait) Fishery Access Licence	20·4 fee units	15·3 fee units
13	Ocean Fishery Access Licence	20·4 fee units	Not applicable

Fisheries (Fees, Royalties and Levies) Regulations 2017

S.R. No. 118/2017

Schedule 2—Application and transfer fees for commercial fishery licences

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Item</i>	<i>Class of licence</i>	<i>Application fee</i>	<i>Transfer fee</i>
14	Port Phillip Bay (Mussel Bait) Fishery Access Licence	20·4 fee units	Not applicable
15	Purse Seine (Ocean) Fishery Access Licence	20·4 fee units	Not applicable
16	Rock Lobster Fishery (Eastern Zone) Access Licence	20·4 fee units	15·3 fee units
17	Rock Lobster Fishery (Western Zone) Access Licence	20·4 fee units	15·3 fee units
18	Scallop Dive (Port Phillip Bay) Fishery Access Licence	Nil	15·3 fee units
19	Scallop (Ocean) Fishery Access Licence	20·4 fee units	15·3 fee units
20	Sea Urchin Fishery Access Licence	20·4 fee units	Not applicable
21	Snowy River (Bait) Fishery Access Licence	20·4 fee units	15·3 fee units
22	Sydenham Inlet (Bait) Fishery Access Licence	20·4 fee units	15·3 fee units
23	Trawl (Inshore) Fishery Access Licence	20·4 fee units	15·3 fee units
24	Western Port/Port Phillip Bay Fishery Access Licence	20·4 fee units	15·3 fee units
25	Wrasse (Ocean) Fishery Access Licence	20·4 fee units	15·3 fee units
26	Fish Receivers' (Abalone) Licence	20·4 fee units	Not applicable
27	Fish Receivers' (Scallop) Licence	20·4 fee units	Not applicable
28	Aquaculture (Crown Land—Abalone) Licence	20·4 fee units	15·3 fee units
29	Aquaculture (Crown Land—Bivalve Shellfish) Licence	20·4 fee units	15·3 fee units

Fisheries (Fees, Royalties and Levies) Regulations 2017

S.R. No. 118/2017

Schedule 2—Application and transfer fees for commercial fishery licences

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Item</i>	<i>Class of licence</i>	<i>Application fee</i>	<i>Transfer fee</i>
30	Aquaculture (Crown Land—Eels) Licence	20·4 fee units	15·3 fee units
31	Aquaculture (Crown Land—Offshore) Licence	20·4 fee units	15·3 fee units
32	Aquaculture (Crown Land—Other) Licence	20·4 fee units	15·3 fee units
33	Aquaculture (On-shore Abalone) Licence	20·4 fee units	15·3 fee units
34	Aquaculture (Private Land—Eels) Licence	20·4 fee units	15·3 fee units
35	Aquaculture (Private Land—Indoor Intensive) Licence	20·4 fee units	15·3 fee units
36	Aquaculture (Private Land—Marine) Licence	20·4 fee units	15·3 fee units
37	Aquaculture (Private Land—Ornamentals) Licence	20·4 fee units	15·3 fee units
38	Aquaculture (Private Land—Other) Licence	20·4 fee units	15·3 fee units
39	Aquaculture (Private Land—Salmonids) Licence	20·4 fee units	15·3 fee units
40	Aquaculture (Private Land—Tourism) Licence	20·4 fee units	15·3 fee units
41	Aquaculture (Private Land—Warm Water Finfish) Licence	20·4 fee units	15·3 fee units
42	Aquaculture (Private Land—Yabbies) Licence	20·4 fee units	15·3 fee units
43	Aquaculture (Private Land—Yabbies Multi-waters) Licence	20·4 fee units	15·3 fee units

Fisheries (Fees, Royalties and Levies) Regulations 2017
S.R. No. 118/2017
Schedule 3—Levies for access licences

Schedule 3—Levies for access licences

Regulations 17 and 19(2)

