



Maori Commercial Aquaculture Claims Settlement Amendment Act 2008

Public Act 2008 No 94
Date of assent 27 September 2008
Commencement see section 2

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The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Maori Commercial Aquaculture Claims Settlement Amendment Act 2008.
- 2 Commencement**
This Act comes into force on the day after the date on which it receives the Royal assent.
- 3 Principal Act amended**
This Act amends the Maori Commercial Aquaculture Claims Settlement Act 2004.

4 Interpretation

- (1) The definition of **new space** in section 4 is amended by repealing paragraph (a)(ii) and substituting the following subparagraph:
 - “(ii) space in the aquaculture management area that, at the date on which the relevant regional council identifies the new space under section 9(1), is subject to—
 - “(A) an application for occupation of the coastal marine area for the purpose of an aquaculture activity that was made after 31 December 2004 and before the close of 9 May 2006; or
 - “(B) an application to which section 150B(2) of the Resource Management Act 1991 applies; but”.
- (2) The definition of **new space** in section 4 is amended by repealing paragraphs (b) and (c) and substituting the following paragraph:
 - “(b) does not include space that is pre-commencement space as defined in section 20; and”.
- (3) The definition of **new space** in section 4 is amended by repealing paragraph (d) and substituting the following paragraph:
 - “(d) does not include space in an aquaculture management area if, before the space is made available for applications for coastal permits or allocations of authorisations, the regional council complied with section 9(1); and”.
- (4) The definition of **new space** in section 4 is amended by inserting the following paragraph after paragraph (d):
 - “(da) does not include space in an aquaculture management area if the space is in a proposed regional coastal plan or in a proposed change to a regional coastal plan, and the space is in an aquaculture management area in the operative regional coastal plan; and”.
- (5) The definition of **new space** in section 4 is amended by adding “; but” to paragraph (e) and by also adding the following paragraph:
 - “(f) does include space if—

- “(i) the space was in an aquaculture management area in a regional coastal plan; and
 - “(ii) the space was new space for the purposes of section 9(1); and
 - “(iii) authorisations and coastal permits have been allocated or granted in respect of the space, including the trustee; and
 - “(iv) the space subsequently ceases to be in an aquaculture management area; and
 - “(v) all coastal permits granted in respect of the space have expired and no further coastal permits have been granted in respect of the space; and
 - “(vi) the space is included in an aquaculture management area in a subsequent regional coastal plan.”
- (6) Section 4 is amended by inserting the following definition in its appropriate alphabetical order:
- “**regional council** has the same meaning as in section 2(1) of the Resource Management Act 1991”.

Legislative history

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| 23 September 2008 | Divided from Aquaculture Legislation Amendment Bill (Bill 239–2) by committee of the whole House |
| 23 September 2008 | Third reading |
| 27 September 2008 | Royal assent |

This Act is administered by the Ministry for the Environment.
