

1975/216

**THE COMMERCIAL FISHING REGULATIONS 1963,
AMENDMENT NO. 4**

DENIS BLUNDELL, Governor-General
ORDER IN COUNCIL

At the Government Buildings at Wellington this 25th day of August 1975

Present:

THE RIGHT HON. W. E. ROWLING 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.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Commercial Fishing Regulations 1963, Amendment No. 4, 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 day after the date of their notification in the *Gazette*.

2. Ports and places for registration—The principal regulations are hereby amended by revoking regulation 3, and substituting the following regulation:

“3. The Director-General may, from time to time, specify ports or places for the registration of fishing boats.”

3. Application for registration—Regulation 5 (1) of the principal regulations is hereby amended by omitting the words “specified in the Schedule to these regulations”, and substituting the words “as may be specified by the Director-General pursuant to regulation 3 of these regulations”.

4. Registration of fishing boats—Regulation 6 (2) of the principal regulations is hereby revoked.

*S.R. 1963/196 (Reprinted with Amendments Nos. 1 and 2: S.R. 1968/66)
Amendment No. 3: S.R. 1969/83

5. Marking of registered fishing boats—The principal regulations are hereby further amended by revoking regulation 10 (as amended by regulation 3 of the Commercial Fishing Regulations 1963, Amendment No. 1), and substituting the following regulation:

“10. (1) The owner of a registered fishing boat shall, within 7 days after the registration of the boat, and in every case before the boat is used in fishing, paint or cause to be painted thereon the registered name of the boat in white oil colour on a black ground or in black oil colour on a white ground, on the stern of the boat in letters not less than 15 cm in height and 2 cm in breadth.

“(2) The owner of a registered fishing boat shall, within 7 days after the registration of the boat, and in every case before the boat is used in fishing, mark or cause to be marked thereon in accordance with the requirements set out in subclause (4) of this regulation the registered number assigned to her in the register and appearing in the certificate of registry.

“(3) The owner of a registered fishing boat shall not mark or show thereon any names or numbers other than such as are prescribed by this regulation or such marks as are required by section 389 of the Shipping and Seamen Act 1952.

“(4) The requirements referred to in subclause (2) of this regulation are the following:

“(a) The figures shall not be less than 15 cm in height and 2 cm in breadth, except in the cases provided for in paragraphs (d) and (e) of this subclause; and shall be placed on each bow of the boat so as to be clearly visible, the tops of the numbers to be from 7.5 cm to 10 cm below the gunwale:

“(b) The numbers shall be painted in white oil colour on a black ground or in black oil colour on a white ground, whichever ground colour produces the greatest contrast with the colour of the hull or funnel, as the case may be:

“(c) In all cases the figures shall be of the same height, and each figure forming the number shall be separated from the next following figure by the same space:

“(d) In the case of vessels carrying a funnel, the numbers shall, in addition to being marked on each bow, be marked on the funnel 30 cm from the top and as far as possible on the foremost half thereof in figures not less than 23 cm in height and 2.5 cm in breadth:

“(e) In the case of boats where the depth between gunwale and water line is not sufficient to permit the marking of numbers of the dimensions and spacing prescribed by this regulation, the numbers and spaces may be reduced in size accordingly, but not to a size smaller than the greatest size which the space available permits.

“(5) The owner of a registered fishing boat shall at all times keep the registered name and numbers marked thereon in a clearly legible condition and shall re-mark or repaint them when necessary for this purpose.

“(6) No person shall efface, alter, make illegible, cover, or conceal in any manner whatsoever the name or numbers marked or painted on any registered fishing boat or on any small boat carried on or attached to and forming part of any registered fishing boat.”

6. Removal of registered marks—Regulation 11 of the principal regulations is hereby amended by omitting the word “, letters,”.

7. Marking of small boats—Regulation 12 of the principal regulations is hereby amended by omitting the words “and port or place of registry of the fishing boat”.

