

FISHERIES ACT 1983 AMENDMENT BILL (NO. 2)

AS REPORTED FROM THE COMMITTEE OF THE WHOLE HOUSE

This bill was formerly part of the Fisheries Amendment Bill (No. 3) as reported from the Primary Production Committee. The committee of the whole House has further amended the bill and has divided it into the following bills:

- The Fisheries Act 1996 Amendment Bill (No. 2), comprising Part 1 and the Schedule
 - The Antarctic Marine Living Resources Amendment Bill, comprising Part 2
 - This bill, comprising Part 3
 - The Tokelau (Territorial Sea and Exclusive Economic Zone) Amendment Bill, comprising Part 4
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KEY TO SYMBOLS USED IN REPRINTED BILL
AS REPORTED FROM A SELECT COMMITTEE

New (Unanimous)

Subject to this Act,

Text inserted unanimously

Hon John Luxton

FISHERIES ACT 1983 AMENDMENT (NO. 2)

ANALYSIS

Title	
1. Short Title and commencement	42A. Taking of fish in excess of quota, and carrying forward of unused quota
41. Interpretation	43. Taking fish, etc, commercially without permit prohibited
42. Prohibitions and requirements relating to dumping or retention of quota management system fish	

A BILL INTITULED

An Act to amend the Fisheries Act 1983

BE IT ENACTED by the Parliament of New Zealand as follows:

5 **1. Short Title and commencement**—(1) This Act may be cited as the Fisheries Act 1983 Amendment Act (No. 2) 1999, and is part of the Fisheries Act 1983 (“the principal Act”).

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

10 **41. Interpretation**—Section 2(1) of the principal Act is amended by inserting, after the definition of the term “Foveaux Strait dredge oyster fishery”, the following definition:
 “‘Freshwater eel’ means the species *Anguilla australis*, *Anguilla dieffenbachii*, and *Anguilla reinhardtii*, in all areas in New Zealand fisheries waters.”

15 **42. Prohibitions and requirements relating to dumping or retention of quota management system fish**—Section 28ZB(1) of the principal Act is amended by inserting, after paragraph (a), the following paragraph:

20 “(aa) Any freshwater eel of legal size subject to the quota management system that is dead or unlikely to survive if returned to the sea.”

New (Unanimous)

42A. Taking of fish in excess of quota, and carrying forward of unused quota—Section 28v (11) of the principal Act is amended by adding the words “, or eels”.

43. Taking fish, etc, commercially without permit prohibited—(1) Section 62 of the principal Act is amended by inserting, after subsection (1AE), the following subsection:

“(1AEA) Subsections (1AA) to (1AG) do not apply to freshwater eels that are subject to the quota management system.”

(2) Section 62 (1AH) of the principal Act is repealed. 10