

1969/83



**THE COMMERCIAL FISHING REGULATIONS 1963,
AMENDMENT NO. 3**

—
ARTHUR PORRITT, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 12th day of May 1969

Present:

THE RIGHT HON. KEITH HOLYOAKE, C.H., PRESIDING IN COUNCIL

PURSUANT to the Fisheries Act 1908, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Commercial Fishing Regulations 1963, Amendment No. 3, and shall be read together with and deemed part of the Commercial Fishing Regulations 1963* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the seventh day after the date of their notification in the *Gazette*.

2. Charter agreements to be notified to Secretary—The principal regulations are hereby amended by inserting, after regulation 9, the following regulation:

“9A. Where any registered fishing boat is chartered, leased, or demised to any other person, the person registered as the owner of the boat shall, within 7 days of the charter, lease, or demise, notify in writing the Superintendent at the port or place where the boat is registered of the charter, lease, or demise and the name and address of the person to whom the boat has been chartered, leased, or demised. Within 7 days of the termination of the charter, lease, or demise, the owner shall notify in writing the Superintendent of the termination.”

3. Shore-fishing permits—(1) Regulation 16 of the principal regulations is hereby amended by omitting from subclause (2) the words “or, where the applicant is a company, where the registered office of the company is situated.”

(2) The said regulation 16 is hereby further amended by adding the following subclause:

“(3) No firm or body corporate may be granted a shore-fishing permit:

“Provided that nothing in this subclause shall prohibit any firm or body corporate carrying on the business of shore fishing if the members or employees of the firm or body corporate actually engaged in fishing are the holders of shore-fishing permits.”

4. Returns of fish and shellfish taken—Regulation 22 of the principal regulations is hereby amended by inserting, after subclause (5), the following subclauses:

“(5A) Where any person being the holder of a shore-fishing permit supplies fish or shellfish to any person carrying on the business of processing fish or shellfish, it shall not be necessary for the holder of the permit to comply with the requirements of subclause (1) of this regulation if the person carrying on the processing business—

“(a) Notifies the Secretary, or such other officer of the Marine Department as the Secretary directs, of the name and address of the permit holder and undertakes to forward to the Secretary on behalf of the permit holder the return required by the said subclause (1); and

“(b) Forwards to the Secretary or other officer within 14 days of the end of each month on behalf of the permit holder the return required to be forwarded by him under the said subclause (1).

“(5B) Where a registered fishing boat is chartered, leased, or demised, for the purposes of this regulation the person to whom the boat is chartered, leased, or demised shall be deemed to be the owner of the boat.”

5. Penalty for offences—Regulation 31 of the principal regulations (as amended by section 7 of the Decimal Currency Act 1964) is hereby further amended by omitting the sum “\$100”, and substituting the sum “\$500”.

6. New Schedule substituted—(1) The principal regulations are hereby further amended by revoking the Schedule thereto (as substituted by regulation 9 of the Commercial Fishing Regulations 1963, Amendment No. 1), and substituting the Schedule set out in the Schedule to these regulations.

(2) Regulation 9 of the Commercial Fishing Regulations 1963, Amendment No. 1, is hereby consequently revoked.

Reg. 6

SCHEDULE

NEW SCHEDULE TO PRINCIPAL REGULATIONS

Reg. 3

"SCHEDULE

"PORTS AND PLACES OF REGISTRY

Ports and Places of Registry	Distinguishing Letters	Application for Registration or a Fishing Permit in the Areas Described Below are to be Furnished to the Superintendent at the Port Shown in the First Column
Auckland ..	AK	The east coast from the south bank of the Mangawhai Estuary to Cape Colville, and the west coast from South Head at the entrance to the Kaipara Harbour to Tirau Point.
Bluff	BF	South of the line from Yates Point to Long Point.
Chatham Islands ..	CHM	Chatham Islands.
Dunedin	DN	On the east coast of the South Island, from the north bank of the Waitaki River to Long Point, and on the west coast of the South Island from the north bank of the Karangarua River to Yates Point.
Gisborne ..	GS	East Cape to Kopuawhara (near Mahia Peninsula).
Greymouth ..	GMH	Perpendicular Point to the north bank of the Karangarua River.
Lyttelton ..	LN	South Bank of the Clarence River to the north bank of the Rangitata River.
Northland ..	NLD	The east coast from the south bank of the Mangawhai Estuary to Cape Reinga and the west coast from Cape Reinga to South Head at the entrance to Kaipara Harbour (the area includes the Mangawhai Estuary and the Kaipara Harbour).
Napier	NR	Kopuawhara (near Mahia Peninsula) to Cape Turnagain.
Nelson	NN	Alligator Head to Kahurangi Point.
New Plymouth ..	NPH	Tirau Point to and including Manutahi.
Picton	PN	Alligator Head to the south bank of the Clarence River.
Tauranga ..	TA	Cape Colville to East Cape.
Timaru	TU	The north bank of the Rangitata River to the north bank of the Waitaki River.
Wanganui ..	WGN	From (but not including) Manutahi to the south bank of the Turakina River.
Wellington ..	WN	From the south bank of the Turakina River to Cape Turnagain.
Westport ..	WT	Kahurangi Point to Perpendicular Point."

P. J. BROOKS,
Clerk of the Executive Council.

EXPLANATORY NOTE

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

Regulation 2 inserts a new regulation 9A in the principal regulations. The new regulation provides for the owner of a registered fishing boat to notify the appropriate Superintendent of Mercantile Marine in any case where he charters, leases, or demises the boat to any other person.

Regulation 3 amends regulation 16 of the principal regulations and provides that shore-fishing permits may be granted to individual persons only and not to firms or bodies corporate.

Regulation 4 amends regulation 22 of the principal regulations and provides that where the holder of a shore-fishing permit supplies a person carrying on the business of fish processing, that person may, in certain specified circumstances, file the fishing return required to be filed by the holder of the permit under subclause (1) of the clause instead of the holder. The amendment also provides that where a registered fishing boat is chartered, leased, or demised, for the purposes of the regulation, the person to whom the boat is chartered, leased, or demised is deemed to be the owner of the boat.

Clause 5 raises the maximum penalty for breaches of the regulation from \$100 to \$500.

Clause 6 substitutes a new Schedule to the principal regulations, and redefines several of the areas under the jurisdiction of ports or places of registry.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 15 May 1969.

These regulations are administered in the Marine Department.