



THE FISHERIES ACT COMMENCEMENT ORDER (NO. 2) 1996

MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 16th day of September 1996

Present:

THE RIGHT HON. DON MCKINNON PRESIDING IN COUNCIL

PURSUANT to section 1 (2) of the Fisheries Act 1996, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following order.

ORDER

1. Title—This order may be cited as the Fisheries Act Commencement Order (No. 2) 1996.

2. Commencement of certain provisions of Fisheries Act 1996 on 1 October 1996—The provisions of the Fisheries Act 1996 that are specified in the Schedule to this order shall come into force on the 1st day of October 1996.

SCHEDULE
PROVISIONS OF FISHERIES ACT 1996 THAT COME INTO FORCE ON
1 OCTOBER 1996

Provisions	Brief Description
Part I (comprising sections 2 to 7)	General preliminary provisions.
Part II (comprising sections 8 to 10)	Purpose and principles of Act.
Part III (comprising sections 11 to 16)	Sustainability measures.
Part IX (comprising sections 174 to 186)	Taiapure-local fisheries and customary fisheries.
Sections 187 to 190	Weights, conversion factors, records, and returns, etc.
Part XIV (comprising sections 261 to 275)	Cost recovery.
Sections 276 to 282 ...	National Fisheries Advisory Council.
Sections 294 to 296 ...	Administration generally.
Sections 297 to 311 ...	Miscellaneous provisions (including regulation-making powers, protection of the Crown, southern scallop enhancement programmes).
Section 314 (1) (h), (i), (o), (p), (s), (ze), (zk), and (zm)	Repeal of various provisions of Fisheries Act 1983.
Sections 316 to 318 ...	Amendments to other Acts and regulations.
Section 322 ...	Relationship between offence provisions of Fisheries Act 1983 and Fisheries Act 1986.
Section 324 ...	Savings relating to rock lobster regulations.
Section 327 ...	Savings related to commodity levy orders.
Section 329 ...	Validation of certain decisions relating to permits.
Section 330 ...	Certain fishing restrictions may affect quota management areas.
Section 334 ...	Conversion of transferable term quota (rock lobster).
Section 335 ...	Savings relating to quota appeals.
Section 353 ...	Statutory debts under Fisheries Act 1983.
Section 360 ...	Provisions relating to taiapure-local fisheries.
Section 361 ...	Transitional offences and penalties.
Section 365 ...	Transitional provision relating to cost recovery.
Section 366 ...	Southern scallop enhancement programme.
Section 367 ...	Allocation of jack mackerel quota.
Section 368 ...	Nelson-Marlborough dredge oyster quota.
Section 370 ...	Transitional provision relating to performance of functions by outside agencies.

SCHEDULE—*continued*PROVISIONS OF FISHERIES ACT 1996 THAT COME INTO FORCE ON
1 OCTOBER 1996—*continued*

Provisions	Brief Description
First Schedule	Fishery management and quota management areas defined.
Second Schedule	Stocks whose abundance is highly variable.
Third Schedule	Stocks managed with an alternative total allowable catch.
Ninth Schedule, Parts I, II, and III	Allocation of quota for jack mackerel, Nelson-Marlborough dredge oysters, and Northland scallops.
Tenth Schedule	Levies.
Twelfth Schedule, Parts I, II, III, and VII	Certain amendments to other Acts.

MARIE SHROFF,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the order, but is intended to indicate its general effect.

This order brings into force, on 1 October 1996, a number of provisions of the Fisheries Act 1996.

A brief description of the subject matter of the provisions brought into force appears in the second column of the Schedule to the order. The provisions could be loosely described as being those in the Act that are of a more general background and administrative nature, and do not include the more central Parts of the Act such as those that deal with the quota management system, prerequisites for access to fisheries, and offences.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 19 September 1996.

This order is administered in the Ministry of Fisheries.