



**THE COMMERCIAL FISHING REGULATIONS 1963,
AMENDMENT NO. 5**

DENIS BLUNDELL, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 28th day of March 1977

Present:

THE RIGHT HON. B. E. TALBOYS 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.

ANALYSIS

- | | | |
|---|--|--|
| <ul style="list-style-type: none"> 1. Title and commencement 2. Registration fees 3. Fees for boat-fishing permits 4. Fees for shore-fishing permits 5. Exemption from payment of fees | | <ul style="list-style-type: none"> 6. Change in port of landing 7. Restriction on use of underwater breathing apparatus 8. Schedule added |
|---|--|--|

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Commercial Fishing Regulations 1963, Amendment No. 5, 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 1st day of April 1977.

2. Registration fees—(1) The principal regulations are hereby amended by revoking regulation 13 (as amended by regulation 8 of the Commercial Fishing Regulations 1963, Amendment No. 4), and substituting the following regulation:

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

*S.R. 1963/196 (Reprinted with Amendments Nos. 1 and 2: S.R. 1968/66)
Amendment No. 3: S.R. 1969/83
Amendment No. 4: S.R. 1975/216

	\$
“(a) Registration	10
“(b) Issue of any duplicate	1
“(c) Transfer of registration from one port to another pursuant to regulation 26A of these regulations	10.”

(2) Regulation 8 of the Commercial Fishing Regulations 1963, Amendment No. 4, is hereby consequentially revoked.

3. Fees for boat-fishing permits—(1) The principal regulations are hereby further amended by revoking regulation 15 (as amended by regulation 9 of the Commercial Fishing Regulations 1963, Amendment No. 4), and substituting the following regulation:

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

	\$
“(a) Teichi or box-net method of fishing	40
“(b) Permits issued pursuant to the Fisheries Amendment Act (No. 2) 1969 for oyster dredging in Foveaux Strait	40
“(c) The first method of fishing applied for in any application other than the methods specified in paragraphs (a) and (b) of this subclause	25
“(d) Each additional method of fishing applied for in any application	5
“(e) For the issue of any duplicate permit	1
“(f) Noting on a boat-fishing permit a transfer of registration from one port or place of registry to another pur- suant to regulation 26A of these regulations	No fee.

“(2) In paragraphs (c) and (d) of subclause (1) of this regulation, ‘method of fishing’ means a method of fishing specified in the Schedule to these regulations.”

(2) Regulation 9 of the Commercial Fishing Regulations 1963, Amendment No. 4, is hereby consequentially revoked.

4. Fees for shore-fishing permits—The principal regulations are hereby further amended by revoking regulation 17 (as amended by section 7 of the Decimal Currency Act 1964), and substituting the following regulation:

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

	\$
“(a) The first method of fishing applied for in any application	25
“(b) Each additional method of fishing applied for in any application	5
“(c) For the issue of any duplicate permit	1

“(2) In this regulation, ‘method of fishing’ means a method of fishing specified in the Schedule to these regulations.”

5. Exemption from payment of fees—Regulation 19A of the principal regulations (as inserted by regulation 6 of the Commercial Fishing Regulations 1963, Amendment No. 1*), is hereby amended by revoking paragraph (b).

6. Change in port of landing—(1) Regulation 26B of the principal regulations (as inserted by regulation 6 of the Commercial Fishing Regulations 1963, Amendment No. 2*) is hereby revoked.

(2) Regulation 2 of the principal regulations (as amended by regulation 2 of the Commercial Fishing Regulations 1963, Amendment No. 2*), is hereby further amended by revoking the definition of “port of landing”.

7. Restriction on use of underwater breathing apparatus—Regulation 29 of the principal regulations (as substituted by regulation 8 of the Commercial Fishing Regulations 1963, Amendment No. 1) is hereby amended by revoking subclause (4), and substituting the following subclause:

“(4) Nothing in subclause (2) of this regulation shall be deemed to restrict the use or carriage of underwater breathing apparatus on a registered fishing boat in any case where the Director-General has approved the use or carriage of the apparatus for the purposes of—

“(a) Any investigation, observation, or piscicultural, marine, or oceanic research which would be facilitated by the use of the apparatus; or

“(b) The observation and clearing of box or teichi nets; or

“(c) The servicing of underwater cables, pipelines, and similar installations.”

8. Schedule added—The principal regulations are hereby further amended by adding the Schedule set out in the Schedule to these regulations.

*S.R. 1967/119

SCHEDULE

Reg. 8

NEW SCHEDULE TO PRINCIPAL REGULATIONS

“SCHEDULE Regs. 15 (2), 17 (2)

METHODS OF FISHING

Trawling, which includes the use of beam trawl, otter trawl, mid-water trawl, bottom trawl, pair trawl, and multiple trawl nets.

Seining, which includes the use of seine nets (other than beach seine or purse seine nets), Danish seine, pair seine, and multiple seine nets.

Round haul power netting, which includes the use of surrounding nets, purse seine, ring, and lampara nets.

Dredging, which includes the use of a dredge for shellfish (other than Foveaux Strait special area oysters) and a grapnel for shellfish or seaweed.

Potting, which includes the use of rock lobster pots, cod pots, fish pots, octopus pots, koura pots, and shrimp pots.

Trapping, which includes the use of fyke nets, eel pots, hinaki, fish traps, and trap nets (other than teichi or box-nets).

Trolling, which includes the use of troll lines.

Pole fishing, which includes the use of pole and line, live bait pole and line, hand pole and line, and mechanical pole and line.

Lining, which includes the use of set lines, longlines, handlines, dan lines, trot lines, jig lines, drop lines, mechanical lines, and squid machines.
Set netting, which includes the use of set nets, drift nets, gill nets, lift nets, dip nets, scoop nets, trammel nets, and entangling nets.
Drag netting, which includes the use of drag nets or beach seine nets.
Handpicking, which includes handgathering, shore-picking, diving, hand digging for shellfish, and hand cutting of seaweed.
Mechanical harvesting, which includes the mechanical cutting of seaweed and the mechanical harvesting (other than dredging) of shellfish."

P. G. MILLEN,
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 amend the Commercial Fishing Regulations 1963.

The fees payable for the registration of a fishing boat is fixed at \$10 instead of being payable pursuant to a scale ranging from \$4 to \$20 depending on the length of the boat.

The boat-fishing permit fees have also been amended, and are no longer based on the length of a fishing boat.

Shore-fishing permit fees have been amended from \$10 for each method of fishing to \$25 for the first method of fishing applied for and \$5 for every other method.

The fee exemption for eel fishing is revoked.

The change in port of landing provisions have also been revoked following the repeal of the enabling provision in the Fisheries Act 1908.

The exemptions from the restrictions imposed on the use of underwater breathing apparatus on a registered fishing boat are extended to include the observation and clearing of box or teichi nets, and the servicing of underwater cables, pipelines, and similar installations.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 31 March 1977.

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