



**THE FISHERIES AMENDMENT ACT COMMENCEMENT ORDER
1990**

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 15th day of October 1990

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to sections 17 (7), 39 (2), and 52 (4) of the Fisheries Amendment Act 1990, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following order.

ORDER

1. Title—This order may be cited as the Fisheries Amendment Act Commencement Order 1990.

2. Commencement of balance of Fisheries Amendment Act 1990—Sections 17 (5) and 39 of the Fisheries Amendment Act 1990, and subsections (1) and (2) of section 52 of that Act, shall come into force on the 1st day of November 1990.

MARIE SHROFF,
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, on 1 November 1990, sections 17 (5), 39, 52 (1), and 52 (2) of the Fisheries Amendment Act 1990.

Section 17 (5) amends section 28Q of the Fisheries Act 1983 and freezes any individual transferable quota or transferable term quota or any interest as a lessee in such quota if the holder is charged with the commission of a quota management offence. The quota or interest is frozen pending the determination of the proceedings, unless the Court orders otherwise.

Section 39 inserts new section 80A into the Fisheries Act 1983 and enables the Director-General to direct that a transfer or lease of a quota held by a person who is believed on reasonable grounds to have committed a certain offence not be registered if an information or charge is to be laid against that person.

Section 52 (1) replaces sections 107B and 107C of the Fisheries Act 1983. New section 107B provides for the forfeiture of property and quota where a person is convicted of certain offences against the Act or regulations made under the Act. New section 107C provides for the disposal of forfeited property.

Section 52 (2) effects a consequential amendment to the Public Finance Act 1989.

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

Date of notification in *Gazette*: 18 October 1990.

This order is administered in the Ministry of Agriculture and Fisheries.