Agriculture and Fisheries Legislation Amendment Regulation (No. 1) 2012

Subordinate Legislation 2012 No. 92

made under the
Agricultural Chemicals Distribution Control Act 1966
Animal Care and Protection Act 2001
Animal Management (Cats and Dogs) Act 2008
Apiaries Act 1982
Brands Act 1915
Chemical Usage (Agricultural and Veterinary) Control Act 1988
Drugs Misuse Act 1986
Fisheries Act 1994
Land Protection (Pest and Stock Route Management) Act 2002
Nature Conservation Act 1992
Stock Act 1915
Veterinary Surgeons Act 1936

Contents

<table>
<thead>
<tr>
<th>Part</th>
<th>Preliminary</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Short title</td>
<td>4</td>
</tr>
<tr>
<td>2</td>
<td>Commencement</td>
<td>4</td>
</tr>
<tr>
<td>Part 2</td>
<td>Amendment of Agricultural Chemicals Distribution Control Act 1998</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Regulation amended</td>
<td>4</td>
</tr>
<tr>
<td>4</td>
<td>Replacement of sch 2 (Fees)</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>Schedule 2</td>
<td></td>
</tr>
<tr>
<td>Schedule 2 Fees</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Part 3</td>
<td>Amendment of Animal Care and Protection Regulation 2002</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Regulation amended</td>
<td>5</td>
</tr>
</tbody>
</table>
## Contents

<table>
<thead>
<tr>
<th>Part</th>
<th>Amendment of</th>
<th>Regulation</th>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>Animal Management (Cats and Dogs)</td>
<td>2009</td>
<td>7</td>
<td>7</td>
</tr>
<tr>
<td>6</td>
<td>Fees</td>
<td></td>
<td></td>
<td>5</td>
</tr>
<tr>
<td>7</td>
<td>Regulation amended</td>
<td></td>
<td></td>
<td>7</td>
</tr>
<tr>
<td>8</td>
<td>Amendment of s 4 (Requirements for PPIDs—Act, s 12)</td>
<td></td>
<td></td>
<td>7</td>
</tr>
<tr>
<td>9</td>
<td>Amendment of sch 3 (Fees)</td>
<td></td>
<td></td>
<td>7</td>
</tr>
<tr>
<td>10</td>
<td>Amendment of sch 5 (Dictionary)</td>
<td></td>
<td></td>
<td>8</td>
</tr>
<tr>
<td>5</td>
<td>Apiaries Regulation 1998</td>
<td></td>
<td></td>
<td>8</td>
</tr>
<tr>
<td>11</td>
<td>Regulation amended</td>
<td></td>
<td></td>
<td>8</td>
</tr>
<tr>
<td>12</td>
<td>Amendment of s 25 (Registration fee)</td>
<td></td>
<td></td>
<td>8</td>
</tr>
<tr>
<td>6</td>
<td>Brands Regulation 1998</td>
<td></td>
<td></td>
<td>9</td>
</tr>
<tr>
<td>13</td>
<td>Regulation amended</td>
<td></td>
<td></td>
<td>9</td>
</tr>
<tr>
<td>14</td>
<td>Replacement of sch 7 (Fees)</td>
<td></td>
<td></td>
<td>9</td>
</tr>
<tr>
<td>7</td>
<td>Chemical Usage (Agricultural and Veterinary) Control Regulation 1999</td>
<td></td>
<td></td>
<td>10</td>
</tr>
<tr>
<td>15</td>
<td>Regulation amended</td>
<td></td>
<td></td>
<td>10</td>
</tr>
<tr>
<td>16</td>
<td>Amendment of s 5 (Definitions for pt 3)</td>
<td></td>
<td></td>
<td>10</td>
</tr>
<tr>
<td>17</td>
<td>Amendment of s 27 (Hourly fee)</td>
<td></td>
<td></td>
<td>10</td>
</tr>
<tr>
<td>8</td>
<td>Drugs Misuse Regulation 1987</td>
<td></td>
<td></td>
<td>11</td>
</tr>
<tr>
<td>18</td>
<td>Regulation amended</td>
<td></td>
<td></td>
<td>11</td>
</tr>
<tr>
<td>19</td>
<td>Amendment of s 7 (Details about supply of controlled substance or controlled thing to be recorded in register)</td>
<td></td>
<td></td>
<td>11</td>
</tr>
<tr>
<td>20</td>
<td>Amendment of s 10 (Operation of pt 4 and schs 7 and 8)</td>
<td></td>
<td></td>
<td>11</td>
</tr>
<tr>
<td>21</td>
<td>Amendment of s 28 (Licence fees)</td>
<td></td>
<td></td>
<td>11</td>
</tr>
<tr>
<td>9</td>
<td>Fisheries Regulation 2008</td>
<td></td>
<td></td>
<td>12</td>
</tr>
<tr>
<td>22</td>
<td>Regulation amended</td>
<td></td>
<td></td>
<td>12</td>
</tr>
<tr>
<td>23</td>
<td>Amendment of s 709 (What is the relevant assessment fee)</td>
<td></td>
<td></td>
<td>12</td>
</tr>
<tr>
<td>10</td>
<td>Land Protection (Pest and Stock Route Management) Regulation 2003</td>
<td></td>
<td></td>
<td>13</td>
</tr>
<tr>
<td>25</td>
<td>Regulation amended</td>
<td></td>
<td></td>
<td>13</td>
</tr>
<tr>
<td>26</td>
<td>Amendment of s 7 (Scientific names)</td>
<td></td>
<td></td>
<td>13</td>
</tr>
<tr>
<td>27</td>
<td>Amendment of sch 5 (Fees)</td>
<td></td>
<td></td>
<td>14</td>
</tr>
</tbody>
</table>
### Part 11  
**Amendment of Nature Conservation (Administration) Regulation 2006**  
28 Regulation amended ................................. 14  
29 Amendment of s 53 (Suspending relevant authority other than immediately or cancelling relevant authority—grounds) .......... 14  
30 Amendment of sch 3 (Fees) ............................. 15

