



## Fisheries (South-East Area Commercial Fishing) Amendment Regulations 2019

Patsy Reddy, Governor-General

### Order in Council

At Wellington this 11th day of November 2019

Present:

Her Excellency the Governor-General in Council

These regulations are made under section 297 of the Fisheries Act 1996 on the advice and with the consent of the Executive Council.

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## Regulations

### 1 Title

These regulations are the Fisheries (South-East Area Commercial Fishing) Amendment Regulations 2019.

### 2 Commencement

These regulations come into force on 12 December 2019.

### 3 Principal regulations

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

### 4 Regulation 3F replaced (Unattended set nets in East Otago taiapure)

Replace regulation 3F with:

#### 3F Prohibition on set nets in East Otago taiapure

A commercial fisher must not use a set net for fishing in the East Otago taiapure.

### 5 Regulation 10BA replaced (East Otago taiapure: taking of paua prohibited in Huriawa Peninsula area for 2-year period)

Replace regulation 10BA with:

#### 10BA Prohibition on taking or possessing paua from East Otago taiapure

- (1) No commercial fisher may—
  - (a) take any paua from the East Otago taiapure; or
  - (b) possess any paua in the East Otago taiapure; or
  - (c) possess any paua that has been taken from the East Otago taiapure.
- (2) For the purpose of subclause (1), **paua** includes virgin paua (*Haliotis virginea*).

### 6 New regulation 11R inserted (Prohibition on taking kelp from East Otago taiapure)

After regulation 11Q, insert:

#### 11R Prohibition on taking kelp from East Otago taiapure

- (1) No commercial fisher may take any of the following species of kelp from the East Otago taiapure:
  - (a) *Durvillaea antarctica*;
  - (b) *Durvillaea willana*;
  - (c) *Ecklonia radiata*;
  - (d) *Lessonia variegata*;

- (e) *Macrocystis pyrifera*:
  - (f) *Marginariella boryana*:
  - (g) *Marginariella urvilliana*.
- (2) Subclause (1) does not apply to kelp that is unattached and cast ashore.

## 7 Regulation 12 amended (Offences)

In regulation 12(2), replace “or 11Q.”, with “11Q, or 11R.”

Michael Webster,  
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 12 December 2019, amend the Fisheries (South-East Area Commercial Fishing) Regulations 1986. The amendments—

- prohibit the commercial use of set nets within the East Otago taiapure; and
- prohibit commercial paua fishing within the East Otago taiapure; and
- prohibit taking certain species of kelp from the East Otago taiapure.

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 14 November 2019.

These regulations are administered by the Ministry for Primary Industries.