

# FISHERIES ACT 1983 AMENDMENT ACT (No 2) 1999

1999 No 105

An Act to amend the Fisheries Act 1983  
[8 September 1999]

## ANALYSIS

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BE IT ENACTED by the Parliament of New Zealand as follows:

### 1.Short Title and commencement—

(1)This Act may be cited as the Fisheries Act 1983 Amendment Act (No 2) 1999, and is part of the Fisheries Act 1983 ("the principal Act"). (2)This Act comes into force on the day after the date on which it receives the Royal assent.

### 2.Interpretation—

Section 2(1) of the principal Act is amended by inserting, after the definition of the term "Foveaux Strait dredge oyster fishery", the following definition: "Freshwater eel" means the species *Anguilla australis*, *Anguilla dieffenbachii*, and *Anguilla reinhardtii*, in all areas in New Zealand fisheries waters:".

### 3.Prohibitions and requirements relating to dumping or retention of quota management system fish—

Section 28ZB(1) of the principal Act is amended by inserting, after paragraph (a), the following paragraph: "(aa)Any freshwater eel of legal size subject to the quota management system that is dead or unlikely to survive if returned to the sea:".

### 4.Taking of fish in excess of quota, and carrying forward of unused quota—

Section 28V(11) of the principal Act is amended by adding the words " , or eels".

5. Taking fish, etc, commercially without permit prohibited—

(1) Section 62 of the principal Act is amended by inserting, after subsection (1AE), the following subsection: "(1AEA) Subsections (1AA) to (1AG) do not apply to freshwater eels that are subject to the quota management system." (2) Section 62(1AH) of the principal Act is repealed.