

Conservation Amendment Act 2000

Public Act 2000 No 56
Date of assent 14 November 2000

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The Parliament of New Zealand enacts as follows:

1 Title

- (1) This Act is the Conservation Amendment Act 2000.
- (2) In this Act, the Conservation Act 1987 is called “the principal Act”.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

3 Restrictions on fishing

Section 26ZL(2) of the principal Act is amended by omitting the word “Minister”, and substituting the word “Director-General”.

4 New section 26ZQA inserted

The principal Act is amended by inserting, after section 26ZQ, the following section:

“26ZQA Possessing certain kinds of fish without approval

- “(1) In this section, **restricted fish** means—
- “(a) live grass carp; or
 - “(b) live silver carp.
- “(2) The Minister of Conservation may approve a person’s possession of restricted fish.
- “(3) The following provisions apply when the approval of the Minister of Conservation is required under subsection (2):
- “(a) the applicant must advertise, on at least 2 consecutive Saturdays in at least 1 newspaper circulating in the area concerned, the intention to possess the fish:
 - “(b) every advertisement under paragraph (a) must state that submissions or objections in respect of its subject-matter should be sent to the Director-General:
 - “(c) the Director-General may require an applicant to provide an environmental impact assessment report before the Minister grants approval.
- “(4) A person who possesses restricted fish must have at least 1 of the following approvals relating to the person who possesses the fish and to the kind of fish the person possesses:
- “(a) an approval under subsection (2):
 - “(b) an approval under section 26ZM(2):
 - “(c) an approval under section 26ZM(3).
- “(5) Every person commits an offence, and is liable to a fine not exceeding \$5,000, who, without reasonable cause, knowingly possesses restricted fish—
- “(a) knowing that none of the approvals described in subsection (4) has been given; or
 - “(b) being reckless as to whether or not any of those approvals has been given.

“(6) Section 43B does not apply to an offence under subsection (5).”

5 Regulations

Section 48(1)(m) of the principal Act is amended by omitting the words “reimburse travelling”, and substituting the words “pay travelling and other”.

6 Powers of Director-General

Section 53(2) of the principal Act is amended by omitting the words “but, in the case of a protected area, subject to the purposes for which it is held,”.

Legislative history

9 November 2000

Divided from the Statutes Amendment Bill (No 7) as reported from the Justice and Electoral Committee (Bill 334-A2), third reading
