

Fisheries (Fees) Determination 2023

Disallowable instrument DI2023–129

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 2023-24 financial year.

The regulatory fees in the determination, which applied in the 2022-23 financial year, have been increased by 3.75% for the 2023-24 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 amendments to the following matters for which a fee is payable, as listed in column 3 of the schedule of the 2022-23 fee instrument (DI2022-140):

- Sale of fish by commercial fishers
- Undertaking aquaculture using a facility over the aquaculture capacity limit
- Importing or exporting live fish or both
- Trafficking in a commercial quantity of fish of a priority species
- Taking a commercial quantity of fish of a priority species
- Possessing a commercial quantity of fish of a priority species

The above matters for which a fee is payable, as listed in column 3 of the schedule for this 2023-24 fee instrument, are amended as follows:

- Application by commercial fisher for licence to sell fish
- Application for licence to undertake aquaculture using a facility that exceeds the aquaculture capacity limit
- Application for licence to import or export live fish or both – for a commercial purpose only
- Application for licence to traffic in a commercial quantity of fish of a priority species

- Application for licence to take a commercial quantity of fish of a priority species
- Application for licence to possess a commercial quantity of fish of a priority species

The instrument commences on 1 July 2023.

This instrument revokes the *Fisheries (Fees) Determination 2022* (DI2022-140).

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 section 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.