



Fisheries Amendment Act 2012

Public Act 2012 No 63
Date of assent 30 August 2012
Commencement see section 2

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The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Fisheries Amendment Act 2012.
- 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 Fisheries Act 1996.

4 Provisions relating to notified users of fishing vessels

- (1) Section 104 is amended by repealing subsection (3) and substituting the following subsection:
- “(3) No person may be a notified user in relation to a foreign-owned New Zealand fishing vessel.”
- (2) Section 104(5) is repealed.

5 New section 302A inserted

The following section is inserted after section 302:

“302A *Gazette* notices may be consolidated

- “(1) The Minister may publish a notice in the *Gazette*—
- “(a) that revokes 1 or more notices that were given under this Act by the Minister and were required to be published in the *Gazette*; and
 - “(b) that otherwise has the same effect as the revoked notices had immediately before they were revoked.
- “(2) The chief executive may publish a notice in the *Gazette*—
- “(a) that revokes 1 or more notices that were given under this Act by the chief executive and were required to be published in the *Gazette*; and
 - “(b) that otherwise has the same effect as the revoked notices had immediately before they were revoked.
- “(3) Each part of the new notice that has the same effect as a part of a revoked notice that was given under a particular provision of this Act must be treated as having been given under that provision.
- “(4) Any prerequisites for publication of the new notice must be treated as having been satisfied, but only to the extent that the prerequisites for publication of the revoked notices were satisfied when they were published.
- “(5) A revoked notice continues to have effect, as if it had not been revoked, on any matter in a period to which the revoked notice applied.
- “(6) In this section, in any particular case,—
- “**new notice** means—
 - “(a) the notice published by the Minister under subsection (1) to replace the revoked notices; or

“(b) the notice published by the chief executive under subsection (2) to replace the revoked notices

“**revoked notices** means—

“(a) the 1 or more notices revoked by the Minister’s new notice under subsection (1)(a); or

“(b) the 1 or more notices revoked by the chief executive’s new notice under subsection (2)(a).”

6 Certain notices to have status of regulations

Section 303(2) is amended by omitting “175,” and “350,”.

7 Validation of existing notified users

Any recognition of a person as a notified user under section 104(2) of the principal Act before the commencement of this Act, to the extent that it did not satisfy the requirement in section 104(3)(b) of the principal Act, is validated and is to be treated as always having been lawful.

Legislative history

22 August 2012	Divided from Regulatory Reform Bill (Bill 269–2) by committee of the whole House as Bill 269–3F
23 August 2012	Third reading
30 August 2012	Royal assent

This Act is administered by the Ministry for Primary Industries.