### Part 12  
**Amendment of Stock Regulation 1988**  
31 Regulation amended ................................. 15  
32 Replacement of sch 7 (Fees) .......................... 15  
Schedule 7 Fees

### Part 13  
**Amendment of Veterinary Surgeons Regulation 2002**  
33 Regulation amended ................................. 18  
34 Amendment of sch 2 (Specialist veterinary qualifications) .... 18  
35 Replacement of sch 3 (Fees) .......................... 18  
Schedule 3 Fees
Part 1 Preliminary

1 Short title

This regulation may be cited as the Agriculture and Fisheries Legislation Amendment Regulation (No. 1) 2012.

2 Commencement

This regulation commences on 1 July 2012.

Part 2 Amendment of Agricultural Chemicals Distribution Control Regulation 1998

3 Regulation amended

This part amends the Agricultural Chemicals Distribution Control Regulation 1998.

4 Replacement of sch 2 (Fees)

Schedule 2—

*omit, insert*—
Schedule 2 Fees

section 45

$ 1 Examination fee for commercial operator’s licence or pilot chemical rating licence ................................. 29.75

2 Issue of aerial distribution contractor licence, commercial operator’s licence, ground distribution contractor’s licence or pilot chemical rating licence—
   (a) for 1 year ............................................................... 26.95
   (b) for 3 years ........................................................... 63.35

3 Renewal of aerial distribution contractor licence, commercial operator’s licence, ground distribution contractor’s licence or pilot chemical rating licence—
   (a) for 1 year ............................................................... 18.15
   (b) for 3 years ........................................................... 54.55’.

Part 3 Amendment of Animal Care and Protection Regulation 2002

5 Regulation amended

This part amends the Animal Care and Protection Regulation 2002.

