

**Subantarctic Islands Marine  
Reserves Bill**

Government Bill

As reported from the committee of the whole  
House



**Subantarctic Islands Marine Reserves Bill**

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**Key to symbols used in reprinted bill**

**As reported from the committee of the whole  
House**

text inserted

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*Hon Dr Nick Smith*

## **Subantarctic Islands Marine Reserves Bill**

Government Bill

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**Schedule 3** 9  
**Indicative map of Moutere Ihupuku / Campbell Island**  
**Marine Reserve**

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**The Parliament of New Zealand enacts as follows:**

- 1 Title**  
This Act is the Subantarctic Islands Marine Reserves Act **2011**.
- 2 Commencement** 5  
This Act comes into force on ~~the day after the date on which it receives the Royal assent~~ 2 March 2014.
- 3 Interpretation**  
In this Act, unless the context requires another meaning,—  
**area** has the meaning given by section 2 of the Marine Reserves Act 1971 10  
**marine reserve** has the meaning given by section 2 of the Marine Reserves Act 1971  
**Minister of Conservation** means the Minister who, under the authority of a warrant or with the authority of the Prime Minister, is responsible for the administration of this Act 15  
**Minister for Primary Industries** means the Minister who, under the authority of a warrant or with the authority of the Prime Minister, is responsible for the administration of the Fisheries Act 1996 20  
**ranger** has the meaning given by section 2 of the Marine Reserves Act 1971.
- 4 Act binds the Crown**  
This Act binds the Crown.

**5 Moutere Mahue / Antipodes Island Marine Reserve created**

- (1) The area comprising Section 1 on Survey Office plan SO 442747 is declared to be a marine reserve.
- (2) The marine reserve is named the Moutere Mahue / Antipodes Island Marine Reserve. 5
- (3) For reference, the area declared to be a marine reserve is indicated on the map in **Schedule 1**, but the Survey Office plan overrides the map if they conflict.

**6 Moutere Hauriri / Bounty Islands Marine Reserve created** 10

- (1) The area comprising Section 1 on Survey Office plan SO 442748 is declared to be a marine reserve.
- (2) The marine reserve is named the Moutere Hauriri / Bounty Islands Marine Reserve.
- (3) For reference, the area declared to be a marine reserve is indicated on the map in **Schedule 2**, but the Survey Office plan overrides the map if they conflict. 15

**7 Moutere Ihupuku / Campbell Island Marine Reserve created**

- (1) The area comprising Section 1 on Survey Office plan SO 442749 is declared to be a marine reserve. 20
- (2) The marine reserve is named the Moutere Ihupuku / Campbell Island Marine Reserve.
- (3) For reference, the area declared to be a marine reserve is indicated on the map in **Schedule 3**, but the Survey Office plan overrides the map if they conflict. 25

**8 Extension of Moutere Ihupuku / Campbell Island Marine Reserve**

- (1) The Department of Conservation must, in consultation with the Ministry for Primary Industries, commission an independent review of the Moutere Ihupuku / Campbell Island Marine Reserve. 30
- (1A) The review must—
  - (a) start on or after the third anniversary of the date of commencement of this Act; and 35

