

Fisheries Act Commencement Order 2001

Pursuant to section 1(2) of the Fisheries Act 1996, section 1(4) of the Fisheries Act 1996 Amendment Act 1999, and section 1(3) of the Fisheries Act 1996 Amendment Act (No 2) 1999, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following order.

Contents

		Page
1	Title	1
2	Commencement of provisions of Fisheries Act 1996	1
3	Commencement of provisions of Fisheries Act 1996 Amendment Act 1999	2
4	Commencement of provisions of Fisheries Act 1996 Amendment Act (No 2) 1999	3

1 Title

This order is the Fisheries Act Commencement Order 2001.

2 Commencement of provisions of Fisheries Act 1996

- (1) The following provisions of the Fisheries Act 1996 come into force on 1 May 2001:
- (a) section 18 (which relates to the *Gazette* notice process for making new stock subject to the quota management system):
 - (b) section 19 (which relates to the matters to be included in a notice under section 18):
 - (c) sections 75, 75A, and 75B (as substituted by section 26 of the Fisheries Act 1996 Amendment Act 1999 and

which relate to the setting of interim and annual deemed value rates for quota management stock):

- (d) section 113A (as inserted by section 15 of the Fisheries Act 1996 Amendment Act (No 2) 1999 and which relates to the authority to take fish in foreign jurisdictions):
 - (e) Part 6A (as inserted by section 16 of the Fisheries Act 1996 Amendment Act (No 2) 1999 and which relates to high seas fishing):
 - (f) section 299A (as inserted by section 27 of the Fisheries Act 1996 Amendment Act (No 2) 1999 and which relates to the amendment of Schedule 1A):
 - (g) section 362 (which relates to the process for allocating quota for bait):
 - (h) Schedule 1A (as inserted by section 34 of the Fisheries Act 1996 Amendment Act (No 2) 1999 and which sets out the text of the United Nations Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks):
 - (i) Schedule 11 (which relates to section 362 and lists the species that may be taken as bait).
- (2) Section 342 of the Fisheries Act 1996 (which relates to the calculation and allocation of quota for persons who hold guaranteed minimum individual transferable quota or guaranteed minimum transferable term quota) comes into force on 1 September 2001.
- (3) Section 343 of the Fisheries Act 1996 (which relates to the conversion of quota holdings from the old register to the new register) comes into force on 30 September 2001.

3 Commencement of provisions of Fisheries Act 1996 Amendment Act 1999

- (1) The following provisions of the Fisheries Act 1996 Amendment Act 1999 come into force on 1 May 2001:
- (a) section 9 (which amends section 19 of the principal Act):
 - (b) section 26 (which repeals section 75 of the principal Act and substitutes new sections 75, 75A, and 75B).
- (2)

Subclause (2) was revoked, as from 1 October 2001, by section 3 Fisheries Amendment Act 2001 (2001 No 65).

4 Commencement of provisions of Fisheries Act 1996 Amendment Act (No 2) 1999

The following provisions of the Fisheries Act 1996 Amendment Act (No 2) 1999 come into force on 1 May 2001:

- (a) section 15 (which inserts section 113A into the principal Act):
- (b) section 16 (which inserts Part 6A into the principal Act):
- (c) section 17 (which amends section 189 of the principal Act and relates to records and returns):
- (d) section 26 (which amends section 297 of the principal Act and relates to regulation-making powers):
- (e) section 27 (which inserts section 299A into the principal Act):
- (f) section 28 (which amends section 302 of the principal Act and relates to general provisions about regulations):
- (g) section 31 (which amends section 361 of the principal Act and relates to transitional offences and penalties):
- (h) section 34 (which inserts Schedule 1A into the principal Act).

Diane Wilderspin,
Acting for 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—

- sections 18, 19, 75 to 75B, and 113A, Part 6A, and sections 299A and 362, and Schedule 1A and Schedule 11 of the Fisheries Act 1996 on 1 May 2001:
- section 342 of the Fisheries Act 1996 on 1 September 2001:
- section 343 of the Fisheries Act 1996 on 30 September 2001:

- associated provisions of the Fisheries Act 1996 Amendment Act 1999 and the Fisheries Act 1996 Amendment Act (No 2) 1999 on the relevant dates above.

This order brings into force provisions dealing with a range of fisheries matters and the content of these provisions is indicated in clause 2. The commencement of Part 6A and Schedule 1A of the Fisheries Act 1996 is of particular note as this will enable New Zealand to ratify the United Nations Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks (UNFSA).

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