6 Replacement of sch 2 (Fees)

Schedule 2—

omit, insert—
## Schedule 2 Fees

### section 3E

<table>
<thead>
<tr>
<th></th>
<th>Application for registration (Act, s 52(2)(d))—</th>
</tr>
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<tbody>
<tr>
<td>1</td>
<td>for an individual. .................................. 660.30</td>
</tr>
<tr>
<td></td>
<td>for the State, to the extent the application relates to all State Schools. ..................... 322.05</td>
</tr>
<tr>
<td></td>
<td>for a corporation or corporation sole that carries on, or is the governing body of, a primary or secondary school. .................................................. 322.05</td>
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<tr>
<td></td>
<td>for another corporation or a public authority, if the corporation or authority has—</td>
</tr>
<tr>
<td></td>
<td>(i) fewer than 10 employees ......................... 660.30</td>
</tr>
<tr>
<td></td>
<td>(ii) 10 to 50 employees ............................. 991.15</td>
</tr>
<tr>
<td></td>
<td>(iii) more than 50 employees ....................... 1 320.80</td>
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<tr>
<td>2</td>
<td>Copy of register (Act, s 62(c)). ...................... 39.50</td>
</tr>
<tr>
<td>3</td>
<td>Application for replacement registration certificate (Act, s 88(2)) .................................... 65.90</td>
</tr>
<tr>
<td>4</td>
<td>Application for approval to use animal for unlawful scientific purpose (Act, s 93(2)) ..................... 660.30’</td>
</tr>
</tbody>
</table>
Part 4 Amendment of Animal Management (Cats and Dogs) Regulation 2009

7 Regulation amended
This part amends the Animal Management (Cats and Dogs) Regulation 2009.

8 Amendment of s 4 (Requirements for PPIDs—Act, s 12)
(1) Section 4(2)(c), editor’s notes—
omit.
(2) Section 4(3), definitions AS 5018-2001 and AS 5019-2001—
omit, insert—


9 Amendment of sch 3 (Fees)
(1) Schedule 3, ‘Licence fees’—
omit.
(2) Schedule 3, items 1 and 2—
omit, insert—

1 Application for, or for renewal of, a licence for 1 year (each the initial period) (Act, section 143(2)(b) or 155(2)(c))................................. 828.00

2 Fee for each subsequent year of the duration of a licence after the initial period, payable before the subsequent year starts............................................... 828.00’.

10 Amendment of sch 5 (Dictionary)

Schedule 5—

insert—

‘yellow means the colour yellow complying with AS 1319-1994 ‘Safety signs for the occupational environment’, paragraph 3.5 (Sign face materials and colours), as in force on 1 July 2009.’.

Part 5 Amendment of Apiaries Regulation 1998

11 Regulation amended

This part amends the Apiaries Regulation 1998.

12 Amendment of s 25 (Registration fee)

Section 25, ‘$13.35’—

omit, insert—

‘$13.80’.
Part 6 Amendment of Brands Regulation 1998

13 Regulation amended

This part amends the *Brands Regulation 1998*.

14 Replacement of sch 7 (Fees)

Schedule 7—

*omit, insert*—

‘Schedule 7 Fees

section 9

<table>
<thead>
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<th>Description</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Registration of a 3-piece horse and cattle brand</td>
<td>85.35</td>
</tr>
<tr>
<td>2</td>
<td>Registration of a cattle earmark</td>
<td>85.35</td>
</tr>
<tr>
<td>3</td>
<td>Registration of a symbol brand</td>
<td>247.65</td>
</tr>
<tr>
<td>4</td>
<td>Transfer of a 3-piece horse and cattle brand</td>
<td>40.95</td>
</tr>
<tr>
<td>5</td>
<td>Transfer of a symbol brand</td>
<td>40.95</td>
</tr>
<tr>
<td>6</td>
<td>Registration of a pig brand</td>
<td>40.95</td>
</tr>
<tr>
<td>7</td>
<td>Transfer of a pig brand</td>
<td>40.95</td>
</tr>
<tr>
<td>8</td>
<td>Registration of a sheep letter or numeral fire brand</td>
<td>85.35</td>
</tr>
<tr>
<td>9</td>
<td>Registration of a sheep letter or numeral paint brand</td>
<td>85.35</td>
</tr>
<tr>
<td>10</td>
<td>Registration of a sheep symbol fire brand</td>
<td>92.70</td>
</tr>
<tr>
<td>11</td>
<td>Registration of a sheep symbol paint brand</td>
<td>92.70</td>
</tr>
<tr>
<td>12</td>
<td>Registration of a sheep earmark</td>
<td>85.35</td>
</tr>
<tr>
<td>13</td>
<td>Transfer of a sheep letter or numeral fire brand</td>
<td>40.95</td>
</tr>
<tr>
<td>14</td>
<td>Transfer of a sheep letter or numeral paint brand</td>
<td>40.95</td>
</tr>
<tr>
<td>15</td>
<td>Transfer of a sheep symbol fire brand</td>
<td>40.95</td>
</tr>
</tbody>
</table>
15 Regulation amended
This part amends the Chemical Usage (Agricultural and Veterinary) Control Regulation 1999.

