



Fisheries (South-East Area Commercial Fishing) Amendment Regulations 2010

Anand Satyanand, Governor-General

Order in Council

At Wellington this 30th day of August 2010

Present:

His Excellency the Governor-General in Council

Pursuant to section 297 of the Fisheries Act 1996, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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Regulations

1 Title

These regulations are the Fisheries (South-East Area Commercial Fishing) Amendment Regulations 2010.

2 Commencement

These regulations come into force on 1 October 2010.

3 Principal regulations amended

These regulations amend the Fisheries (South-East Area Commercial Fishing) Regulations 1986.

4 Interpretation

Regulation 2(1) is amended by inserting the following definition in its appropriate alphabetical order:

“**East Otago taiapure** means the area described in the Schedule to the Fisheries (East Otago Taiapure) Order 1999”.

5 Unattended set nets in East Otago taiapure

Regulation 3F(2) is revoked.

6 New regulation 10BA inserted

The following regulation is inserted after regulation 10B:

“**10BA East Otago taiapure: taking of paua prohibited in Huriawa Peninsula area for 2-year period**

“(1) No commercial fisher may, during the period 1 October 2010 to 30 September 2012 (both dates inclusive),—

“(a) take any paua from the Huriawa Peninsula area; or

“(b) possess any paua in the Huriawa Peninsula area; or

“(c) possess any paua that has been taken from the Huriawa Peninsula area.

“(2) In this regulation, **Huriawa Peninsula area** means the area—

- “(a) commencing at a point on the mean high-water mark (at 45°38.44’S and 170°39.81’E); and
- “(b) then proceeding north-west to a point 50 m offshore (at 45°38.41’S and 170°39.80’E); and
- “(c) then proceeding generally east then west around the Huriawa Peninsula along a line every point of which is 50 m from the mean high-water mark to a point offshore that is 50 m south of the mean high-water mark (at 45°38.57’S and 170°39.78’E); and
- “(d) then proceeding north-west to a point (at 45°38.54’S and 170°39.77’E); and
- “(e) then proceeding generally east then west along the mean high-water mark around the Huriawa Peninsula to the point of commencement.”

7 New regulation 10E inserted

The following regulation is inserted after regulation 10B:

“10E Restriction on taking cockles from the East Otago taiapure

- “(1) No commercial fisher may—
 - “(a) take any cockles from the East Otago taiapure; or
 - “(b) possess any cockles in the East Otago taiapure; or
 - “(c) possess any cockles that have been taken from the East Otago taiapure.
- “(2) Subclause (1) does not apply to the northern and southern sanitation areas.
- “(3) In this regulation,—
 - “**northern sanitation area** means the area—
 - “(a) commencing at a point (at 45°43.09’S and 170°35.19’E); and
 - “(b) then proceeding due east to a point (at 45°43.09’S and 170°35.59’E); and
 - “(c) then proceeding south-east to a point (at 45°43.50’S and 170°35.84’E); and
 - “(d) then proceeding due west to a point (at 45°43.50’S and 170°35.48’E); and
 - “(e) then proceeding north-west to the point of commencement

- “**southern sanitation area** means the area—
- “(a) commencing at a point (at 45°44.08’S and 170°34.52’E); and
 - “(b) then proceeding north-east to a point (at 45°43.97’S and 170°34.99’E); and
 - “(c) then proceeding east to a point (at 45°43.98’S and 170°35.14’E); and
 - “(d) then proceeding south-east to a point (at 45°44.11’S and 170°35.25’E); and
 - “(e) then proceeding north-east to a point (at 45°44.00’S and 170°35.55’E); and
 - “(f) then proceeding south to a point (at 45°44.33’S and 170°35.54’E); and
 - “(g) then proceeding south-west to a point (at 45°44.46’S and 170°34.86’E); and
 - “(h) then proceeding north-west to a point (at 45°44.36’S and 170°34.52’E); and
 - “(i) then proceeding due north to the point of commencement.”

8 Offences

Regulation 12(2) is amended by inserting “10BA, 10E,” after “10B,”.

Rebecca Kitteridge,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 October 2010, amend the Fisheries (South-East Area Commercial Fishing) Regulations 1986.

The amendments—

- impose a 2-year ban on taking or possessing paua in the Huriawa Peninsula area:

- impose a ban on taking or possessing cockles in the East Otago taiapure:
- make a consequential change to the regulation that provides for offences and penalties.

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These regulations are administered by the Ministry of Fisheries.
