

# House of Representatives

# Supplementary Order Paper

Tuesday, 14 December 2004

## Aquaculture Reform Bill

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### *Proposed amendments*

Hon David Benson-Pope, in Committee, to move the following amendments:

*Clause 2(2)*

To omit the word “The” (line 6 on page 7), and substitute the words “Except as provided in **section 105B(4)**, the”.

*Clause 105B*

To insert, above *subclause (1)* (above line 32 on page 113), the following subclause:

(1AA) Section 18(1)(b) of the Foreshore and Seabed Act 2004 is amended by adding the words “or an estate in fee simple held by a local authority”.

To add, after line 16 on page 114, the following subclause:

(4) **Subsection (1AA)** is deemed to have come into force on the commencement of section 18 of the Foreshore and Seabed Act 2004.

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### Explanatory note

This Supplementary Order Paper corrects a drafting error in section 18 of the Foreshore and Seabed Act 2004. That section vests in the Crown certain reclaimed land. As currently framed, the section inadvertently includes in that vesting reclaimed land owned by local authorities. The reason for this is that section 18(1)(b) excludes land from the vesting by the use of the defined term **specified freehold interest**, which does not cover estates in fee simple held by local authorities. The Supplementary Order Paper amends section 18(1)(b) to exclude from the vesting any land in which a local authority holds an estate in

fee simple. The amendment is deemed to have come into force on the commencement of section 18 of the Foreshore and Seabed Act 2004.

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