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>	<i>Column 6</i>
<i>Item No.</i>	<i>Class of licence</i>	<i>Levy for management services</i>	<i>Levy for compliance services</i>	<i>Levy for research services</i>	<i>Levy for administration services</i>
1	Abalone Fishery (Central Zone) Access Licence	13.4 fee units	Nil	Nil	Nil
2	Abalone Fishery (Eastern Zone) Access Licence	12.8 fee units	Nil	Nil	Nil
3	Abalone Fishery (Western Zone) Access Licence	29.7 fee units	Nil	Nil	Nil
4	Bait (General) Fishery Access Licence	8.9 fee units	25.8 fee units	Nil	25.4 fee units
5	Corner Inlet Fishery Access Licence	6.7 fee units	73.1 fee units	79.2 fee units	39.6 fee units
6	Eel Fishery Access Licence	31.2 fee units	53.3 fee units	Nil	52.4 fee units
7	Giant Crab Fishery (Western Zone) Access Licence	12.3 fee units	23.5 fee units	23.4 fee units	10.7 fee units
8	Gippsland Lakes (Bait) Fishery Access Licence	12.7 fee units	35.6 fee units	9.2 fee units	31.8 fee units
9	Gippsland Lakes Fishery Access Licence	66.4 fee units	51.5 fee units	242.8 fee units	52.3 fee units
10	Gippsland Lakes (Mussel Dive) Fishery Access Licence	53.1 fee units	Nil	Nil	26.4 fee units

Fisheries (Fees, Royalties and Levies) Regulations 2017
S.R. No. 118/2017
Schedule 3—Levies for access licences

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>	<i>Column 6</i>
<i>Item No.</i>	<i>Class of licence</i>	<i>Levy for management services</i>	<i>Levy for compliance services</i>	<i>Levy for research services</i>	<i>Levy for administration services</i>
11	Lake Tyers (Bait) Fishery Access Licence	106.3 fee units	Nil	82.8 fee units	22.7 fee units
12	Mallacoota Lower Lake (Bait) Fishery Access Licence	106.3 fee units	19 fee units	82.8 fee units	24.9 fee units
13	Ocean Fishery Access Licence	1.4 fee units	8.7 fee units	Nil	12.4 fee units
14	Port Phillip Bay (Mussel Bait) Fishery Access Licence	65.4 fee units	19 fee units	Nil	30.9 fee units
15	Purse Seine (Ocean) Fishery Access Licence	46.5 fee units	Nil	Nil	49.3 fee units
16	Rock Lobster Fishery (Eastern Zone) Access Licence	25.6 fee units	25 fee units	74.6 fee units	32.5 fee units
17	Rock Lobster Fishery (Western Zone) Access Licence	17.1 fee units	15.3 fee units	106.8 fee units	29.7 fee units
18	Scallop Dive (Port Phillip Bay) Fishery Access Licence	436.2 fee units	365.8 fee units	137.9 fee units	381.3 fee units
19	Scallop (Ocean) Fishery Access Licence	12.6 fee units	1.4 fee units	Nil	12 fee units
20	Sea Urchin Fishery Access Licence	71.2 fee units	25.5 fee units	Nil	35.6 fee units

Fisheries (Fees, Royalties and Levies) Regulations 2017
S.R. No. 118/2017
Schedule 3—Levies for access licences

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>	<i>Column 6</i>
<i>Item No.</i>	<i>Class of licence</i>	<i>Levy for management services</i>	<i>Levy for compliance services</i>	<i>Levy for research services</i>	<i>Levy for administration services</i>
21	Snowy River (Bait) Fishery Access Licence	53.1 fee units	9.5 fee units	41.4 fee units	26.3 fee units
22	Sydenham Inlet (Bait) Fishery Access Licence	53.1 fee units	36.1 fee units	41.4 fee units	44.7 fee units
23	Trawl (Inshore) Fishery Access Licence	7.8 fee units	6.4 fee units	14.8 fee units	12.2 fee units
24	Western Port/Port Phillip Bay Fishery Access Licence	2 fee units	39.3 fee units	24 fee units	20.1 fee units
25	Wrasse (Ocean) Fishery Access Licence	12 fee units	22 fee units	3.6 fee units	29.9 fee units

Fisheries (Fees, Royalties and Levies) Regulations 2017
S.R. No. 118/2017
Schedule 4—Levies for fish receiver licences

Schedule 4—Levies for fish receiver licences

Regulation 20(2)