- (b) be completed before the fifth anniversary of the date of commencement of this Act.
- (2) The review must consider whether the additional area described in **subsection (6)** should be included in the Moutere Ihupuku / Campbell Island Marine Reserve. 5
- (2A) In considering that matter, the review must take into account the following:
- (a) the value of the additional area to a deepwater crab fishery:
- (b) the impact of a deepwater crab fishery in the additional area on the marine environment and ecosystems: 10
- (c) the biodiversity values in the additional area.
- (2B) The review must include consultation with relevant stakeholders.
- (2C) The Minister of Conservation must, as soon as practicable after receiving the reviewer's report on the completed review, provide the report to the Minister for Primary Industries. 15
- (2D) The Ministers must consult each other about the report and, no later than 90 working days after receiving the report, the Minister for Primary Industries must provide to the Minister of Conservation his or her response to the report. 20
- (3) The Minister of Conservation may recommend the making of an Order in Council under **subsection (5)** only with the agreement of the Minister for Primary Industries after **subsections (1) to (2D)** have been satisfied. 25
- (4) The recommendation (if any) must include the date to be appointed by the Order in Council, which must be no later than the sixth anniversary of the date of commencement of this Act.
- (5) The Governor-General may, by Order in Council made on the recommendation of the Minister of Conservation, appoint a date for **subsections (6) to (8)** to take effect. Those subsections take effect only on and from the appointed date (if any). 30
- (6) The area comprising Section 2 on Survey Office plan SO 442749 is declared to be a marine reserve.
- (7) The area described in **subsection (6)**, together with the area described in **section 7(1)**, is named the Moutere Ihupuku / Campbell Island Marine Reserve. 35



- (8) For reference, the area declared to be a marine reserve is indicated on the map in **Schedule 3**, but the Survey Office plan overrides the map if they conflict.

## 9 Effect of declaration of marine reserves

A marine reserve declared by **section 5(1), 6(1), 7(1), or 8(6)** is to be treated as if it were declared by an Order in Council made under section 4(1) of the Marine Reserves Act 1971 in accordance with that Act. 5

## 10 Naming of marine reserves

- (1) The name assigned to a marine reserve by **section 5(2), 6(2), 7(2), or 8(7)**— 10
- (a) is to be treated as if it had been assigned in accordance with subpart 3 of Part 2 of the NZGB Act; and
- (b) is therefore the official geographic name of the marine reserve under section 31 of the NZGB Act. 15
- (2) The Minister of Conservation must give notice of the name in the *Gazette*.
- (3) The Board must—
- (a) give notice of the name only in accordance with section 21(2)(b) of the NZGB Act; and 20
- (b) state in the notice the date on which the name took effect, which is the date on which the name was assigned by the relevant subsection of this Act.
- (4) The Minister of Conservation may alter the name of a marine reserve declared by this Act by giving notice of the name in the *Gazette*, despite anything in the NZGB Act. 25
- (5) The Board must then give notice of the name only in accordance with section 21(2)(b) of the NZGB Act.
- (6) The name of a marine reserve notified under **subsection (4)**— 30
- (a) is to be treated as if it had been altered in accordance with subpart 3 of Part 2 of the NZGB Act; and
- (b) is therefore the official geographic name of the marine reserve under section 31 of the NZGB Act.
- (7) In this section,— 35

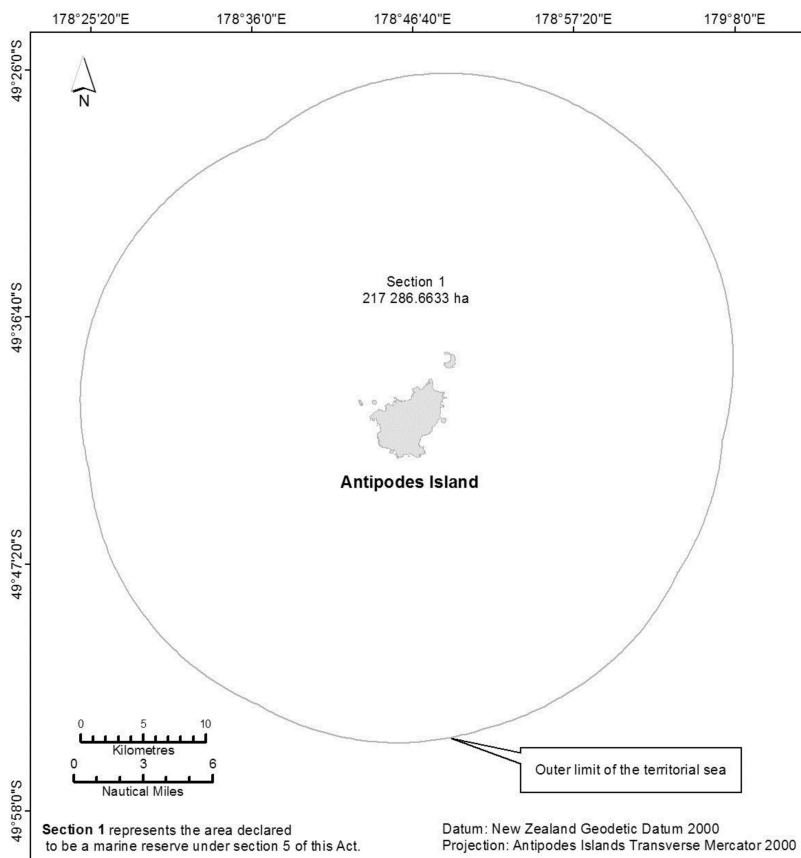
**Board** means the New Zealand Geographic Board Ngā Pou Taunaha o Aotearoa continued by section 7 of the NZGB Act  
**NZGB Act** means the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008.

