

FISHERIES (FOREIGN FISHING CREW) AMENDMENT ACT 2002

2002 No 27

[17 September 2002]

ANALYSIS

(List of Sections)

1. Title
2. Commencement
3. Provisions relating to forfeit property

Legislative history

The Parliament of New Zealand enacts as follows:

1. Title—

(1) This Act is the Fisheries (Foreign Fishing Crew) Amendment Act 2002.

(2) In this Act, the Fisheries Act 1996 is called the ``principal Act".

2. Commencement—
This Act comes into force on the day after the date on which it receives the Royal assent.

3. Provisions relating to forfeit property—

(1) Section 256(1) of the principal Act is amended by repealing the definition of ``interest", and substituting the following definition:

``interest' means,—

``(a) in the case of quota, an interest in the quota that is recorded on the Quota Register at the time of the forfeiture:

``(b) in the case of a foreign vessel, a foreign-owned New Zealand fishing vessel, or a foreign-operated fish carrier,—

“(i)ownership; and

“(ii)an interest, as determined by the Employment Relations Authority or any court, that any fishing crew have in unpaid wages; and

“(iii)an interest in costs incurred by a third party (other than the employer) to provide for the support and repatriation of foreign crew employed on the vessel:

“(c)in the case of other forfeit property, a legal or equitable interest in that forfeit property that existed at the time of the forfeiture; but does not include any interest (other than an interest referred to in paragraph (b)) in a foreign vessel, a foreign-owned New Zealand fishing vessel, or a foreign-operated fish carrier."

(2)Section 256(8)(a) of the principal Act is amended by inserting, after the words “manifest injustice”, the words “or to satisfy an interest referred to in paragraph (b)(ii) or (iii) of the definition of interest in subsection (1).”Legislative history

15 June 2000Introduction (Bill 42-1)

2 August 2000 First reading and referral to Primary Production Committee

24 August 2001 Reported from Primary Production Committee (Bill 42-2)

29 May 2002 Second reading

11 September 2002 Committee of the whole House, third reading