

## MARINE FARMING AMENDMENT BILL

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### EXPLANATORY NOTE

THIS Bill amends the Marine Farming Act 1971 and, in effect, removes the total prohibition against farming salmon. Current experimental work in raising salmon has been carried out pursuant to a special licence under the Fisheries Act 1908. The Bill also authorises fishery officers to take and destroy diseased or contaminated fish or marine vegetation in those cases where a lessee or licensee does not or is unable to carry out such actions within the specified time.

*Clause 1* relates to the Short Title.

*Clause 2: Subclause (1)* amends the definition of "farming" in the principal Act by providing that salmon may be held and fed in a licensed area for the purposes of fattening. The term "licensed area" is defined in section 2 (1) of the principal Act.

*Subclause (2)* amends the definition of "fish" by, in effect, including all species of salmon within that definition.

*Subclause (3)* includes submerged cages supported by buoys among those items covered by the definition of the term "raft".

*Clause 3: Subclause (1)* extends the powers of fishery officers to take and destroy diseased or contaminated fish or marine vegetation which are subject to a closing order given by the Minister under section 42 of the principal Act.

*Subclause (2)* provides that no compensation is to be payable by the Crown in respect of any fish or marine vegetation destroyed.

*Subclauses (3) and (4)* make consequential amendments to section 42 of the principal Act.

*Right Hon. Mr MacIntyre*

## MARINE FARMING AMENDMENT

### ANALYSIS

Title  
1. Short Title

2. Interpretation  
3. Diseased or contaminated fish and  
marine vegetation

### A BILL INTITULED

#### **An Act to amend the Marine Farming Act 1971**

BE IT ENACTED by the General Assembly of New Zealand  
in Parliament assembled, and by the authority of the same, as  
5 follows:

**1. Short Title**—This Act may be cited as the Marine Farming Amendment Act 1983, and shall be read together with and deemed part of the Marine Farming Act 1971\* (hereinafter referred to as the principal Act).

10 **2. Interpretation**—(1) Section 2 (1) of the principal Act is hereby amended by repealing the definition of the term “farming”, and substituting the following definition:

“ ‘Farming’ means,—

15 “(a) In relation to any species of fish (except salmon) or marine vegetation, the breeding, cultivating, and rearing of any such fish or the cultivating of any such vegetation, as the case may require:

\*1971, No. 29

Amendments: 1975, No. 51; 1976, No. 147; 1977, No. 188

“(b) In relation to any species of salmon, the holding and feeding of the salmon in a licensed area for the purposes of fattening—  
and ‘to farm’ has a corresponding meaning:”.

(2) The said section 2 (1) is hereby further amended by omitting, from the definition of the term “fish”, the words “salmon or”.

(3) The said section 2 (1) is hereby further amended by adding, to the definition of the term “raft”, the words “or for any cage or other device used to contain or restrain the fish or marine vegetation”.

**3. Diseased or contaminated fish and marine vegetation**—(1) Section 41 (1) of the principal Act is hereby amended by adding, as paragraph (c), the following paragraph:

“(c) Enter and inspect any leased or licensed area and take such actions (including the removal or destruction of any diseased or contaminated fish or marine vegetation) as are considered necessary for the purpose of ensuring that the provisions of any order made under section 42 of this Act are complied with within the time or times specified in the order.”

(2) Section 41 of the principal Act is hereby amended by inserting, after subsection (1), the following subsection:

“(1A) No payment or compensation shall be made by the Crown to any person for or in respect of the removal or destruction of any fish or marine vegetation pursuant to subsection (1) (c) of this section.”

(3) Section 42 (1) of the principal Act is hereby amended by adding the words “or that fish or marine vegetation shall be removed from the area and disposed of in such manner and within such time as he may specify in the notice”.

(4) Section 42 (2) (c) of the principal Act is hereby amended by adding the words “, or the removal of such fish or vegetation from that area and its destruction in such place or places as may be specified”.