- 11 Rangers deemed to be appointed from New Zealand Defence Force** 5
- (1) An officer in command of a vessel or an aircraft of the New Zealand Defence Force is deemed to be a ranger under the Marine Reserves Act 1971 as if he or she had been appointed in accordance with section 17 of that Act. 10
- (2) However, the officer may exercise the powers, and perform the functions and duties, of a ranger only in respect of the marine reserves declared by this Act.
- (3) The officer may direct a person under his or her command to exercise those powers, or perform those functions or duties, to any extent and for any period that the officer thinks necessary. 15
- (4) The person may follow the directions as if he or she were a ranger.
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# Schedule 1

## Indicative map of Moutere Mahue / Antipodes Island Marine Reserve

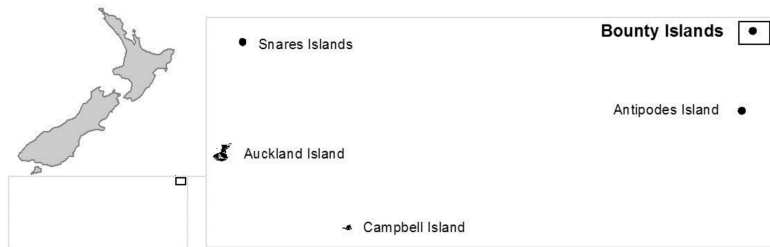
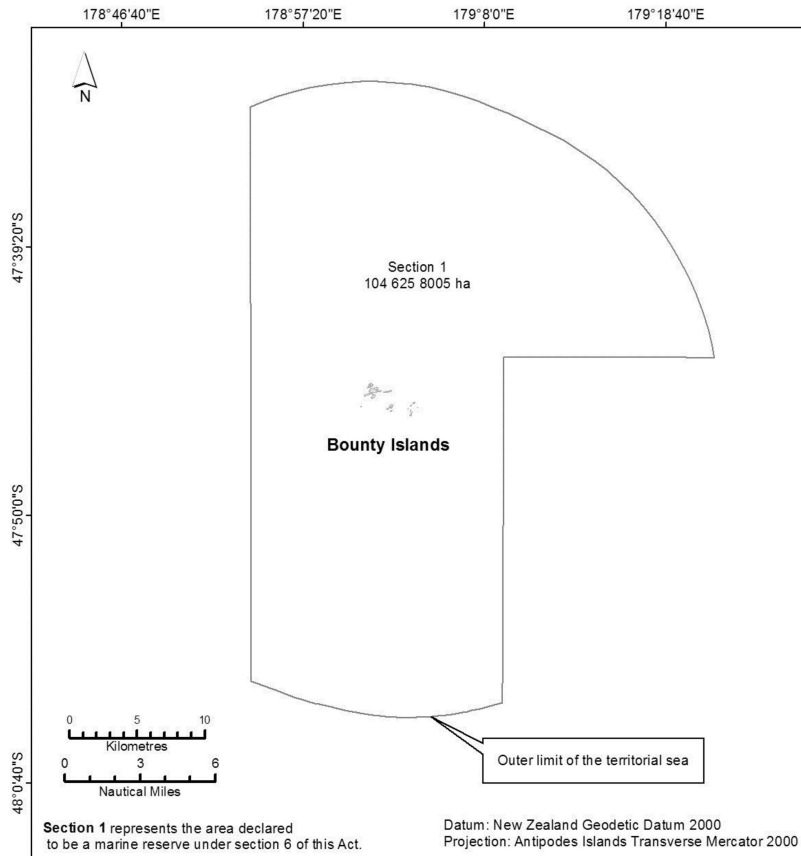
s 5



