



**MARINE RESOURCES (CONSEQUENTIAL
AMENDMENTS) ACT 1995**

No. 18 of 1995

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AN ACT to amend certain enactments consequential upon the enactment of the *Living Marine Resources Management Act 1995* and the *Marine Farming Planning Act 1995*

[Royal Assent 15 September 1995]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short title

1—This Act may be cited as the *Marine Resources (Consequential Amendments) Act 1995*.

Commencement

2—This Act commences on a day or days to be proclaimed.

Consequential amendments of Acts

3—The Acts specified in Schedule 1 are amended as specified in that Schedule.

SCHEDULE 1

Section 3

CONSEQUENTIAL AMENDMENTS OF ACTS***Animal Welfare Act 1993***

Section 12 (4) (b) is amended by omitting “*Fisheries Act 1959*” and substituting “any regulations or rules made under the *Living Marine Resources Management Act 1995*”.

Crown Lands Act 1976

Section 29 is amended by omitting subsection (2A) and substituting the following subsection:—

(2A) The Minister must not grant a lease under this section in respect of an area within State waters as defined by the *Living Marine Resources Management Act 1995* for a purpose for which a lease may be issued under the *Marine Farming Planning Act 1995*.

Environment Protection (Sea Dumping) Act 1987

Section 15 (9) (b) is amended by omitting “administering Part II of the *Fisheries Act 1959*” and substituting “responsible for the administration of the *Living Marine Resources Management Act 1995*”.

Land Use Planning and Approvals Act 1993

Section 20 (7) (c) is amended by omitting “*Fisheries Act 1959* or any licence, lease or permit issued under that Act” and substituting “*Living Marine Resources Management Act 1995* or the *Marine Farming Planning Act 1995* or any licence, permit or lease issued under those Acts”.

Long Service Leave (State Employees) Act 1994

Schedule 1 is amended by omitting the item relating to the *Fisheries Act 1959*.

Marine Act 1976

Section 65 (1) is amended by omitting paragraph (ma) and substituting the following paragraph:—

(ma) to charge fees for inspections carried out by the board of waters to which a lease under the *Marine Farming Planning Act 1995* relates;

National Parks and Wildlife Act 1970

Section 31 (1) (c) is amended by omitting “*Fisheries Act 1959*” and substituting “*Living Marine Resources Management Act 1995*”.

Pollution of Waters by Oil and Noxious Substances Act 1987

Section 35 (2) (c) (ii) is amended by omitting “Part II of the *Fisheries Act 1959*” and substituting “the *Living Marine Resources Management Act 1995*”.

Public Health Act 1962

Section 118A (3) is amended by omitting the definition of “take” and substituting the following definition:—

“take fish” has the same meaning as it has under the *Living Marine Resources Management Act 1995*.

Water Act 1957

Section 69 is amended by omitting “by Division 3 of Part III of the *Fisheries Act 1959*” and substituting “under the *Inland Fisheries Act 1995*”.

*[Second reading presentation speech made in:—
House of Assembly on 29 June 1995
Legislative Council on 6 July 1995]*