



**THE FISHERIES (1994-95 JACK MACKEREL QUOTA)
REGULATIONS 1994, AMENDMENT NO. 1**

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 24th day of January 1995

Present:

THE RIGHT HON. J. B. BOLGER PRESIDING IN COUNCIL

PURSUANT to section 89 of the Fisheries Act 1983, Her 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 Fisheries (1994-95 Jack Mackerel Quota) Regulations 1994, Amendment No. 1, and shall be read together with and deemed part of the Fisheries (1994-95 Jack Mackerel Quota) Regulations 1994* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 28th day after the date of their notification in the *Gazette*.

2. Quotas increased—Regulation 4 of the principal regulations is hereby amended by omitting from the table set out in that regulation the expressions “8 000” and “9 000”, and substituting, respectively, the expressions “10 000” and “18 000”.

*S.R. 1994/179

3. Offences—Regulation 6 of the principal regulations is hereby amended by adding the following subclause:

“(3) It is a defence to proceedings for an offence against subclause (1) (b) of this regulation in which it is alleged that the defendant took jack mackerel in an area in excess of an allocation made to the defendant pursuant to regulation 5 (1) of these regulations if the Court is satisfied that the defendant took the excess jack mackerel prior to the commencement of the Fisheries (1994–95 Jack Mackerel Quota Allocation) Notice 1995.”

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 28 days after the date of their notification in the *Gazette*, amend the Fisheries (1994–95 Jack Mackerel Quota) Regulations 1994.

Regulation 2 increases from 8 000 to 10 000 tonnes the jack mackerel quota for the Part Auckland (East), Central (East) Area and increases from 9 000 to 18 000 tonnes the jack mackerel quota for the South-East, Southland, Sub-Antarctic Area.

Regulation 3 amends regulation 6 of the principal regulations by providing a further defence to a charge of taking jack mackerel in excess of an allocation. It will be a defence to such a charge if the fish have been taken prior to the date of the individual allocations giving effect to the increased quotas (which allocations will be effected by notice in the *Gazette*).

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 26 January 1995.

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