16 Amendment of s 5 (Definitions for pt 3)
Section 5, definition MRL standard, ‘APVMA’—
*omit, insert—
‘Australian Pesticides and Veterinary Medicines Authority (APVMA)’.

17 Amendment of s 27 (Hourly fee)
(1) Section 27(2)(a), ‘$39.00’—
*omit, insert—
‘$40.35’.
(2) Section 27(2)(b), ‘$58.65’—
*omit, insert—
‘$60.70’.
(3) Section 27(3), ‘$78.15’—
   *omit, insert—*
   ‘$80.85’.

---

Part 8 Amendment of Drugs Misuse Regulation 1987

18 Regulation amended

This part amends the *Drugs Misuse Regulation 1987*.

19 Amendment of s 7 (Details about supply of controlled substance or controlled thing to be recorded in register)

Section 7(3), editor’s note—
   *omit, insert—*
   ‘*Note—*
   See section 43D(1)(c) of the Act for the requirement to keep the register.’.

20 Amendment of s 10 (Operation of pt 4 and schs 7 and 8)

Section 10(3), editor’s note—
   *omit, insert—*
   ‘*Note—*
   See section 46 of the Act for definitions for pt 5B of the Act.’.

21 Amendment of s 28 (Licence fees)

(1) Section 28(1), ‘$382.75’—
   *omit, insert—*
   ‘$396.10’.
(2) Section 28(2), ‘$153.10’—

*omit, insert*—

‘$158.45’.

### Part 9 Amendment of Fisheries Regulation 2008

#### 22 Regulation amended

This part amends the *Fisheries Regulation 2008*.

#### 23 Amendment of s 709 (What is the *relevant assessment fee*?)

Section 709(1)—

*omit, insert*—

‘(1) For schedule 8, the *relevant assessment fee* for an assessment of an application is, for an application requiring—

(a) a level 1 assessment—$489.45; or

(b) a level 2 assessment—$1507.55; or

(c) a level 3 assessment—$2889.55; or

(d) a level 4 assessment—$5903.70; or

(e) a level 5 assessment—$14697.30.’.

#### 24 Amendment of sch 8 (Fees relating to development under Planning Act)

(1) Schedule 8, parts 1 and 4, ‘472.90’—

*omit, insert*—

‘489.45’.
(2) Schedule 8, part 4, item 3(a), ‘1 456.60’—
   omit, insert—
   ‘1 507.55’.

(3) Schedule 8, part 4, item 3(b), ‘2 791.85’—
   omit, insert—
   ‘2 889.55’.

Part 10 Amendment of Land Protection (Pest and Stock Route Management) Regulation 2003

25 Regulation amended
This part amends the Land Protection (Pest and Stock Route Management) Regulation 2003.

26 Amendment of s 7 (Scientific names)
(1) Section 7(a)(i)—
   omit, insert—

(2) Section 7(b)(ii), ‘Sydney’—
   omit, insert—
   ‘Melbourne’.


