

New South Wales

# Fisheries Management Amendment (Catch History) Bill 2005

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

## Overview of Bill

Under the *Fisheries Management Act 1994* (the *Principal Act*) shares in a share management fishery are to be allocated to a person in proportion to the person's catch history. Section 51 of the Principal Act provides that the catch history of a person is to be determined under and in accordance with the criteria specified by the Minister for Primary Industries. However, the Minister may increase the catch history of a person who is a representative of the commercial fishing industry to compensate for any period during which the person was unable to engage in the person's usual fishing activities due to the person's industry responsibilities.

The object of this Bill is to amend section 51 to provide that the Minister is required to increase the catch history of a person who is a representative of the commercial fishing industry on a Management Advisory Committee or on any other organisation (such as a fisheries co-operative or an environmental committee).

## Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

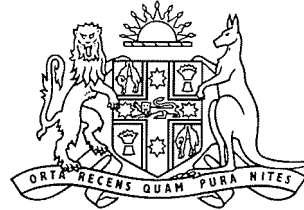
**Clause 2** provides for the commencement of the proposed Act on the date of assent.

**Clause 3** is a formal provision that gives effect to the amendment to the *Fisheries Management Act 1994* set out in Schedule 1.

**Schedule 1** contains the amendment to the *Fisheries Management Act 1994* set out in the Overview above.

Introduced by Mr A J Constance, MP

First print



New South Wales

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New South Wales

# Fisheries Management Amendment (Catch History) Bill 2005

No. , 2005

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## A Bill for

An Act to amend the *Fisheries Management Act 1994* with respect to the determination of the catch history of commercial fishers who represent the commercial fishing industry; and for other purposes.

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<b>The Legislature of New South Wales enacts:</b>	1
<b>1 Name of Act</b>	2
This Act is the <i>Fisheries Management Amendment (Catch History) Act 2005</i> .	3 4
<b>2 Commencement</b>	5
This Act commences on the date of assent.	6
<b>3 Amendment of Fisheries Management Act 1994 No 38</b>	7
The <i>Fisheries Management Act 1994</i> is amended as set out in Schedule 1.	8 9

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**Schedule 1      Amendment**

1

(Section 3)

2

**Section 51 Catch history**

3

Omit section 51 (5). Insert instead:

4

- (5) The Minister must increase the catch history of a person for any period during which the person was unable to engage in the person's usual fishing activities because of the person's duties as a representative of the commercial fishing industry on a Management Advisory Committee or on any other organisation, such as a fisheries co-operative or an environmental committee.

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