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>	<i>Column 6</i>
<i>Item No.</i>	<i>Class of licence</i>	<i>Levy for management services</i>	<i>Levy for compliance services</i>	<i>Levy for research services</i>	<i>Levy for administration services</i>
1	Fish Receivers' (Abalone) Licence	Nil	109·6 fee units	Nil	293·3 fee units
2	Fish Receivers' (Scallop) Licence	Nil	29·8 fee units	Nil	14·2 fee units

Fisheries (Fees, Royalties and Levies) Regulations 2017
S.R. No. 118/2017
Schedule 5—Levies for aquaculture licences

Schedule 5—Levies for aquaculture licences

Regulation 21(2)

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>	<i>Column 6</i>
<i>Item No.</i>	<i>Class of licence</i>	<i>Levy for management services</i>	<i>Levy for compliance services</i>	<i>Levy for research services</i>	<i>Levy for administration services</i>
1	Aquaculture (Crown Land—Abalone) Licence	108.2 fee units	5.1 fee units	Nil	8.8 fee units
2	Aquaculture (Crown Land—Bivalve Shellfish) Licence	190 fee units	36.4 fee units	Nil	10.8 fee units
3	Aquaculture (Crown Land—Eels) Licence	52.9 fee units	6.2 fee units	Nil	94.2 fee units
4	Aquaculture (Crown Land—Offshore) Licence	78.7 fee units	16.7 fee units	Nil	9.3 fee units
5	Aquaculture (Crown Land—Other) Licence	59.4 fee units	12 fee units	Nil	11.4 fee units
6	Aquaculture (On-shore Abalone) Licence	216.3 fee units	6.7 fee units	Nil	8.8 fee units
7	Aquaculture (Private Land—Eels) Licence	16.1 fee units	Nil	Nil	11.4 fee units
8	Aquaculture (Private Land—Indoor Intensive) Licence	31.2 fee units	3.3 fee units	Nil	6.8 fee units
9	Aquaculture (Private Land—Marine) Licence	137.1 fee units	5.1 fee units	Nil	16 fee units

Fisheries (Fees, Royalties and Levies) Regulations 2017
S.R. No. 118/2017
Schedule 5—Levies for aquaculture licences

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>	<i>Column 6</i>
<i>Item No.</i>	<i>Class of licence</i>	<i>Levy for management services</i>	<i>Levy for compliance services</i>	<i>Levy for research services</i>	<i>Levy for administration services</i>
10	Aquaculture (Private Land—Ornamentals) Licence	7·1 fee units	25·2 fee units	Nil	7·7 fee units
11	Aquaculture (Private Land—Other) Licence	342·4 fee units	19 fee units	Nil	16 fee units
12	Aquaculture (Private Land—Salmonids) Licence	29·6 fee units	6·8 fee units	Nil	7·5 fee units
13	Aquaculture (Private Land—Tourism) Licence	54·5 fee units	6·7 fee units	Nil	8·8 fee units
14	Aquaculture (Private Land—Warm Water Finfish) Licence	64·1 fee units	9·8 fee units	Nil	8·1 fee units
15	Aquaculture (Private Land—Yabbies) Licence	3·3 fee units	7·4 fee units	Nil	9·5 fee units
16	Aquaculture (Private Land—Yabbies Multi-waters) Licence	36·5 fee units	10 fee units	Nil	7·4 fee units

Fisheries (Fees, Royalties and Levies) Regulations 2017

S.R. No. 118/2017

Schedule 6—Levies for individual quota units

Schedule 6—Levies for individual quota units

Regulation 17 and 22(2)

