



Statutory Fishing Rights Charge Act 1991

No. 157 of 1991

**An Act to impose a charge on the grant of statutory
fishing rights**

Contents

1	Short title.....	1
2	Commencement.....	2
3	Interpretation.....	2
4	Application of Act.....	2
5	Imposition of charge.....	2
6	Exemption from charge.....	2
7	Amount of charge.....	2
8	By whom is charge payable?.....	3
9	Regulations.....	3



Statutory Fishing Rights Charge Act 1991

No. 157 of 1991

An Act to impose a charge on the grant of statutory fishing rights

[Assented to 21 October 1991]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Statutory Fishing Rights Charge Act 1991*.

2 Commencement

- (1) Sections 1 and 2 commence on the day on which this Act receives the Royal Assent.
- (2) Subject to subsection (3), the remaining provisions of this Act commence on a day to be fixed by Proclamation.
- (3) If a provision mentioned in subsection (2) does not commence under that subsection within the period of 6 months commencing on the day on which this Act receives the Royal Assent, it commences on the first day after the end of that period.

3 Interpretation

In this Act, unless the contrary intention appears:

statutory fishing right means a statutory fishing right granted under Part 3 of the *Fisheries Management Act 1991*.

4 Application of Act

This Act extends to every external Territory and applies both within and outside Australia.

5 Imposition of charge

Subject to section 6, charge is imposed on the grant of a statutory fishing right.

6 Exemption from charge

Charge is not payable on a grant of a statutory fishing right declared by the regulations to be exempt from charge.

7 Amount of charge

The amount of the charge payable in respect of the grant of a statutory fishing right is such amount as is equal to:

- (a) if the right is auctioned—the amount of the highest bid made at the auction by the grantee of the right; or

-
- (b) if tenders were called in respect of the grant of the right—the amount of the bid submitted by the grantee of the right; or
 - (c) if the grant of the right is made otherwise than by auction or by calling tenders—such amount as is calculated in accordance with the regulations.

8 By whom is charge payable?

Charge is payable by the person to whom the right is granted.

9 Regulations

The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters:

- (a) required or permitted by this Act to be prescribed; or
- (b) necessary or convenient to be prescribed in carrying out or giving effect to this Act.