

FISHERIES AND OYSTER FARMS ACT 1935—REGULATION

(Relating to fees)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Fisheries and Oyster Farms Act 1935, has been pleased to make the Regulation set forth hereunder.

I. R. CAUSLEY
Minister for Natural Resources.

Commencement

1. This Regulation commences on 19th June, 1992.

Amendments

2. The Fisheries and Oyster Farms (General) Regulation 1989 is amended:

- (a) by omitting clause 11 (1) and by inserting instead the following subclauses:

(1) The fee for the issue of a boat licence under section 23 or 24 of the Act, or of a boat licence under section 23 of the Act and a boat licence under section 24 of the Act, is \$100.

(1A) The fee for the renewal of a boat licence referred to in subclause (1) is:

- (a) in the case of a boat that is 3 metres or less in length—\$40; or
 - (b) in the case of a boat that is more than 3 metres in length—\$40 plus \$20 for each metre or part of a metre by which the length of the boat exceeds 3 metres.
- (b) by omitting from clause 11 (2) the matter “\$100” and by inserting instead the matter “\$200”;
 - (c) by omitting from clause 11 (3) the matter “\$100” and by inserting instead the matter “\$200”;

- (d) by omitting from clause 12 the matter “\$20” and by inserting instead the matter “\$250”;
- (e) by omitting from clause 20 the words “\$2,500 for the issue or renewal of the permit” and by inserting instead the words “\$2,600 for the issue or renewal of the permit or the Director-General has approved the payment of the fee by instalments under clause 20B”;
- (f) by omitting from clause 20A the words “\$2,770 in addition to the fee specified in clause 20” and by inserting instead the words “\$9,108 in addition to the fee specified in clause 20 or the Director-General has approved payment of the fees by instalments under clause 20B”;
- (g) by inserting after clause 20A the following clause:

Director-General may approve payment of fees by instalments

20B. The Director-General may approve payment of the fees referred to in clauses 20 and 20A by instalments payable at such times as the Director-General determines. The total amount of the instalments, unpaid on the date provided for the payment of an instalment, becomes due and payable if the person fails to pay the instalment on or before the date provided for payment of that instalment.

- (h) by inserting after clause 23 (2) the following subclause:
 - (3) The Director-General may cancel a permit if the holder of the permit fails to pay an instalment under clause 20B on or before the date provided for payment of that instalment.

EXPLANATORY NOTE

The object of this Regulation is to amend the Fisheries and Oyster Farms (General) Regulation 1989 so as:

- (a) to increase the fees for the issue and renewal of boat licences, fishermen’s licences and restricted fishery permits; and
 - (b) to increase quota fees for restricted fishery permits; and
 - (c) to increase the fee for the transfer of boat licences; and
 - (d) to allow for the payment by instalments of fees for the issue and renewal of restricted fishery permits and for the payment of quota fees for such permits; and
 - (e) to provide that a restricted fishery permit may be cancelled if the holder fails to pay my instalments payable in respect of the permit.
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