



## Fisheries Levy Amendment Bill 2007

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## Fisheries Levy Amendment Bill 2007

**Date introduced:** 23 May 2007

**House:** House of Representatives

**Portfolio:** Agriculture, Fisheries and Forestry

**Commencement:** The majority of the Bill commences on the same date as Schedule 3 to the *Fisheries Legislation Amendment Act 2007* commences.

### Purpose

To amend the *Fisheries Levy Act 1984* to ensure that levies can be collected in the Torres Strait fisheries, in accordance with new management arrangements which are being introduced through the Fisheries Legislation Amendment Bill 2007 (see the [Bills Digest](#) by Angus Martyn, 30 May 2007).<sup>1</sup>

### Background

#### Basis of policy commitment

The Fisheries Legislation Amendment Bill 2007 will make significant changes to the Commonwealth's fisheries legislation if passed.

The amendments regarding levy arrangements are contained in a separate Bill because levies are a form of taxation and, under the Constitution, require separate legislation.

### Financial implications

The Explanatory Memorandum states that the new levy arrangements for the management arrangements under the *Torres Strait Fisheries Act 1984* (the TSFA) are on a cost-recovery basis, consistent with Australian and Torres Strait Protected Zone Joint Authority policy.<sup>2</sup>

**Warning:**

*This Digest was prepared for debate. It reflects the legislation as introduced and does not canvass subsequent amendments.*

*This Digest does not have any official legal status. Other sources should be consulted to determine the subsequent official status of the Bill.*

## Main provisions

Schedule 1 to the Bill contains amendments to the *Fisheries Levy Act 1984* (the Levy Act).

**Item 1** inserts into subsection 3(1) of the Levy Act a reference to section 15A of the TSFA. This will enable regulations made under section 8(2) of the Levy Act to account for arrangements made in management plans, which are to be implemented from 2008 as part of the reforms contained in the Fisheries Legislation Amendment Bill 2007.

The other items in Schedule 1 are technical and consequential amendments flowing from the cognate legislation.

## Endnotes

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1. Angus Martyn, *Bills Digest: Fisheries Legislation Amendment Bill 2007*, Department of Parliamentary Services, 30 May 2007, at: <http://www.aph.gov.au/library/pubs/bd/2006-07/07bd168.pdf>.
2. Explanatory Memorandum, p. 2.

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