



**THE FISHERIES (CHALLENGER AREA AMATEUR FISHING)
REGULATIONS 1986, AMENDMENT NO. 2**

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 13th day of September 1993

Present:

THE RIGHT HON. D. C. MCKINNON 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 (Challenger Area Amateur Fishing) Regulations 1986, Amendment No. 2, and shall be read together with and deemed part of the Fisheries (Challenger Area Amateur Fishing) Regulations 1986* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 30th day of September 1993.

2. New regulations inserted—(1) The principal regulations are hereby amended by inserting, after regulation 2, the following regulations:

“2A. **Interpretation**—In these regulations, unless the context otherwise requires,—

- “Blue cod’ means a fish of the species *Paraperca colias*:
 “Blue moki’ means a fish of the species *Latridopsis ciliaris*:
 “Butterfish’ means a fish of the species *Odax pullus* or *Odax cyanoallix*:
 “Elephant fish’ means a fish of the species *Callorhynchus milii*:
 “Flatfish’ means a fish of the species—
 “(a) Sand flounder (‘dab’, ‘white’, or ‘square’ flounder) (*Rhombosolea plebeia*); or
 “(b) Lemon sole (*Pelotretis flavilatus*); or
 “(c) New Zealand sole (*Peltorhampus novaezeelandiae*); or
 “(d) Flounder (‘yellow belly’) (*Rhombosolea leporina*); or
 “(e) Black flounder (*Rhombosolea retiaria*); or
 “(f) Greenblack flounder (*Rhombosolea tapirina*); or
 “(g) Brill (*Colistium guntheri*); or
 “(h) Turbot (*Colistium nudipinnis*):
 “Grey mullet’ means a fish of the species *Mugil cephalus*:
 “Hapuku/bass’ means a fish of the species *Polyprion oxygeneios* or *Polyprion moene*:
 “John dory’ means a fish of the species *Zeus faber*:
 “Kahawai’ means a fish of the species *Arripis trutta*:
 “Kingfish’ means a fish of the species *Seriola lalandi*:
 “Marlborough Sounds Area’ means all those waters enclosed by straight lines commencing at the easternmost point of Cape Campbell (at 41° 43.80’ S and 174° 16.60’ E), then to the easternmost point of The Brothers Islands (at 41° 6.20’ S and 174° 26.50’ E), then to the northernmost point of Stephens Island (at 40° 39.90’ S and 174° 0.0’ E), then to the Farewell Spit Light (at 40° 32.90’ S and 173° 0.60’ E):
 “Red cod’ means a fish of the species *Pseudophycis bacchus*:
 “Red gurnard’ means a fish of the species *Chelidonichthys kumu*:
 “Red moki’ means a fish of the species *Cheilodactylus spectabilis*:
 “Rig’ means a fish of the species *Mustelus lenticulatus*:
 “School shark’ means a fish of the species *Galeorhinus australis*:
 “Set net’ includes a gill net or any other sort of net that acts by enmeshing, entrapping, or entangling any fish:
 “Snapper’ means a fish of the species *Chrysophrys auratus*:
 “Tarakihi’ means a fish of the species *Nemadactylus macropterus*:
 “Trevally’ means a fish of the species *Caranx georgianus*.

“2b. **Maximum daily number of fish**—(1) No person shall, on any day, take from or possess in the Challenger Fishery Management Area, more than 20 fish of any one or more of the following species:

- | | |
|----------------|---------------|
| “Blue cod | “Kahawai |
| “Blue moki | “Red cod |
| “Bluenose | “Red gurnard |
| “Butterfish | “Red moki |
| “Elephant fish | “Rig |
| “Flatfish | “School shark |
| “Grey mullet | “Tarakihi |
| “John dory | “Trevally. |

“(2) Notwithstanding subclause (1) of this regulation, no person shall, on any day, take from or possess in the Marlborough Sounds Area more than 10 blue cod.

“(3) No person shall, on any day, take from the Challenger Fishery Management Area more than 10 snapper or possess more than 10 snapper taken from that area.

"(4) No person shall, on any day, take from the Challenger Fishery Management Area a total quantity of hapuku/bass and kingfish exceeding 5 or possess a total quantity of hapuku/bass and kingfish taken from that area exceeding 5.

"(5) No person shall, on any day, take from the Challenger Fishery Management Area more than 3 kingfish or possess more than 3 kingfish taken from that area."