27 Amendment of sch 5 (Fees)

Schedule 5, items 1 and 2—

omit, insert—

1 Declared pest permit (Act, s 58(2)(b)(i))—
(a) for a purpose mentioned in schedule 3, part 1, 4 or 5—
   (i) application fee ........................................ 266.50
   (ii) permit fee ............................................. 199.80
(b) for another purpose mentioned in schedule 3—
   (i) application fee ........................................ 39.80
   (ii) permit fee ............................................. 79.85

2 Inspecting register of pest control and entry notices (Act, s 86(3)) ........................................ 13.10’.

Part 11 Amendment of Nature Conservation (Administration) Regulation 2006

28 Regulation amended

This part amends the Nature Conservation (Administration) Regulation 2006.

29 Amendment of s 53 (Suspending relevant authority other than immediately or cancelling relevant authority—grounds)

(1) Section 53(f), ‘chief”—

omit, insert—

‘chief executive’.

Page 14
(2) Section 53(h), example—

*omit, insert—*

‘Example for paragraph (h)—

Environmental factors have affected the availability of public access to a protected area for which the relevant authority is granted and the relevant authority currently restricts the remaining public access to the area.’.

30 Amendment of sch 3 (Fees)

Schedule 3, part 2, division 1, items 8 and 9—

*omit, insert—*

8 Wildlife demonstrator licence—

(a) for a term of 1 month or less ...................... 148.20
(b) for a term of more than 1 month but not more than 1 year .................................................... 722.40
(c) for a term of more than 1 year ...................... 2 063.75

9 Wildlife exhibitor licence—

(a) for a term of 1 month or less ...................... 218.15
(b) for a term of more than 1 month but not more than 1 year .................................................... 1 096.05
(c) for a term of more than 1 year ...................... 3 138.10’.

Part 12 Amendment of Stock Regulation 1988

31 Regulation amended

This part amends the *Stock Regulation 1988*.

32 Replacement of sch 7 (Fees)

Schedule 7—
omit, insert—

‘schedule 7    fees

section 68

1 Dipping stock for cattle tick at a dip operated by the State—
   (a) cattle or horses, for each animal ................. 0.75
   (b) sheep, calves, goats or deer, for each animal .... 0.50
   (c) minimum fee for each consignment ................ 11.25

2 For an inspector supervising the treatment of horses for cattle tick using equipment and acaricide supplied by the State—
   (a) at the inspector’s office, for each horse ........... 10.30
       (i) first or only horse in the consignment ......... 16.75
       (ii) next 4 horses in the consignment, for each horse .............................. 11.25
       (iii) each additional horse in the consignment .... 9.45
   (b) not more than 16km from the inspector’s office—
       (i) first or only horse in the consignment ......... 20.65
       (ii) next 4 horses in the consignment, for each horse .............................. 12.55
       (iii) each additional horse in the consignment .... 11.25

3 For an inspector supervising the treatment of alpacas, buffalo, camels, cattle, deer, goats, guanacos, llamas, sheep or vicunas for cattle tick using equipment and acaricide supplied by the State—
   (a) at the inspector’s office—
       (i) for each animal................................. 3.95
       (ii) minimum fee for each consignment............ 12.10
   (b) not more than 16km from the inspector’s office—
       (i) first or only animal in the consignment ....... 7.40
5.30
3.15
23.15

(ii) next 4 animals in the consignment, for each animal
(iii) each additional animal in the consignment
(iv) minimum fee for each consignment

(c) more than 16km from the inspector’s office—
(i) first or only animal in the consignment
(ii) next 4 animals in the consignment, for each animal
(iii) each additional animal in the consignment
(iv) minimum fee for each consignment

4 For an inspector supervising the treatment (using equipment and acaricide not supplied by the State) or making a manual or visual inspection, for cattle tick of alpacas, buffalo, camels, cattle, deer, goats, guanacos, llamas, sheep or vicunas outside the Queensland cattle tick infected zone—

(a) at the inspector’s office—
(i) for each animal
(ii) minimum fee for each consignment

(b) not more than 16km from the inspector’s office—
(i) first or only animal in the consignment
(ii) next 4 animals in the consignment, for each animal
(iii) each additional animal in the consignment
(iv) minimum fee for each consignment

(c) more than 16km from the inspector’s office—
(i) first or only animal in the consignment
(ii) next 4 animals in the consignment, for each animal
(iii) each additional animal in the consignment
(iv) minimum fee for each consignment

5 For an inspector supervising the disinfection of a vehicle to prevent or avoid the spread of disease using acaricide supplied by the State—

(a) if the vehicle’s tare is not over 1t

$
Part 13 Amendment of Veterinary Surgeons Regulation 2002

33 Regulation amended

This part amends the Veterinary Surgeons Regulation 2002.

