

Fisheries (Amendment) Bill 2012
Clauses considered

5.1. Mr Gawne to move.

The Speaker: We turn now to Item 5, Bills for clauses stage: the first of those is the Fisheries (Amendment) Bill 2012. The mover, Mr Gawne, please.

Mr Gawne: Gura mie eu, Loayreyder.
Clause 1 introduces the Bill.
I therefore move that clause 1 stand part of the Bill.

Mr Watterson: I beg to second and reserve my remarks.

The Speaker: I put the question that clause 1 do stand part of the Bill. Those in favour, say aye; against, no. The ayes have it. The ayes have it.
Clause 2.

Mr Gawne: Gura mie eu, Loayreyder.
Clause 2 identifies that this Bill will amend the Fisheries Act 2012.
I move that clause 2 stand part of the Bill.

The Speaker: Mrs Beecroft.

Mrs Beecroft: Thank you, Mr Speaker.
I beg to second and reserve my remarks.

The Speaker: The question is that clause 2 do stand part of the Bill. Those in favour, say aye; against, no. The ayes have it. The ayes have it.
Clause 3.

Mr Gawne: Gura mie eu, Loayreyder.
Clause 3 amends section 28 of the Fisheries Act 2012 by introducing a defence into that section. At present, as drafted, the section of the Act would mean that an individual living next to a river who possesses a snorkel and mask, for example, would be guilty of an offence. (**Mr Watterson:** Hear, hear.) The defence is introduced in order to be compliant with Human Rights.
I move that clause 3 stand part of the Bill.

The Speaker: Mrs Beecroft.

Mrs Beecroft: I beg to second and reserve my remarks.

The Speaker: The question is that clause 3 stand part of the Bill. Those in favour, say aye; against, no. The ayes have it. The ayes have it.
Clause 4.

Mr Gawne: Gura mie eu, Loayreyder.
Clause 4 provides that a Justice of the Peace can make a decision relating to disposing of anything forfeited under the Fisheries Act 2012. This provision does not apply to forfeitures made on conviction in a court of law. Prior to this amendment, the power lay with the Department, which is not considered to be Human Rights compliant.
I move that clause 4 stand part of the Bill.

The Speaker: Mrs Beecroft.

Mrs Beecroft: Thank you. I beg to second and reserve my remarks.

The Speaker: I put the question that clause 4 do stand part of the Bill. Those in favour, say aye; against, no. The ayes have it. The ayes have it.
Finally, clause 5.

Mr Gawne: Gura mie eu, Loayreyder.

Clause 5 provides that this amending Act will be repealed once the amendments made by it have commenced and the Act has been promulgated.

I move that clause 5 stand part of the Bill.

The Speaker: Mrs Beecroft.

Mrs Beecroft: I beg to second and reserve my remarks.

The Speaker: I put the question that clause 5 do stand part of the Bill. Those in favour, say aye; against, no. The ayes have it. The ayes have it.

That completes the clauses stage of the Fisheries (Amendment) Bill.