

# House of Representatives

# Supplementary Order Paper

Tuesday, 15 April 2014

## Fisheries (Foreign Charter Vessels and Other Matters) Amendment Bill

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### *Proposed amendments*

Hon Nathan Guy, in Committee, to move the following amendments:

*Clause 5: new section 106B*

In *new section 106B(4)*, replace “of” with “or” (page 6, line 21).

*Clause 10: new section 103*

In *new section 103(4)(a)(ii)*, replace “**103A(1AD)**” with “**103A(1AC)**” (page 9, line 38).

*Clause 10: new section 103A*

Replace *new section 103A(1AA)* (page 10, line 15 to page 11, line 6) with:

“(1AA) The chief executive may, on application, exempt a vessel from the requirement to be a New Zealand ship if satisfied that—

- “(a) the vessel will be used only for carrying out fisheries-related research commissioned or approved by the chief executive; and
- “(b) the operator of the vessel or, if the operator is an overseas person, the authorised agent has made reasonable efforts to find a replacement vessel that is a New Zealand ship but was unsuccessful; and
- “(c) the exemption will be in New Zealand’s interests; and
- “(d) there will be sufficient New Zealand control of the operations of the vessel during the period for which it is exempted.

Replace *new section 103A(1AC) and (1AD)* (page 11, lines 13 to 36) with:

“(1AC) An exemption may be granted for the period specified in the special permit issued for the purposes of the fisheries-related research.

*Clause 12*

Delete *clause 12(3)* (page 14, lines 21 to 28).

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### **Explanatory note**

This Supplementary Order Paper amends *clause 10* of the Bill to remove 3 of the 4 exemptions from mandatory reflagging of foreign charter vessels that were recommended by the Primary Production Committee. The sole remaining exemption will be for fisheries-related research approved by the chief executive under a special permit.

The exemptions removed by this Supplementary Order Paper are—

- fishing that targets a tuna species named in Schedule 4B of the principal Act;
- operators who, at 30 April 2012, held annual catch entitlement derived from settlement quota that represented a significant proportion of the operator’s annual catch entitlement;
- exceptional circumstances specified by an Order in Council.

This Supplementary Order Paper also corrects a grammatical error in *clause 5, new section 106B* and makes a consequential amendment necessary to give effect to the amendments to *clause 10*.

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