

Conservation Amendment Act 2000 056

Commenced: 15 November 2000

ANALYSIS

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The Parliament of New Zealand enacts as follows:

1. Title

(1) This Act is the Conservation Amendment Act 2000.

(2) In this Act, the Conservation Act 1987 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. Restrictions on fishing

Section 26ZL(2) of the principal Act is amended by omitting the word "Minister", and substituting the word "Director-General".

4. New section 26ZQA inserted

The principal Act is amended by inserting, after section 26ZQ, the following section:

"26ZQA Possessing certain kinds of fish without approval

"(1) In this section, restricted fish means---

"(a) live grass carp; or

"(b) live silver carp.

"(2) The Minister of Conservation may approve a person's possession of restricted fish.

"(3) The following provisions apply when the approval of the Minister of Conservation is required under subsection (2):

"(a) the applicant must advertise, on at least 2 consecutive Saturdays in at least 1 newspaper circulating in the area concerned, the intention to possess the fish:

"(b) every advertisement under paragraph (a) must state that submissions or objections in respect of its subject-matter should be sent to the Director-General:

"(c) the Director-General may require an applicant to provide an environmental impact assessment report before the Minister grants approval.

"(4) A person who possesses restricted fish must have at least 1 of the following approvals relating to the person who possesses the fish and to the kind of fish the person possesses:

"(a) an approval under subsection (2):

"(b) an approval under section 26ZM(2):

"(c) an approval under section 26ZM(3).

"(5) Every person commits an offence, and is liable to a fine not exceeding \$5,000, who, without reasonable cause, knowingly possesses restricted fish---

"(a) knowing that none of the approvals described in subsection (4) has been given; or

"(b) being reckless as to whether or not any of those approvals has been given.

"(6) Section 43B does not apply to an offence under subsection (5)."

5. Regulations

Section 48(1)(m) of the principal Act is amended by omitting the words "reimburse travelling", and substituting the words "pay travelling and other".

6. Powers of Director-General

Section 53(2) of the principal Act is amended by omitting the words "but, in the case of a protected area, subject to the purposes for which it is held,".

Legislative history

9 November 2000 - Divided from the Statutes Amendment Bill (No 7) as reported from the Justice and Electoral Committee (Bill 334-A2), third reading