



**THE FISHERIES (CHALLENGER AREA AMATEUR FISHING)
REGULATIONS 1986, AMENDMENT NO. 3**

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 29th day of August 1994

Present:

THE HON. DOUG KIDD 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. 3, 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 1st day of October 1994.

*S.R. 1986/224
Amendment No. 1: S.R. 1987/233
Amendment No. 2: S.R. 1993/287

2. Interpretation—Regulation 2A of the principal regulations (as inserted by regulation 2 (1) of the Fisheries (Challenger Area Amateur Fishing) Regulations 1986, Amendment No. 2) is hereby amended by revoking the definition of the term “Marlborough Sounds Area”, and substituting the following definitions:

“‘Marlborough Sounds Area’ means 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 down the eastern side of Stephens Island in a south-westerly direction along the mean high water mark, 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° 41.60’S and 173° 57.40’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° 55.60’S and 173° 50.10’E):

“‘Pacific oyster’ means the mollusc *Crassostrea gigas*.”

3. New regulations substituted—The principal regulations are hereby amended by revoking regulation 2B (as inserted by regulation 2 (1) of the Fisheries (Challenger Area Amateur Fishing) Regulations 1986, Amendment No. 2), and substituting the following regulations:

“**2B. Maximum daily number of fish**—(1) Subject to subclauses (2) to (4) of this regulation, 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) No person shall, on any day, take from or possess in the Marlborough Sounds Area, more than 6 blue cod.

“(3) No person shall, on any day,—

“(a) Take from or possess in the Challenger Fishery Management Area more than 10 snapper; or

“(b) Take from or possess in the Marlborough Sounds Area, more than 6 snapper.

“(4) No person shall, on any day, take from or possess in the Challenger Fishery Management Area—

“(a) A total quantity of hapuka/bass and kingfish exceeding 5 fish; or

“(b) More than 3 kingfish.

“2c. **Minimum size for blue cod in Marlborough Sounds Area**—Notwithstanding regulation 6 of the Fisheries (Amateur Fishing) Regulations 1986*, no person shall take from or possess in the Marlborough Sounds Area any blue cod that is less than 28 cm in length.”

4. Revocation—Regulation 4B of the principal regulations (as inserted by regulation 4 of the Fisheries (Challenger Area Amateur Fishing) Regulations 1986, Amendment No. 2) is hereby revoked.

5. Pacific Oyster—The principal regulations are hereby amended by inserting, after regulation 4B (as inserted by regulation 4 of the Fisheries (Challenger Area Amateur Fishing) Regulations 1986, Amendment No. 2), the following regulation:

“4c. Notwithstanding anything in regulation 19 (1) or regulation 23 (2) of the Fisheries (Amateur Fishing) Regulations 1986*, any person may take pacific oysters from the waters of the Challenger Fishery Management Area at any time on any day.”

MARIE SHROFF,
Clerk of the Executive Council.

*S.R. 1986/221

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 1 October 1994, amend the Fisheries (Challenger Area Amateur Fishing) Regulations 1986.

Regulation 2 amends regulation 2A of the principal regulations by redefining the term “Marlborough Sounds Area” and inserting a definition of the term “pacific oyster”.

Regulation 3 revokes regulation 2B of the principal regulations, and substitutes new regulations 2B and 2c.

New *regulation 2B* prescribes new daily bag limits of 6 blue cod and 6 snapper in the Marlborough Sounds Area.

New *regulation 2c* reduces from 30 cm to 28 cm the minimum size for blue cod in the Marlborough Sounds Area.

Regulation 4 revokes regulation 4B of the principal regulations, and thereby removes the hook limit of 50 per line formerly applying in the Marlborough Sounds Area by virtue of that regulation. A hook limit of 25 per line is now imposed for all areas by the Fisheries (Amateur Fishing) Regulations 1986.

Regulation 5 inserts into the principal regulations new *regulation 4c* and removes the restrictions on the taking of pacific oysters in the Challenger Area Fishery Management Area by amateur fishers.

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

Date of notification in *Gazette*: 1 September 1994.

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