(2) Regulation 3 of the principal regulations is hereby consequentially revoked.

3. Minimum set net mesh size—The principal regulations are hereby amended by inserting, after regulation 3A, the following regulation:

"3B. Notwithstanding regulation 6 of the Fisheries (Amateur Fishing) Regulations 1986, the mesh size of any set net used or possessed by any person in the Challenger Fishery Management Area shall not be less than the appropriate size specified in the following table:

<i>Species of Fish</i>				<i>Minimum Set Net Mesh Size (mm)</i>
Blue moki	..	..	..	114
Bluenose	..	..	..	160
Hapuku/bass	..	..	..	160
Kahawai	..	..	..	100
Grey mullet	..	..	..	100
School shark	..	..	..	150."

4. New regulations inserted—The principal regulations are hereby amended by inserting, after regulation 4, the following regulations:

"4A. **Set net prohibition**—(1) Except as provided for in subclause (2) of this regulation, no person shall use or possess a set net having a mesh size of or greater than 100mm in the following waters:

"(a) *Inner Queen Charlotte Sound*: The waters inside a line running from Dieffenbach Point (40° 14.0'S and 174° 08.70'E) to West Head Point (41° 13.0'S and 174° 08.60'E);

"(b) *Inner Pelorus Sound*: The waters inside a line running from Cregoe Point (41° 03.20'S and 173° 49.90'E) to Camel Point (41° 02.10'S and 173° 48.60'E) to Sheep Point (41° 01.20'S and 173° 48.80'E) and inside a line running from Tawero Point (41° 03.80'S and 173° 57.0'E) to Opani-aputa Point (41° 04.70'S and 173° 58.50'E);

"(c) *Croiselles Harbour*: The waters inside a line running from Cape Soucis (41° 03.20'S and 173° 35.60'E) to the outermost point of Motuanauru Island (41° 02.50'S and 173° 38.40'E) to the outermost point of Otuhaereroa Island (41° 02.30'S and 173° 39.60'E) to Kokaho Point (41° 02.30'S and 173° 40.30'E).

"(2) Nothing in subclause (1) of this regulation applies to any set net having—

"(a) A mesh size not less than 100mm; and

"(b) A total height not exceeding 9 meshes; and

"(c) Its entire length in direct contact with the seabed.

4B. Hook limit in Marlborough Sounds—(1) No person on board any vessel shall take fish from the waters described in subclause (2) of this regulation by using any line that has hooks attached thereto if the total number of hooks attached to lines used or possessed on board the vessel exceeds 50.

“(2) The waters referred to in subclause (1) of this regulation are all those waters lying inside a line commencing at West Head of Tory Channel on the north coast of the South Island (at 41° 12.90’S and 174° 18.90’E), then proceeding in a straight line to East Head of Tory Channel (at 41° 12.80’S and 174° 19.40’E), then proceeding in a generally northerly direction along the mean high water mark to Cape Koamaru at 41° 05.50’S and 174° 23’E, then proceeding in a straight line to Cape Jackson at 40° 59.80’S and 174° 18.70’E, then proceeding in a straight line to the northernmost point of Stephens Island (at 40° 39.90’S and 174° 00’E), then proceeding in a southwesterly direction along the mean high water mark to the southernmost point of Stephens Island (at 40° 40.60’S and 173° 59.40’E), then proceeding in a straight line to Cape Stephens at 40° 41.70’S and 173° 57.50’E, then proceeding in a generally southerly direction along the mean high water mark along the eastern side of D’Urville Island to Reef Point at French Pass (at 40° 55.20’S and 173° 50.20’E), then proceeding in a straight line to Channel Point light (at 40° 55.50’S and 173° 50.10’E).”

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 30 September 1993, amend the Fisheries (Challenger Area Amateur Fishing) Regulations 1986.

Regulation 2 inserts into the principal regulations new *regulations 2A* (definitions) and *2B* (setting maximum daily fish limits).

Regulation 3 inserts into the principal regulations new *regulation 3B* (imposing minimum set net mesh sizes for certain species).

Regulation 4 inserts into the principal regulations new *regulation 4A* (prohibiting set netting in inner Queen Charlotte Sound, inner Pelorus Sound, and Croiselles Harbour) and new *regulation 4B* (imposing a hook limit of 50 per vessel in the Marlborough Sounds).

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

Date of notification in *Gazette*: 16 September 1993.

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