



**THE EXCLUSIVE ECONOMIC ZONE (DRIFTNET) REGULATIONS
1989**

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 10th day of July 1989

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 22 of the Territorial Sea and Exclusive Economic Zone Act 1977, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

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| <p>1. Title and commencement
2. Definition of "driftnet"</p> | <p>3. Prohibition on use of driftnets
4. Prohibition on possession of driftnets
5. Offences</p> |
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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Exclusive Economic Zone (Driftnet) Regulations 1989.

(2) These regulations shall come into force on the 11th day of July 1989.

2. Definition of "driftnet"—In these regulations, "driftnet" means a gillnet or any other net—

- (a) Which is more than 1 kilometre in length; and
- (b) Which acts by enmeshing, entrapping, or entangling any fish; and

- (c) Which is used or intended to be used by being left to drift in, or on the surface of, the water; and
- (d) Which is not used or intended to be used while attached to any point of land or the sea bed irrespective of whether the net is used or intended to be used while attached to any vessel.

3. Prohibition on use of driftnets—No foreign fishing craft shall use a driftnet for fishing in the exclusive economic zone.

4. Prohibition on possession of driftnets—No foreign fishing craft in the exclusive economic zone shall have any driftnet on board that craft.

5. Offences—Where regulation 3 or regulation 4 of these regulations is contravened or is not complied with in respect of any foreign fishing craft to which that regulation applies, each of them, the licensee, the owner, the master, and every other crew member of the foreign fishing craft commits an offence against these regulations, and is liable on summary conviction,—

- (a) In the case of the licensee, owner, or master, to a fine not exceeding \$10,000; and
- (b) In the case of any other crew member, to a fine not exceeding \$1,000.

MARIE SHROFF,
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 11 July 1989, make it an offence—

- (a) For a foreign fishing craft to use a driftnet (as defined in the regulations) for fishing in the exclusive economic zone; or
- (b) For a foreign fishing craft in the exclusive economic zone to have any driftnet (as defined in the regulations) on board that craft.

Similar provisions in relation to New Zealand fisheries waters have been included in the Fisheries (Driftnet) Regulations 1989.

Issued under the authority of the Regulations Act 1936.
Date of notification in *Gazette*: 11 July 1989.

These regulations are administered in the Ministry of External Relations and Trade.