34 Amendment of sch 2 (Specialist veterinary qualifications)

(1) Schedule 2, part 1, item 1, paragraph (c), ‘Veterinary’—

\[\text{omit}\]

(2) Schedule 2, part 1, item 1, paragraph (d), ‘Radiologists’—

\[\text{omit, insert—}\]

‘Radiology’.

(3) Schedule 2, part 1, item 1, paragraph (g), ‘Pathology’—

\[\text{omit, insert—}\]

‘Pathologists’.

35 Replacement of sch 3 (Fees)

Schedule 3—

\[\text{omit, insert—}\]
‘Schedule 3  Fees

section 29

<table>
<thead>
<tr>
<th></th>
<th>Registration as—</th>
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<tbody>
<tr>
<td>1</td>
<td>(a) a veterinary surgeon—</td>
</tr>
<tr>
<td></td>
<td>(i) primary registration 67.65</td>
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<tr>
<td></td>
<td>(ii) secondary registration 33.60</td>
</tr>
<tr>
<td></td>
<td>(b) a veterinary specialist—</td>
</tr>
<tr>
<td></td>
<td>(i) primary registration 135.45</td>
</tr>
<tr>
<td></td>
<td>(ii) secondary registration 67.65</td>
</tr>
<tr>
<td></td>
<td>(c) a veterinary surgeon for a limited period, under section 19B of the Act 26.90</td>
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<tr>
<td>2</td>
<td>Restoration of name, under section 17(5) of the Act, to—</td>
</tr>
<tr>
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<td>(a) the register of veterinary surgeons 121.85</td>
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<tr>
<td></td>
<td>(b) the register of veterinary specialists 121.85</td>
</tr>
<tr>
<td>3</td>
<td>Duplicate certificate of registration 40.45</td>
</tr>
<tr>
<td>4</td>
<td>Approval under section 18A of the Act, for each 12 month period 148.95</td>
</tr>
<tr>
<td>5</td>
<td>Fee for an application under section 19E(2)(b) of the Act for special registration as—</td>
</tr>
<tr>
<td></td>
<td>(a) a veterinary surgeon 67.65</td>
</tr>
<tr>
<td></td>
<td>(b) a veterinary specialist 135.45</td>
</tr>
<tr>
<td>6</td>
<td>Fee under section 19E(3)(a) of the Act for special registration as—</td>
</tr>
<tr>
<td></td>
<td>(a) a veterinary surgeon 148.95</td>
</tr>
<tr>
<td></td>
<td>(b) a veterinary specialist 148.95</td>
</tr>
<tr>
<td>7</td>
<td>Annual fee—</td>
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<td>(a) for a veterinary surgeon who—</td>
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<td>(i) is 55 years or older; and</td>
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<tr>
<td></td>
<td>(ii) is not engaged in the practice of veterinary science; and</td>
</tr>
<tr>
<td></td>
<td>(iii) is resident in the Commonwealth 48.60</td>
</tr>
</tbody>
</table>
(b) for another veterinary surgeon—
   (i) primary registration ......................... 148.95
   (ii) secondary registration ....................... 74.40
8 Additional annual fee for a veterinary specialist—
   (a) primary registration .......................... 148.95
   (b) secondary registration ....................... 74.40
9 Application under section 25A of the Act for approval to use premises as veterinary premises—
   (a) for the application ........................... 135.45
   (b) if the board requires the premises to be inspected under section 25B(b) of the Act—for the inspection. . 271.10'.