

**Reprint
as at 1 July 2000**



**Fisheries (Transitional Provisions)
Regulations 1998**
(SR 1998/250)

Michael Hardie Boys, Governor-General

Order in Council

At Wellington this 31st day of August 1998

Present:

His Excellency the Governor-General in Council

Pursuant to sections 297 and 354 of the Fisheries Act 1996, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, makes the following regulations.

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

These regulations are administered by the Ministry of Fisheries.

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Regulations

- 1 Title and commencement**
- (1) These regulations may be cited as the Fisheries (Transitional Provisions) Regulations 1998.
- (2) These regulations come into force on 1 October 1998.
- 2 Interpretation**
- In these regulations, unless the context otherwise requires,—
- the 1983 Act** means the Fisheries Act 1983
- the 1996 Act** means the Fisheries Act 1996
- transition period** means the period beginning on the commencement of these regulations and ending with the close of the day immediately before the commencement of sections 17 to 29, 42, 43, 50, and 56 to 80, and Part 8, of the 1996 Act.
- 3 Section 364(1) of 1996 Act to apply as if individual transferable quota were guaranteed minimum individual transferable quota**
- During the transition period, section 364(1) of the 1996 Act is to be read as if—
- (a) the reference to individual transferable quota (but not the reference to provisional individual transferable quota) were a reference to guaranteed minimum individual transferable quota under the 1983 Act; and

- (b) the words “except that it is not transferable” were omitted.

4 Application of sections 28OD and 28OE of 1983 Act to provisional individual transferable quota

During the transition period, sections 28OD and 28OE of the 1983 Act apply to provisional individual transferable quota allocated under Part 4 of the 1996 Act.

5 Application of sections 52, 53, and 54 of 1996 Act to provisional individual transferable quota

During the transition period, sections 52, 53, and 54 of the 1996 Act apply to provisional individual transferable quota allocated under Part 4 of the 1996 Act.

6 Provisions in 1983 Act relating to guaranteed minimum individual transferable quota continued

[Revoked]

Regulation 6: revoked, on 1 July 2000, by section 32(1) of the Fisheries Amendment Act 2000 (2000 No 20).

Marie Shroff,
Clerk of the Executive Council.

Fisheries Amendment Act 2000

Public Act 2000 No 20
Date of assent 29 June 2000
Commencement see section 2

1 Title

This Act is the Fisheries Amendment Act 2000.

2 Commencement

- (1) Except as provided in subsection (2), this Act comes into force on 1 July 2000.
- (2) Section 31 is deemed to have come into force on 1 October 1999.

Part 4

Transitional provisions

32 Fisheries (Transitional Provisions) Regulations 1998

- (1) *Amendment(s) incorporated in the regulations.*
 - (2) If any proceedings have been commenced before 28 June 2000, nothing in subsection (1) affects the rights of any person under any judgment of a court given in those proceedings or any judgment given on appeal from that judgment.
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Notes

1 *General*

This is a reprint of the Fisheries (Transitional Provisions) Regulations 1998. The reprint incorporates all the amendments to the Act as at 1 July 2000, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, *see* <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked

are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

**5 *List of amendments incorporated in this reprint
(most recent first)***

Fisheries Amendment Act 2000 (2000 No 20): section 32(1)
