



**FISHERIES (1997 FOVEAUX STRAIT DREDGE OYSTER QUOTA)
REGULATIONS 1997**

MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 28th day of April 1997

Present:

THE RIGHT HON DON MCKINNON PRESIDING IN COUNCIL

PURSUANT to section 89 of the Fisheries Act 1983, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, makes the following regulations.

ANALYSIS

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| <ul style="list-style-type: none"> 1. Title and commencement 2. Application 3. Interpretation | | <ul style="list-style-type: none"> 4. Quota imposed 5. Allocation of quota by notice 6. Offences |
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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Fisheries (1997 Foveaux Strait Dredge Oyster Quota) Regulations 1997.

(2) These regulations come into force on 1 June 1997.

2. Application—These regulations apply only to the period commencing on 1 June 1997 and ending on 31 August 1997 (both dates inclusive).

3. Interpretation—In these regulations,—

“Dredge oyster” means the mollusc known as *Tiostrea chilensis*:

“Foveaux Strait dredge oyster fishery” means the Foveaux Strait Dredge Oyster Fishery defined in regulation 2 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986:

“1997 quota period” means the period specified in regulation 2.

4. Quota imposed—A quota is imposed on the taking of dredge oysters from the Foveaux Strait dredge oyster fishery by commercial fishermen during the 1997 quota period of whichever of the following amounts is taken the sooner:

- (a) 1 526 greenweight tonnes:
- (b) 14 950 000 oysters.

5. Allocation of quota by notice—The Minister may, by notice in the *Gazette*, allocate the quota prescribed under these regulations to such commercial fishermen as the Minister may specify in the notice.

6. Offences—Every commercial fisherman commits an offence and is liable on summary conviction to a fine not exceeding \$10,000 who—

- (a) Not having received an allocation of quota under regulation 5, takes any dredge oyster from the Foveaux Strait dredge oyster fishery; or
- (b) Having received an allocation of quota under regulation 5, takes any dredge oyster from the Foveaux Strait dredge oyster fishery in excess of that allocation.

DIANE WILDERSPIN,
Acting for 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 set an overall quota of 1 526 greenweight tonnes or 14 950 000 oysters (whichever is taken sooner) for the Foveaux Strait dredge oyster fishery. The quota applies for the period 1 June 1997 to 31 August 1997. Individual allocations of quota will be made by the Minister by notice in the *Gazette*.

The regulations should be read in conjunction with the Fisheries (Foveaux Strait Dredge Oyster Fishery) Decontrolling Order 1997, which declares the end of the current controlled fishery with effect from 1 June 1997, and the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 1997, which remove the current restrictions relating to dredge oysters appearing in regulation 7 of the principal regulations.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 1 May 1997.

These regulations are administered in the Ministry of Fisheries.