

**FISHERIES AND OYSTER FARMS (AMENDMENT) ACT
1988 No. 118**

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
 2. Commencement
 3. Amendment of Fisheries and Oyster Farms Act 1935 No. 58
 4. Abolition of offence of fishing without an inland angling licence
 5. Abolition of certain funds
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FISHERIES AND OYSTER FARMS (AMENDMENT) ACT 1988
No. 118

NEW SOUTH WALES



Act No. 118, 1988

An Act to amend the Fisheries and Oyster Farms Act 1935 to abolish inland angling licences and certain Funds established under that Act, to validate certain payments into and out of the Consolidated Fund; and for other purposes. [Assented to 21 December 1988]

Fisheries and Oyster Farms (Amendment) 1988

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Fisheries and Oyster Farms (Amendment) Act 1988.

Commencement

2. This Act commences on the date of assent.

Amendment of Fisheries and Oyster Farms Act 1935 No. 58

3. Divisions 3A, 3B and 3C of Part 3 and sections 53 (4) and 90c (3) of the Fisheries and Oyster Farms Act 1935 are repealed.

Abolition of offence of fishing without an inland angling licence

4. No one shall be taken to have committed an offence under section 25B of the Fisheries and Oyster Farms Act 1935 at any time after 18 April 1988.

Abolition of certain funds

5. (1) The following funds kept under Part 3 of the Fisheries and Oyster Farms Act 1935 are abolished:

- (a) the Inland Fisheries Fund;
- (b) the Tidal Angling Fund;
- (c) the Commercial Fisheries Exploration and Development Fund.

(2) The balances standing to the credit of the funds referred to in subsection (1) immediately before their abolition shall be credited to the Consolidated Fund and shall be taken, for accounting purposes, to have been so credited on 30 June 1988.

(3) The payment of money on or after 1 July 1988 and before the commencement of this Act into the Consolidated Fund instead of into a fund referred to in subsection (1) is validated.

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(4) The payment of money on or after 1 July 1988 and before the commencement of the Appropriation Act 1988 out of the Consolidated Fund for a purpose authorised under the Fisheries and Oyster Farms Act 1935 in relation to the payment of money from a fund referred to in subsection (1) is validated.

[*Minister's second reading speech made in—
Legislative Assembly on 10 November 1988
Legislative Council on 7 December 1988*]







FISHERIES AND OYSTER FARMS (AMENDMENT) BILL 1988

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The object of this Bill is to amend the Fisheries and Oyster Farms Act 1935—

- (a) to remove the requirement that a person have a licence in order to fish in inland waters; and
- (b) to provide that no one shall be taken, after 18 April 1988, to have committed the offence of fishing in inland waters without a licence; and
- (c) to abolish the Inland Fisheries Fund, the Tidal Angling Fund and the Commercial Fisheries Exploration and Development Fund established under that Act; and
- (d) to validate the payment of certain money into and out of the Consolidated Fund; and
- (e) for related purposes.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act is to commence on the date of assent.

Clause 3 repeals Divisions 3A, 3B and 3C of Part 3 and sections 53 (4) and 90C (3) of the Principal Act. Division 3A imposed the requirement that a person have a licence to fish in inland waters and established the Inland Fisheries Fund. Divisions 3B and 3C established the Tidal Angling Fund and the Commercial Fisheries Exploration and Development Fund. Sections 53 and 90C contained references to the repealed Divisions.

Clause 4 provides that no one shall be taken to have committed an offence because he or she fished in inland waters after 18 April 1988 without a licence under section 25B of the Principal Act.

Clause 5 abolishes the Inland Fisheries Fund, the Tidal Angling Fund and the Commercial Fisheries Exploration and Development Fund and—

- (a) credits the balances in those funds to the Consolidated Fund; and

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- (b) validates the payment of money into the Consolidated Fund instead of those funds and the payment of money out of the Consolidated Fund for the purposes of those funds from 1 July 1988 to the commencement of the Appropriation Act 1988.
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No. , 1988

A BILL FOR

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Fisheries and Oyster Farms (Amendment) 1988

The Legislature of New South Wales enacts:

Short title

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5 Commencement

2. This Act commences on the date of assent.

Amendment of Fisheries and Oyster Farms Act 1935 No. 58

3. Divisions 3A, 3B and 3C of Part 3 and sections 53 (4) and 90c (3) of the Fisheries and Oyster Farms Act 1935 are repealed.

10 Abolition of offence of fishing without an inland angling licence

4. No one shall be taken to have committed an offence under section 25B of the Fisheries and Oyster Farms Act 1935 at any time after 18 April 1988.

Abolition of certain funds

15 **5. (1)** The following funds kept under Part 3 of the Fisheries and Oyster Farms Act 1935 are abolished:

- (a) the Inland Fisheries Fund;
- (b) the Tidal Angling Fund;
- (c) the Commercial Fisheries Exploration and Development Fund.

20 **(2)** The balances standing to the credit of the funds referred to in subsection (1) immediately before their abolition shall be credited to the Consolidated Fund and shall be taken, for accounting purposes, to have been so credited on 30 June 1988.

25 **(3)** The payment of money on or after 1 July 1988 and before the commencement of this Act into the Consolidated Fund instead of into a fund referred to in subsection (1) is validated.

30 **(4)** The payment of money on or after 1 July 1988 and before the commencement of the Appropriation Act 1988 out of the Consolidated Fund for a purpose authorised under the Fisheries and Oyster Farms Act 1935 in relation to the payment of money from a fund referred to in subsection (1) is validated.



