

No. *2* of 1982.

Fisheries (Processors) Act 1982.

Certified on: *1-3-82*
1-3-82

THE INDEPENDENT STATE OF PAPUA NEW GUINEA.

No. of 1982.

Fisheries (Processors) Act 1982,

Being an Act to amend the *Fisheries Act* (Chapter 214) in relation to accredited processors of tuna, and for other purposes,

MADE by the National Parliament.

1. INTERPRETATION (AMENDMENT OF SECTION 1).

Section 1 of the Principal Act is amended -

- (a) by inserting before the definition "boat" the definition -

"'accredited processor' means a processor of tuna accredited under Part IIIA.;" and

- (b) by deleting in the definition "processing" the words "and packing" and substituting ", packing, loining and canning".

2. LICENCES (AMENDMENT OF SECTION 6).

The Principal Act is amended by deleting Subsection (1) and substituting:-

"(1) Subject to Subsection (1A), the Minister may grant to a person a licence or a class of licence to engage in fishing in any area of waters.

"(1A) The grant of a licence or a class of licence under Section 18C(1) shall take precedence over the grant of any other licences under this section."

3. POWERS OF OFFICERS (AMENDMENT OF SECTION 9).

Section 9 of the Principal Act is amended by adding -

- "(o) at all reasonable times enter and inspect premises in respect of which an accredited processor is appointed under Part IIIA."

4. NEW PART IIIA.

The Principal Act is amended by inserting after Part III. the following Part:-

"PART IIIA. - PROCESSING OF TUNA.

"18A. - INTERPRETATION.

In this Part -

'tuna' includes -

- (a) skipjack tuna (*Katsuwonus pelamis*); and
- (b) yellowfin tuna (*Neotunnus macropterus*); and
- (c) albacore (*Thunnus alalunga*); and
- (d) bigeye tuna (*Parathunnus mebachi*); and
- (e) mackerel tuna (*Euthynnus a. affinis*); and
- (f) northern bluefin tuna (*Kisbinoella tonggol*).

"18B. - ACCREDITED PROCESSORS.

(1) Subject to Subsection (2), a person who has entered into an agreement with the State to occupy or erect and occupy premises in the country that are used or proposed to be used for the processing of raw tuna may apply to the Minister for appointment as an accredited processor.

"(2) Premises referred to in Subsection (1) shall be -

- (a) maintained in a safe and hygienic condition; and
- (b) capable of -
 - (i) processing not less than 30 metric tonnes of raw tuna per day; and
 - (ii) being expanded over a period of nine years to a capacity of not less than 80 metric tonnes of raw tuna per day; and
- (c) furnished with adequate facilities for the storage, handling, loining, canning, quality control and marketing of tuna.

"(3) The appointment referred to in Subsection (1) shall be by notice in the National Gazette and shall be subject to such conditions as the Minister thinks fit.

"18C. - RIGHTS OF ACCREDITED PROCESSORS.

(1) Subject to Subsection (2), an accredited processor shall have -

- (a) subject to the *Tuna Resources Management Act* the right to the grant under Section 6 of a sufficient number and class of licences to enable him to adequately carry on fishing operations to harvest the amount of tuna

necessary to fulfil the quantity requirements of processing of raw tuna under Section 18B(2); and

(b) the first right to purchase all or any raw tuna to be landed in the country or offered for sale by persons -

- (i) operating in the country; or
- (ii) carrying on fishing operations in the declared fishing zone.

"(2) The -

- (a) the persons from whom; and
- (b) the conditions under which,

an accredited processor may purchase raw tuna or a person may sell raw tuna to an accredited processor under Subsection (1)(b) are as prescribed."

5. REGULATIONS (AMENDMENT OF SECTION 21).

Section 21 of the Principal Act is amended by deleting from Subsection (1)(g) the letter and figures "K200.00" and substituting "K1 000".

I hereby certify that the above is a fair print of the *Fisheries (Processors) Act 1982*, which has been made by the National Parliament.

Clerk of the National Parliament.

I hereby certify that the *Fisheries (Processors) Act 1982*, was made by the National Parliament on 16 February 1982.

Speaker of the National Parliament.