



**THE FISHERIES (SOUTH-EAST AREA AMATEUR FISHING)  
REGULATIONS 1986, AMENDMENT NO. 2**

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CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 8th day of April 1991

Present:

HER EXCELLENCY THE GOVERNOR-GENERAL 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.

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REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No. 2, and shall be read together with and deemed part of the Fisheries (South-East Area Amateur Fishing) Regulations 1986\* (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. Interpretation**—Regulation 3 of the principal regulations is hereby amended by inserting, in their appropriate alphabetical order, the following definitions:

\*S.R. 1986/225  
Amendment No. 1: S.R. 1989/354

“‘Groper’ includes the fish species of which the scientific names are *Polyprion oxygeneios* and *Polyprion moeone*:

“‘Red coral’ means a coelenterate of the order *stylasterina*:

“‘South-East Fishery Management Area’ means the fishery management area described as the South-East Fishery Management Area in the Schedule to the notice declaring fishery management areas that was published in the *Gazette* on the 5th day of February 1986 at page 412.”

**3. Minimum size restriction on quinnat salmon caught in Otago Harbour**—Regulation 6B of the principal regulations (as inserted by regulation 2 of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No. 1) is hereby amended by omitting from paragraph (a) and also from paragraph (b) the expression “40 cm”, and substituting in each case the expression “50 cm”.

**4. New regulations inserted**—The principal regulations are hereby amended by inserting, after regulation 6B (as so inserted), the following regulations:

**“6C. Daily limit for quinnat salmon**—No person shall in any one day—

“(a) Take more than 2 quinnat salmon from the South-East Fishery Management Area; or

“(b) Possess more than 2 quinnat salmon taken from that area.

**“6D. Daily limit for groper**—No person shall in any one day—

“(a) Take more than 5 groper from the South-East Fishery Management Area; or

“(b) Possess more than 5 groper taken from that area.

**“6E. Set netting prohibited at southern end of Moeraki Peninsula**—No person shall use any set net in those waters lying within an area bounded by a line commencing at Tawhiroko Point at 45° 22.3’ S and 170° 52.1’ W, then proceeding on a bearing of 045° for 500 metres to a point at 45° 22.1’ S and 170° 52.3’ W, then in a southerly direction at a distance 500 metres from the mean high water mark to a point at 45° 23.8’ S and 170° 51.6’ W, then by a straight line to a point on the coast at 45° 23.6’ S, 170° 51.5’ W, then generally in a southerly direction, and then in a northerly direction along the mean high water mark to the point of commencement.

**“6F. Taking and possession of red coral prohibited**—No person shall take any red coral from the South-East Fishery Management Area or possess any red coral taken from that area.”

**5. Offences**—The principal regulations are hereby amended by revoking regulation 8, and substituting the following regulation:

“8. (1) Subject to subclauses (2) to (4) of this regulation, every person commits an offence and is liable on summary conviction to a fine not exceeding \$5,000 who acts in contravention of or fails to comply with any of these regulations.

“(2) Every person who commits an offence against subclause (1) of this regulation by taking or possessing any red coral in contravention of regulation 6F of these regulations is liable on summary conviction to a fine not exceeding \$10,000.

“(3) It shall be a defence to a charge of—

“(a) Possessing more than 2 quinnat salmon in contravention of regulation 6c (b) of these regulations; or

“(b) Possessing more than 5 groper in contravention of regulation 6d (b) of these regulations,—

if the defendant satisfies the Court that the number of quinnat salmon or groper possessed in excess of the relevant limit were not taken in breach of the relevant one of those regulations.

“(4) It shall be a defence to a charge of taking or possessing red coral in contravention of regulation 6f of these regulations if the defendant satisfies the Court that the red coral was taken before the commencement of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No. 2.”

MARIE SHROFF,  
Clerk of the Executive Council.

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#### 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 the 28th day after the date of their notification in the *Gazette*, amend the Fisheries (South-East Area Amateur Fishing) Regulations 1986 as follows:

- (a) The size restriction that applies to quinnat salmon taken in the Otago Harbour is increased from 40 cm to 50 cm:
- (b) The maximum daily limit for quinnat salmon taken within the South-East Fishery Management Area is set at 2. The former limit was 4:
- (c) The maximum daily limit for groper taken within the South-East Fishery Management Area is set at 5. The former limit was 30:
- (d) Set netting at the southern end of the Moeraki Peninsula is prohibited:
- (e) The taking of red coral from the South-East Fishery Management Area or possession of red coral taken from that area is prohibited absolutely.

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

Date of notification in *Gazette*: 11 April 1991.

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