



THE FISHERIES (VESSEL REGISTRATION AND FISHING PERMIT) NOTICE 1983

PURSUANT to section 89 of the Fisheries Act 1983 and the Fisheries (Commercial Fishing) Regulations 1983, the Director-General of Agriculture and Fisheries hereby gives the following notice.

ANALYSIS

- | | | |
|---|--|---|
| <ol style="list-style-type: none"> 1. Title and commencement 2. Interpretation 3. Registers 4. Registration of fishing vessels 5. Change of name of fishing vessel 6. Charter, lease, or demise of fishing vessel | | <ol style="list-style-type: none"> 7. Transfer of registration 8. Cancellation of registration 9. Change of address 10. Certificate of Registry or fishing permit to be produced 11. Alteration and replacement of Certificate of Registry or fishing permit |
|---|--|---|

NOTICE

1. Title and commencement—(1) This notice may be cited as the Fisheries (Vessel Registration and Fishing Permit) Notice 1983.

(2) This notice shall come into force on the 1st day of January 1984.

2. Interpretation—(1) In this notice, unless the context otherwise requires,—

“Certificate of Registry” means the acknowledgment of registration issued under clause 4 (3) of this notice:

“Place or port of domicile”, in relation to any fishing vessel, means the place or port at which the fishing vessel is based and from which fishing is substantially carried out, as specified on the fishing permit for the time being in force in respect of that vessel; and “domiciled” has a corresponding meaning:

“Place or port of registry”, in relation to a registered fishing vessel, means the place or port at which the fishing vessel is registered under Part IV of the Act.

(2) Words and expressions in this notice which are defined in the Fisheries Act 1983 and the Fisheries (Commercial Fishing) Regulations 1983 shall, unless the context otherwise requires, have the meanings so defined.

3. Registers—The Registrar at each place of registry shall maintain a register of fishing vessels in a form specified by the Director-General.

4. Registration of fishing vessels—(1) The Registrar, on receipt of any application for registration of any fishing vessel and upon being satisfied

that section 57 of the Act has been complied with, shall enter in the register the name of the vessel, and such other particulars as the form of the application requires.

(2) Notwithstanding subclause (1) of this clause, no entry in the register of fishing vessels shall confer, take away, or in any way affect any title to, or interest in, any fishing vessel.

(3) The Registrar shall assign to the vessel a registered number, which shall be the number relating to the entry of that vessel in the register, and shall issue a certificate certifying the registration of the vessel.

(4) Every fishing vessel so registered shall, so long as its registration continues in force, be a registered fishing vessel.

(5) Every fishing vessel for the time being registered under this notice shall be deemed to be a New Zealand fishing boat for the purposes of the Shipping and Seamen Act 1952.

(6) No person shall make application to register any fishing vessel for which a current Certificate of Registry is in force, unless that person is making an application pending the sale of a vessel, in which case only one Certificate of Registry may be in force at one time.

5. Change of name of fishing vessel—After registration, no change shall be made in the name of any fishing vessel without the authority in writing of the Registrar granted upon the written application of the owner, and upon the Registrar being satisfied that the application is made on reasonable grounds:

Provided that, if the vessel is registered under the Shipping and Seamen Act 1952 or the registration thereof continues in force under that Act, its name shall not be altered except in accordance with the provisions of that Act.

6. Charter, lease, or demise of fishing vessel—(1) Where any registered fishing vessel is chartered, leased, or demised to any other person, the person registered as the owner of the vessel shall, within 7 days of the charter, lease, or demise, notify in writing the Registrar at the place where the vessel is registered of the charter, lease, or demise and the name and address of the person to whom the vessel has been chartered, leased, or demised, and shall deposit a copy of the charter, lease, or demise documents with the Registrar.

(2) Within 7 days of the termination of the charter, lease, or demise, the owner shall notify the Registrar in writing of the termination.

7. Transfer of registration—(1) Any owner of a registered fishing vessel desiring to transfer the registration of his vessel from the place of registry specified in his Certificate of Registry shall make application in that behalf in writing to the Registrar at the place of registry at which he desires his vessel to be registered.

(2) Transfer of registration under this clause shall be deemed to have been completed only when the owner of the fishing vessel has had the amended Certificate of Registry returned to him or has received written notification that the transfer of registration has been effected.

8. Cancellation of registration—The Director-General may review and suspend, for such periods as he thinks fit, or cancel the registration of any fishing vessel where the registration has been granted in error or based on misleading information.

9. Change of address—Within 28 days after the owner of a registered fishing vessel or the holder of a fishing permit has changed his postal or residential address, he shall give notice in writing of the new address to the Registrar at the place of registry of the fishing vessel or, as the case may be, where the permit is issued.

10. Certificate of Registry or fishing permit to be produced—The Certificate of Registry and fishing permit shall be kept on board the registered fishing vessel, maintained in a legible condition, and produced immediately on the request of a Fishery Officer.

11. Alteration and replacement of Certificate of Registry or fishing permit—(1) No person other than a Registrar shall alter, make illegible, or deface any Certificate of Registry or any fishing permit, or any replacement Certificate of Registry or fishing permit issued pursuant to subclause (2) of this clause.

(2) Where a Certificate of Registry or fishing permit is lost, destroyed, or so damaged as to make it illegible, the holder of the certificate or permit shall apply to the Registrar for a replacement, accompanied by the prescribed fee (if any).

Dated at Wellington this 21st day of December 1983.

M. J. BELGRAVE,
Assistant Director-General of Agriculture and Fisheries.

EXPLANATORY NOTE

This note is not part of the notice, but is intended to indicate its general effect.

Clause 2 defines terms used in the notice.

Clause 3 requires registers of fishing vessels to be kept.

Clause 4 sets the procedure for fishing vessel registration.

Clause 5 prohibits the changing of a vessel's name without the Registrar's prior authorisation.

Clause 6 requires Registrars to be notified where a vessel is chartered, leased, or demised.

Clause 7 sets the procedure for transfer of registration.

Clause 8 provides grounds for cancellation of vessel registration.

Clause 9 requires changes of address to be notified.

Clause 10 requires the Certificate of Registry or fishing permit to be produced at the request of a Fishery Officer.

Clause 11 provides for the alteration or replacement of Certificates of Registry or fishing permits.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 21 December 1983.

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