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>	<i>Column 6</i>	<i>Column 7</i>
<i>Item No.</i>	<i>Class of individual quota unit</i>	<i>Levy for management services</i>	<i>Levy for compliance services</i>	<i>Levy for research services</i>	<i>Levy for administration services</i>	<i>Levy for grants</i>
1	Individual Blacklip abalone quota unit (Central Zone)	3.5 fee units	5.8 fee units	21.7 fee units	6.8 fee units	24.6 fee units
2	Individual Blacklip abalone quota unit (Eastern Zone)	6.1 fee units	3.7 fee units	32.6 fee units	6.7 fee units	Nil
3	Individual Blacklip abalone quota unit (Western Zone)	8.6 fee units	2.2 fee units	32.9 fee units	6.4 fee units	26.7 fee units
4	Individual giant crab quota unit (Western Zone)	1.1 fee units	2.1 fee units	2 fee units	1 fee unit	Nil
5	Individual Greenlip abalone quota unit (Central Zone)	3.5 fee units	5.8 fee units	5.8 fee units	6.8 fee units	24.6 fee units
6	Individual Greenlip abalone quota unit (Western Zone)	Nil	Nil	Nil	Nil	26.7 fee units
7	Individual rock lobster quota unit (Eastern Zone)	2.7 fee units	2.6 fee units	7.8 fee units	3.4 fee units	Nil

Fisheries (Fees, Royalties and Levies) Regulations 2017

S.R. No. 118/2017

Schedule 6—Levies for individual quota units

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>	<i>Column 6</i>	<i>Column 7</i>
<i>Item No.</i>	<i>Class of individual quota unit</i>	<i>Levy for management services</i>	<i>Levy for compliance services</i>	<i>Levy for research services</i>	<i>Levy for administration services</i>	<i>Levy for grants</i>
8	Individual rock lobster quota unit (Western Zone)	1 fee unit	1 fee unit	4.4 fee units	1.4 fee units	Nil

Fisheries (Fees, Royalties and Levies) Regulations 2017
S.R. No. 118/2017
Schedule 7—Levies for grants made under section 151(5) of the Act

Schedule 7—Levies for grants made under section 151(5) of the Act

Regulation 24

<i>Column 1</i> <i>Item No.</i>	<i>Column 2</i> <i>Class of licence or individual quota unit</i>	<i>Column 3</i> <i>Levy</i>
1	Abalone Fishery (Central Zone) Access Licence	4.7 fee units
2	Abalone Fishery (Eastern Zone) Access Licence	4.7 fee units
3	Abalone Fishery (Western Zone) Access Licence	4.7 fee units
4	Bait (General) Fishery Access Licence	32.1 fee units
5	Corner Inlet Fishery Access Licence	32.1 fee units
6	Eel Fishery Access Licence	32.1 fee units
7	Fish Receivers' (Abalone) Licence	349.7 fee units
8	Fish Receivers' (Scallop) Licence	63 fee units
9	Giant Crab Fishery (Western Zone) Access Licence	32.1 fee units
10	Gippsland Lakes (Bait) Fishery Access Licence	24 fee units
11	Gippsland Lakes Fishery Access Licence	32.1 fee units
12	Gippsland Lakes (Mussel Dive) Fishery Access Licence	32.1 fee units
13	Individual abalone quota unit (Central Zone)	4.7 fee units
14	Individual abalone quota unit (Eastern Zone)	4.7 fee units
15	Individual abalone quota unit (Western Zone)	4.7 fee units
16	Lake Tyers (Bait) Fishery Access Licence	24 fee units
17	Mallacoota Lower Lake (Bait) Fishery Access Licence	24 fee units
18	Ocean Fishery Access Licence	32.1 fee units

Fisheries (Fees, Royalties and Levies) Regulations 2017
S.R. No. 118/2017
Schedule 7—Levies for grants made under section 151(5) of the Act

<i>Column 1</i> <i>Item No.</i>	<i>Column 2</i> <i>Class of licence or individual quota unit</i>	<i>Column 3</i> <i>Levy</i>
19	Port Phillip Bay (Mussel Bait) Fishery Access Licence	24 fee units
20	Purse Seine (Ocean) Fishery Access Licence	32·1 fee units
21	Rock Lobster Fishery (Eastern Zone) Access Licence	32·1 fee units
22	Rock Lobster Fishery (Western Zone) Access Licence	32·1 fee units
23	Scallop (Ocean) Fishery Access Licence	32·1 fee units
24	Scallop Dive (Port Phillip Bay) Fishery Access Licence	32·1 fee units
25	Sea Urchin Fishery Access Licence	32·1 fee units
26	Snowy River (Bait) Fishery Access Licence	24 fee units
27	Sydenham Inlet (Bait) Fishery Access Licence	24 fee units
28	Trawl (Inshore) Fishery Access Licence	32·1 fee units
29	Western Port/Port Phillip Bay Fishery Access Licence	32·1 fee units
30	Wrasse (Ocean) Fishery Access Licence	32·1 fee units

Endnotes

1 General information

See www.legislation.vic.gov.au for Victorian Bills, Acts and current authorised versions of legislation and up-to-date legislative information.