### Moutere Mahue / Antipodes Island Marine Reserve

### Schedule 2 Indicative map of Moutere Hauriri / Bounty Islands Marine Reserve

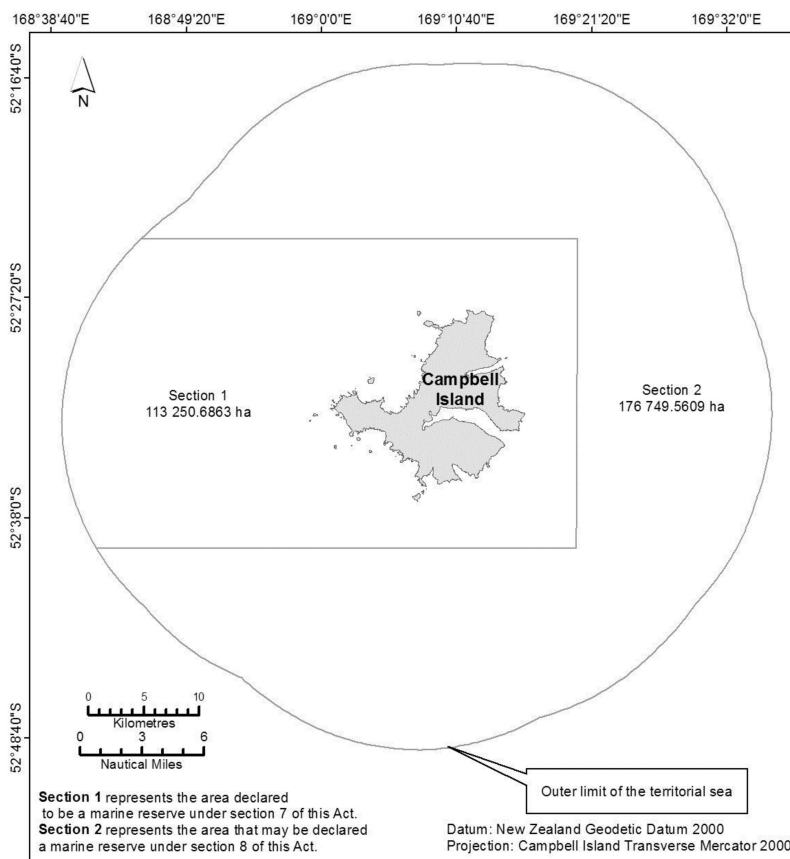
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### Moutere Hauriri / Bounty Islands Marine Reserve

**Schedule 3**  
**Indicative map of Moutere Ihupuku /**  
**Campbell Island Marine Reserve**

**ss 7, 8**



**Moutere Ihupuku / Campbell Island Marine Reserve**

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**Subantarctic Islands Marine Reserves Bill**

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**Legislative history**

7 July 2011	Introduction (Bill 310–1)
4 December 2012	First reading and referral to Local Government and Environment Committee
4 June 2013	Reported from the Local Government and Environment Committee (Bill 310–2)
28 January 2014	Second reading
29 January 2014	Committee of the whole House (Bill 310–3)

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