



REPUBLIC OF NAURU

FISHERIES (AMENDMENT) BILL 2017

No. of 2017

A Bill for an Act to amend the *Fisheries Act 1997*

Certified: []

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Enacted by the Parliament of Nauru as follows:

1 Short title

This Act may be cited as the *Fisheries (Amendment) Act 2017*.

2 Commencement

This Act commences upon certification by the Speaker.

3 Amendment of Fisheries Act 1997

The Fisheries Act 1997 is amended by the provisions of this Act.

4 Amendment of section 2

(1) Section 2 is amended by inserting the following in alphabetical order:

'commercial fishing' means any fishing other than for subsistence and artisanal fishing, using purse-seine, longline, pole-and-line and trolling gear beyond the territorial sea;

'dollars' means Australian currency;

'game fishing' means fishing for a specified fish stock, other than for subsistence or artisanal fishing, using specified fishing gear within and beyond the territorial sea;

'game fishing vessel' means a vessel used or chartered for game fishing;

'game fishing licence' means a licence issued to a game fishing vessel to engage in game fishing for a period not exceeding one year;

'game fishing permit' means a permit issued to a game fishing vessel to engage in game fishing for a period not exceeding one month;

'foreign fishing licence' means a licence issued to a foreign fishing vessel;

'national fishing licence' means a licence issued to:

- (a) a Nauruan citizen or a Nauruan corporation or company which may be based in Nauru;
- (b) a joint venture;
- (c) a foreign fishing vessel operating under a charter agreement;

- (d) a flagged fishing vessel;
- (e) a flagged fishing vessel operating under a charter agreement;

'permit' means a document other than a licence or authorisation, issued to a person to:

- (a) participate in game-fishing for a specified period not exceeding one month; or
- (b) undertake research in the fisheries waters of Nauru.

'the Act' means the Fisheries Act 1997;

(2) Section 2 is amended by:

(a) omitting "**fishing boat**" and substituting:

'fishing vessel' means a vessel which is used for, equipped to be used for or of a type that is normally used for fishing;

(b) omitting "foreign boat" and substituting:

'foreign fishing vessel' means a fishing vessel other than a small vessel or a national vessel;

(c) omitting "**joint venture**" and substituting:

'joint venture' means an enterprise of which:

- (a) the management and control exercisable in law or by agreement between the shareholders, or by agreement between the enterprise and a third party, or in practice, adequately reflect the majority Nauruan shareholding; and
- (b) the arrangements for contribution towards costs and expenses and for distribution of profits, dividends and other payments adequately reflect the majority Nauruan shareholding;

(d) omitting "**licensed boat**" and substituting:

'licensed vessel' means a fishing vessel licensed under this Act;

(e) omitting "**national boat**" and substituting:

'national fishing vessel' means a fishing vessel, other than a small boat, which;

- (a) is wholly owned by one or more Nauruan citizens, a Nauruan corporation or company;