

Fisheries (Fees) Determination 2021

Disallowable instrument DI2021-70

made under the

Fisheries Act 2000, s 114 (Determination of fees)

EXPLANATORY STATEMENT

Section 114 of the *Fisheries Act 2000* (the *Act*) permits the Minister to determine fees for the purposes of the Act.

The purpose of this instrument is to determine the fees for licences issued under the Act for the 2021-22 financial year.

The regulatory fees in the determination, which applied in the 2019-20 and 2020-21 financial years, have been increased by 1.75% for the 2021-22 financial year based on the wage price index as per government's advice. Appropriate rounding has been made in relation to increases.

The determination also includes new fees for additional licenced activities which were introduced by amendments to the Act in 2019, through commencement of the *Fisheries Legislation Amendment Act 2019*. These amendments provided for a broader range of activities to be licenced.

Fees are now established for the following six types of licenced activities under the Act:

- Sale of fish by commercial fishers (s 45);
- Undertaking aquaculture using a facility over the aquaculture capacity limit (s 49);
- Importing and exporting live fish (s 76);
- Trafficking in a commercial quantity of fish of a priority species (s 76A);
- Taking a commercial quantity of fish of a priority species (s 76B); and
- Possessing a commercial quantity of fish of a priority species (s 76C).

Fees for these licences have been applied at a rate consistent with the issue of a commercial fishing licence under the Act.

The instrument commences on 1 July 2021.

This instrument revokes the *Fisheries (Fees) Determination 2019* (DI2019-125).

A determination made under section 114 of the Act is a disallowable instrument and must be presented to the Legislative Assembly within 6 sitting days after its notification pursuant to section 64 of the *Legislation Act 2001* (Legislation Act).

Regulatory Impact Statement (RIS)

A RIS is not required for this fee determination due to s 36 (1) (k) of the Legislation Act, which provides that a RIS need not be prepared for an amendment of a fee consistent with announced government policy.

Human Rights

The Standing Committee on Justice and Community Safety (Legislative Scrutiny Role) terms of reference require consideration of human rights impacts, among other matters. In this case, no human rights are impacted.