The Fisheries (Fees, Royalties and Levies) Regulations 2017, S.R. No. 118/2017 were made on 22 November 2017 by the Governor in Council under sections 150, 151, 151A and 153 of the **Fisheries Act 1995**, No. 92/1995 and came into operation on 29 January 2018: regulation 3.

The Fisheries (Fees, Royalties and Levies) Regulations 2017 will sunset 10 years after the day of making on 22 November 2027 (see section 5 of the **Subordinate Legislation Act 1994**).

INTERPRETATION OF LEGISLATION ACT 1984 (ILA)

Style changes

Section 54A of the ILA authorises the making of the style changes set out in Schedule 1 to that Act.

References to ILA s. 39B

Sidenotes which cite ILA s. 39B refer to section 39B of the ILA which provides that where an undivided regulation, rule or clause of a Schedule is amended by the insertion of one or more subregulations, subrules or subclauses the original regulation, rule or clause becomes subregulation, subrule or subclause (1) and is amended by the insertion of the expression "(1)" at the beginning of the original regulation, rule or clause.

Interpretation

As from 1 January 2001, amendments to section 36 of the ILA have the following effects:

- **Headings**

All headings included in a Statutory Rule which is made on or after 1 January 2001 form part of that Statutory Rule. Any heading inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, forms part of that Statutory Rule.

This includes headings to Parts, Divisions or Subdivisions in a Schedule; Orders; Parts into which an Order is divided; clauses; regulations; rules; items; tables; columns; examples; diagrams; notes or forms.

See section 36(1A)(2A)(2B).

- **Examples, diagrams or notes**

All examples, diagrams or notes included in a Statutory Rule which is made on or after 1 January 2001 form part of that Statutory Rule. Any examples, diagrams or notes inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, form part of that Statutory Rule. See section 36(3A).

- **Punctuation**

All punctuation included in a Statutory Rule which is made on or after 1 January 2001 forms part of that Statutory Rule. Any punctuation inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, forms part of that Statutory Rule. See section 36(3B).

- **Provision numbers**

All provision numbers included in a Statutory Rule form part of that Statutory Rule, whether inserted in the Statutory Rule before, on or after 1 January 2001. Provision numbers include regulation numbers, rule numbers, subregulation numbers, subrule numbers, paragraphs and subparagraphs. See section 36(3C).

- **Location of "legislative items"**

A "legislative item" is a penalty, an example or a note. As from 13 October 2004, a legislative item relating to a provision of a Statutory Rule is taken to be at the foot of that provision even if it is preceded or followed by another legislative item that relates to that provision. For example, if a penalty at the foot of a provision is followed by a note, both of these legislative items will be regarded as being at the foot of that provision. See section 36B.

- **Other material**

Any explanatory memorandum, table of provisions, endnotes, index and other material printed after the Endnotes does not form part of a Statutory Rule. See section 36(3)(3D)(3E).

2 Table of Amendments

There are no amendments made to the Fisheries (Fees, Royalties and Levies) Regulations 2017 by statutory rules, subordinate instruments and Acts.

3 Amendments Not in Operation

There are no amendments which were Not in Operation at the date of this publication.

4 Explanatory details

¹ Reg. 5(2): S.R. No. 2/2009. Reprint No. 2 as at 1 July 2017. Reprinted to S.R. No. 58/2017.

Fee Units

These Regulations provide for fees by reference to fee units within the meaning of the **Monetary Units Act 2004**.

The amount of the fee is to be calculated, in accordance with section 7 of that Act, by multiplying the number of fee units applicable by the value of a fee unit.

The value of a fee unit for the financial year commencing 1 July 2017 is \$14.22. The amount of the calculated fee may be rounded to the nearest 10 cents.

The value of a fee unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a fee unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.