

FIRST PRINT

**FISHERIES AND OYSTER FARMS (CLOSURE OF WATERS)  
AMENDMENT BILL 1992**

NEW SOUTH WALES



**EXPLANATORY NOTE**

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

The object of this Bill is to require notifications under section 18 of the Fisheries and Oyster Farms Act 1935 to be laid before Parliament and to provide that they are liable to disallowance in the same way as regulations and other subordinate legislative instruments that may be disallowed by Parliament. The notifications concerned are notifications closing waters to fishing, and the proposed Act would apply to any notification published on or after the enactment of the Bill.

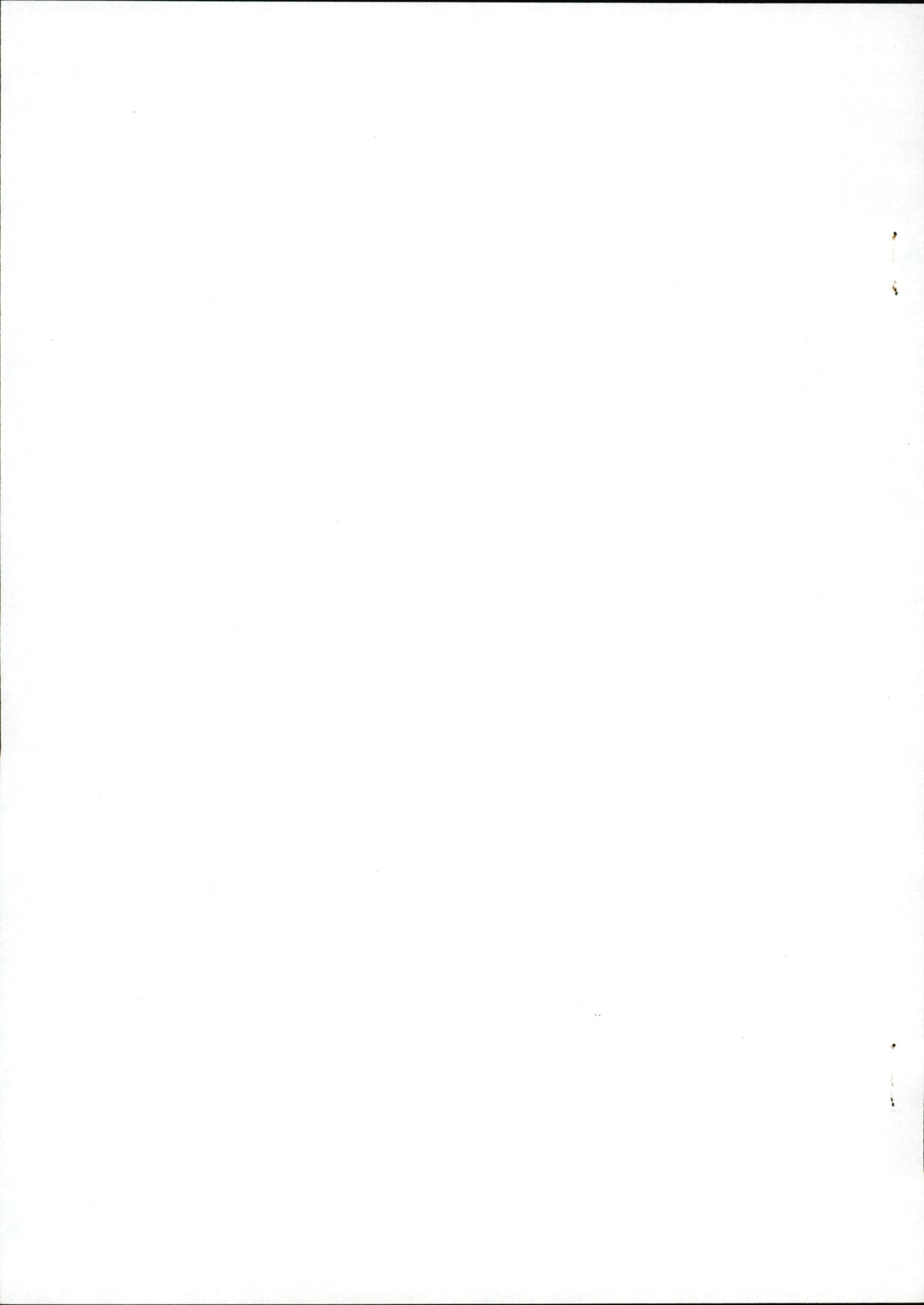
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Clause 1 specifies the short title of the proposed Act.

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

Clause 3 amends section 18 to provide that the Interpretation Act 1987 applies to a notification under that section in essentially the same way as to other statutory rules. This makes the notification subject to disallowance by Parliament. The rescission of a notification does not, however, have the effect of reviving any earlier notification that was repealed or amended by the rescinded notification.