8. Registration fees—Regulation 13 of the principal regulations is hereby amended by revoking subclause (1) (as amended by regulation 3 of the Commercial Fishing Regulations 1963, Amendment No. 2, and section 7 of the Decimal Currency Act 1964), and substituting the following subclause:

“(1) The fees payable in respect of registration of a fishing boat and the issue of duplicates thereof shall be as follows:

	\$
“(a) Boat of 12.5 m or less overall length	4
“(b) Boat exceeding 12.5 m but not exceeding 21.5 m overall length	10
“(c) Boat exceeding 21.5 m overall length	20
“(d) Issue of any duplicate	1
“(e) Transfer of registration from one port to another pursuant to regulation 26A of these regulations	10.”

9. Fees for boat-fishing permits—Regulation 15 of the principal regulations is hereby amended by revoking subclause (1) (as substituted by regulation 4 of the Commercial Fishing Regulations 1963, Amendment No. 2, and amended by section 7 of the Decimal Currency Act 1964), and substituting the following subclauses:

“(1) The fees payable in respect of boat-fishing permits and the issue of duplicates thereof shall be as follows:

	\$
“(a) Where the boat does not exceed 12.5 m in overall length:	
“(i) If lines, set-nets, or drag-nets (or any combination of those methods) are used	10
“(ii) If the dredging method of taking shellfish is used	10
“(iii) In the case of any other method used for taking fish or shellfish, for each method	10
“(b) Where the boat exceeds 12.5 m but is less than 21.5 m in overall length:	
“(i) If lines, set-nets or drag-nets (or any combination of those methods) are used	20
“(ii) If the dredging method of taking shellfish is used	20
“(iii) In the case of any other method used for taking fish or shellfish, for each method	20
“(c) Where the boat is 21.5 m or more in overall length:	
“(i) If lines, set-nets, or drag-nets (or any combination of those methods) are used	40
“(ii) If the dredging method of taking shellfish is used	40

	§
“(iii) In the case of any other method used for taking fish or shellfish, for each method	40
“(d) For the issue of any duplicate permit	1
“(e) Noting on a boat-fishing permit a transfer of registration from one port or place of registry to another pursuant to regulation 26A of these regulations	No fee.
“(1A) Notwithstanding the provisions of paragraphs (a), (b), and (c) of subclause (1) of this regulation, the fee payable in respect of a boat-fishing permit issued pursuant to the Fisheries Amendment Act (No. 2) 1969 for oyster dredging in Foveaux Strait shall be \$40 regardless of length of boat.”	

10. Revocations—(1) The Schedule to the principal regulations (as substituted by regulation 6 (1) of the Commercial Fishing Regulations 1963, Amendment No. 3) is hereby revoked.

(2) The following regulations are hereby consequentially revoked:

- (a) Regulations 3 and 4 of the Commercial Fishing Regulations 1963, Amendment No. 1*:
- (b) Regulations 3 and 4 of the Commercial Fishing Regulations 1963, Amendment No. 2†:
- (c) Regulation 6 of the Commercial Fishing Regulations 1963, Amendment No. 3‡.

A. C. McLEOD,

Acting for Clerk of the Executive Council.

*S.R. 1967/6
†S.R. 1967/119
‡S.R. 1969/83

EXPLANATORY NOTE

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

These regulations amend the Commercial Fishing Regulations 1963, and provide for ports or places of entry for the registration of fishing boats to be as specified by the Director-General of Agriculture and Fisheries, if the boat is not registered in its port of domicile. The requirement that the ports or places of registry shall be as prescribed in the Schedule to the principal regulations has been revoked, as has the requirement that the distinguishing letters allotted to each port or place of registry must be painted on a fishing boat registered at that port or place.

Regulations 13 (1) and 15 (1) of the principal regulations have been redrafted to convert Imperial measurements to metric terms.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 28 August 1975.

These regulations are administered in the Ministry of Agriculture and Fisheries.