

Fisheries Amendment Bill No.3

11 March 2004

Attorney-General

LEGAL ADVICE

CONSISTENCY WITH THE NEW ZEALAND BILL OF RIGHTS ACT 1990:
Fisheries Amendment Bill No.3

1. We have considered whether the Fisheries Amendment Bill (No.3) (the "Bill") (PCO 5671/6) is consistent with the New Zealand Bill of Rights Act 1990 ("Bill of Rights Act"). We understand that the Bill will be considered by the Cabinet Legislation Committee at its meeting on Thursday, 18 March 2004.
2. We understand that a subsequent version of the Bill with minor amendments will go to the Cabinet Legislation Committee on Thursday, 18 March 2004. Further, we understand from Ministry of Fisheries officials that any changes to the Bill will not give rise to Bill of Rights Act issues. If any subsequent amendments do give rise to a Bill of Rights Act issue we will advise you immediately.
3. The Bill would amend the Fisheries Act 1996 to provide for better future management of fish stocks by:
 - making some revisions to the Quota Management System;
 - providing for better management of highly migratory fish species;
 - introducing scampi into the Quota Management System; and
 - making some technical amendments.
4. We have concluded that the Bill appears to achieve overall consistency with the Bill of Rights Act.
5. In accordance with your instructions, we attach a copy of this opinion for referral to the Minister of Justice. A copy is also attached for referral to the Minister of Fisheries, if you agree.

Val Sim Chief Legal Counsel Office of Legal Counsel	Margaret Dugdale Manager Bill of Rights/Human Rights Team
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cc Minister of Justice
Minister of Fisheries

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Zealand Bill of Rights Act. The release of this advice should not be taken to indicate that the Attorney-General agrees with all aspects of it, nor does its release constitute a general waiver of legal professional privilege in respect of this or any other matter. Whilst care has been taken to ensure that this document is an accurate reproduction of the advice provided to the Attorney-General, neither the Ministry of Justice nor the Crown Law Office accepts any liability for any errors or omissions.