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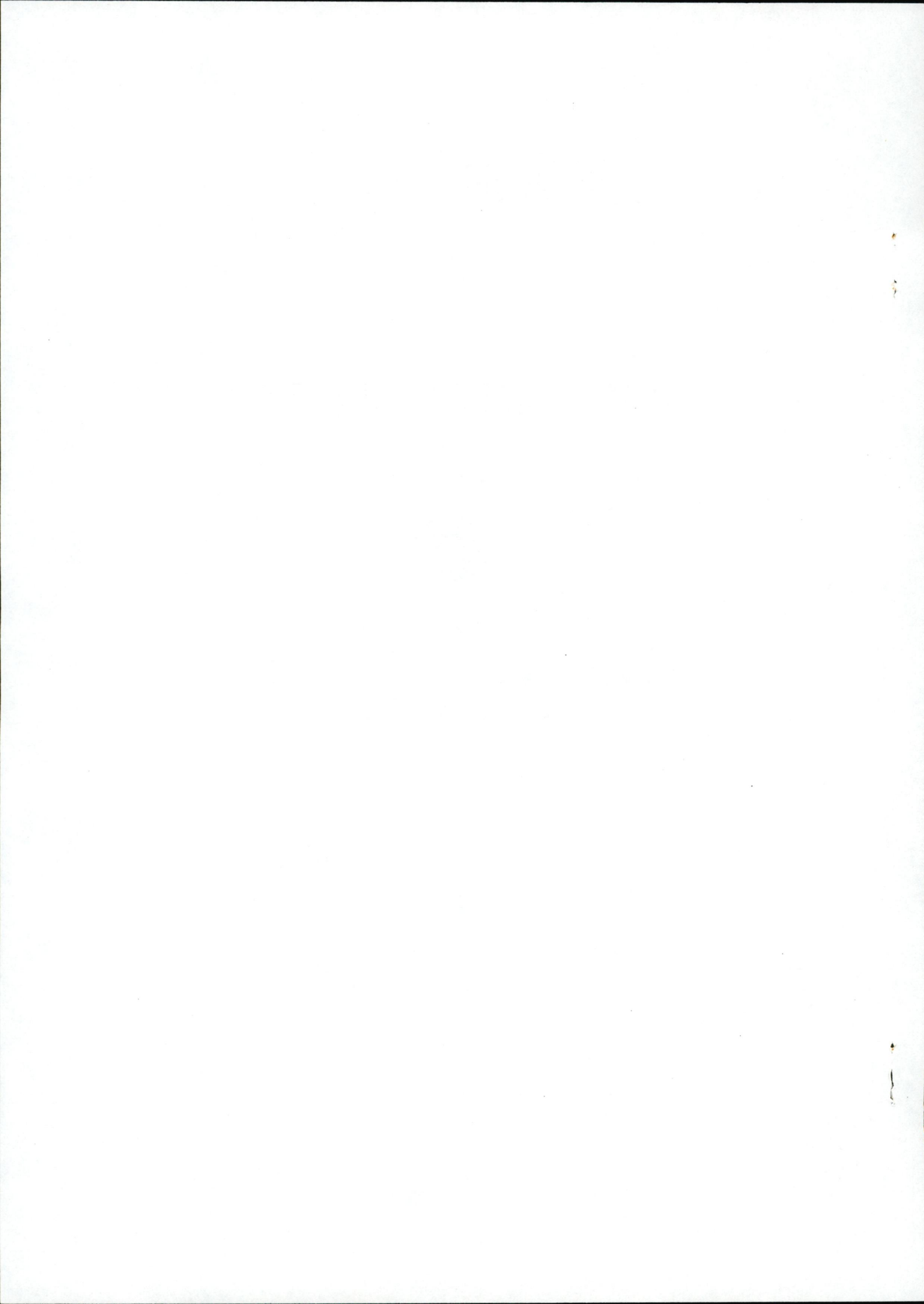
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**TABLE OF PROVISIONS**

1. Short title
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**FISHERIES AND OYSTER FARMS (CLOSURE OF WATERS)  
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No. , 1992.

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**A BILL FOR**

An Act to amend the Fisheries and Oyster Farms Act 1935 to provide for Parliamentary review of notifications under section 18 of that Act and for other purposes.

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*Fisheries and Oyster Farms (Closure of Waters) Amendment 1992*

**The Legislature of New South Wales enacts:**

**Short title**

1. This Act may be cited as the Fisheries and Oyster Farms (Closure of Waters) Amendment Act 1992.

**5 Commencement**

2. This Act commences on the date of assent.

**Amendment of Fisheries and Oyster Farms Act 1935 No. 58, s. 18 (Closing of waters)**

3. Section 18 of the Fisheries and Oyster Farms Act 1935 is amended  
10 by inserting after subsection (3) the following subsection:

15 (4) Sections 40 and 41 of the Interpretation Act 1987 (with the exception of section 41 (4) and (5)) apply to a notification under this section published in the Gazette on or after the date of assent to the Fisheries and Oyster Farms (Closure of Waters) Amendment Act 1992 as if the notification were a statutory rule within the meaning of that Act. Accordingly, the notification is subject to disallowance by either House of Parliament.

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