

ATTACHEMENT E

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

FISHERIES BILL 2000

**EXPLANATORY MEMORANDUM
(Government Amendments)**

Circulated with the authority of
Brendan Smyth MLA,
Minister for Urban Services

EXPLANATORY MEMORANDUM

Background and Outline

This explanatory memorandum relates to the Government amendments moved at the time of the debate of the Bill. It should be read in conjunction with the explanatory memorandum tabled with the Bill in March 2000.

The amendments arise from comments made on the Bill by the Scrutiny of Bill Committee and from some suggestions made by Members of the Assembly prior to the debate.

Fisheries Bill 2000

Clause 26, Paragraph (1) (a) is being amended to give effect to the intention that the Conservator of Flora and Fauna will have power to cancel a licence when he or she becomes aware of circumstances that would have justified refusal of the licensee's application. The previous drafting would not have given effect to this.

Clause 28 and clause 36 are being amended to remove the fee for inspection of the registers of licences and the register of dealers.

Proposed Clause 64A is being inserted to remove any doubt that the powers of conservation officers under Part 6 are not intended to override a persons privilege against self incrimination nor legal professional privilege.

Proposed Clause 104A provides for the Minister to make guidelines for the Conservator of Flora and Fauna to exercise his or her discretions under the Act in respect of licences and registration of fish dealers.

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