1996 No 311

New South Wales

Fisheries Management (General) Amendment (Share Management Fees) Regulation 1996

under the

Fisheries Management Act 1994

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Fisheries Management Act 1994*.

BOB MARTIN

Minister for Mineral Resources and Minister for Fisheries

Explanatory note

The object of this Regulation is to prescribe the fees that are payable in respect of the following:

(a) an application for registration of a transaction that purports to have the effect of transferring, assigning, transmitting, mortgaging or otherwise creating an interest in a share in a share management fishery,

(b) the inspection of the Share Register kept under the Act or of copies of registered dealings in shares retained in accordance with the Act.

The Regulation also provides that the Director of NSW Fisheries may issue documents under seal.

This Regulation is made under the *Fisheries Management Act 1994*, including section 91 (3) (d) (relating to registration of dealings in shares), section 97 (1) (relating to inspection of the Share Register and registered documents) and section 289 (the general regulation making power).

Fisheries Management (General) Amendment (Share Management Fees) Regulation 1996

1 Name of Regulation

This Regulation is the *Fisheries Management (General) Amendment (Share Management Fees) Regulation 1996*.

2 Amendment of Fisheries Management (General) Regulation 1995

The *Fisheries Management (General) Regulation 1995* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment of Fisheries Management (General) Regulation 1995

(Clause 3)

[1] Clauses 134A and 134B

Insert after clause 134:

134A Fee for registration of dealings in shares

For the purposes of section 91 (3) (d) of the Act:

(a) the prescribed fee in respect of an application for registration of a transaction that purports to have the effect of transferring, assigning or transmitting a share is $150, and

(b) the prescribed fee in respect of an application for registration of a transaction that purports to have the effect of mortgaging or otherwise creating an interest in a share (other than a transaction referred to in paragraph (a)) is $300.

134B Fee for inspection of Share Register and registered documents

(1) For the purposes of section 97 (1) of the Act:

(a) the prescribed fee for inspection of the Share Register is:

(i) in the case of an inspection that is conducted with the assistance of an officer of. NSW Fisheries, $10 for each entry inspected, and

(ii) in any other case, nil, and

(b) the prescribed fee for inspection of copies of the documents retained by the Director under section 91 of the Act is $50 in relation to each document that is inspected.

(2) In the case of an inspection of more than one entry in the Register or more than one document retained under section 91 of the Act, the Director may, having regard to the time taken by officers of NSW Fisheries to assist in the inspection, reduce the fee payable under this clause.

[2] Part 11, Division 1

Renumber Division 1 of Part 11 as Division 1A.
Insert before that Division (as so renumbered):

Division 1 The Director

229A Seal of the Director

(1) The Director is to have a seal.

(2) The seal may be used for official purposes, including to certify the issue of a document (such as a share in a share management fishery) under the Act.