



**THE FISHERIES (SOUTH-EAST AREA AMATEUR FISHING)
REGULATIONS 1986, AMENDMENT NO. 4**

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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.

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ANALYSIS

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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. 4, 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 30th day of September 1993.

2. Interpretation—(1) Regulation 3 of the principal regulations is hereby amended by revoking the definition of the term “groper” (as inserted by regulation 2 of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No. 2).

(2) Regulation 3 of the principal regulations is hereby amended by inserting, in their appropriate alphabetical order, the following definitions:

- “‘Barracouta’ means a fish of the species *Thyrsites atun*:
- “‘Blue cod’ means a fish of the species *Parapercis colias*:
- “‘Blue moki’ means a fish of the species *Latridopsis ciliaris*:
- “‘Bluenose’ means a fish of the species *Hyperoglyphe antarctica*:
- “‘Blue shark’ means a fish of the species *Prionace glauca*:
- “‘Bronze shark’ means a fish of the species *Carcharhinus brachyurus*:
- “‘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 novaeseelandiae*); 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*:
- “‘Hammerhead shark’ means a fish of the species *Sphyrna zygaena*:
- “‘Hapuku/bass’ means a fish of the species *Polyprion oxygeneios* or *Polyprion moene*:
- “‘Kahawai’ means a fish of the species *Arripis trutta*:
- “‘Kingfish’ means a fish of the species *Seriola lalandi* (formerly known as *Seriola grandis*):
- “‘Lamprey’ means a fish of the species *Geotria australis*:
- “‘Ling’ means a fish of the species *Genypterus blacodes*:
- “‘Mako shark’ means a fish of the species *Isurus oxyrinchus*:
- “‘Marblefish’ means a fish of the species *Aplodactylus etheridgi* or *Aplodactylus arctidensis*:
- “‘Marlin’ means a fish of the species *Tetrapturus audax*, *Makaira nigricans*, or *Makaira indica*:
- “‘Porbeagle shark’ means a fish of the species *Lamna nasus*:
- “‘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*:
- “‘Seven gilled shark’ means a fish of the species *Notorhynchus cepedianus* or *Heptranchias perlo*:

*S.R. 1986/225

Amendment No. 1: S.R. 1989/354

Amendment No. 2: S.R. 1991/59

Amendment No. 3: S.R. 1992/271

- “‘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:
 “‘Skate ray’ means a fish of the Order *Rajiformes*:
 “‘Spiky dog’ means a fish of the species *Squalus acanthias*:
 “‘Snapper’ means a fish of the species *Chrysophrys auratus*:
 “‘Stargazer’ means a fish of the species *Kathetostoma giganteum*:
 “‘Tarakihi’ means a fish of the species *Nemadactylus macropterus*:
 “‘Thresher shark’ means a fish of the species *Alopias vulpinus*:
 “‘Trevally’ means a fish of the species *Caranx georgianus*:
 “‘Trumpeter’ means a fish of the species *Latris lineata*:
 “‘Warehou’ means a fish of the species *Seriolella punctata* or *Seriolella
 brama*:
 “‘White pointer’ means a fish of the species *Carcharodon carcharias*:
 “‘Wrasse’ means a fish of the family *Labridae*.”

3. New regulations inserted—The principal regulations are hereby amended by inserting, after regulation 3, the following regulations:

“3A. **Maximum daily number of fish**—(1) No person shall, on any day, take from the South-East Fishery Management Area any fish in excess of the maximum daily number specified in respect of that fish in the following table:

<i>Species</i>					<i>Maximum Daily Number</i>
Barracouta	..	..	..	..	-
Blue cod	..	..	..	..	-
Blue moki	..	..	..	..	15
Bluenose	..	..	..	..	-
Blue shark	..	..	..	..	1
Bronze shark	..	..	..	..	1
Butterfish	..	..	..	..	15
Elephant fish	..	..	..	..	5
Flatfish	..	..	..	..	-
Grey mullet	..	..	..	..	-
Hammerhead shark	..	..	..	..	1
Kahawai	..	..	..	..	15
Lamprey	..	..	..	..	-
Ling	..	..	..	..	-
Mako shark	..	..	..	..	1
Marblefish	..	..	..	..	-
Marlin	..	..	..	..	1
Porbeagle shark	..	..	..	..	1
Quinnat salmon	..	..	..	..	2
Red cod	..	..	..	..	-
Red gurnard	..	..	..	..	-
Red moki	..	..	..	..	15
Rig	..	..	..	..	5
Seven gilled shark	..	..	..	..	1
School shark	..	..	..	..	5
Skate ray	..	..	..	..	5
Spiky dog	..	..	..	..	15
Snapper	..	..	..	..	-
Stargazer	..	..	..	..	-

<i>Species</i>					<i>Maximum Daily Number</i>
Tarakihi	..	..	..	..	15
Thresher shark	..	..	..	..	1
Trevally	..	..	..	..	-
Trumpeter	..	..	..	..	15
Warehou	..	..	..	..	15
White pointer	..	..	..	..	1
Wrasse	..	..	..	..	-

“(2) No person shall, on any day, possess any fish taken from the South-East Fishery Management Area in excess of the maximum daily number specified in respect of that fish in the table set out in subclause (1) of this regulation.

“(3) No person shall, on any day, take from the South-East Fishery Management Area more than 30 fish of any one or more of the species specified in the table set out in subclause (1) of this regulation or possess more than 30 fish of any one or more of the species specified in that table that have been taken from that area.

“(4) No person shall, on any day, take from the South-East 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 South-East Fishery Management Area more than 3 kingfish or possess more than 3 kingfish taken from that area.

“3B. **Minimum set net mesh size**—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 South-East 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	..	..	..	..	90
Grey mullet	..	..	..	..	90
School shark	..	..	..	..	150
Snapper	..	..	..	..	125.

“3c. **Minimum legal size for blue cod**—Notwithstanding regulation 6 of the Fisheries (Amateur Fishing) Regulations 1986, no person shall take from the South-East Fishery Management Area any blue cod that is less than 30cm in length or possess any blue cod taken from that area that is less than 30 cm in length.

“3D. **Set net prohibitions**—(1) No person shall, during the period commencing 1 hour before sunset on any day and ending 1 hour after sunrise on the following day, use a set net in the following waters:

- “(a) *Motunau Island*: All those waters lying within 300 m seaward of the mean high-water mark of the coast of Motunau Island (at 43° 03.80’S and 173° 04.50’E).
- “(b) *Banks Peninsula*: All those waters lying one-half nautical mile seaward in any direction from all points of the high-water mark, the east coast of the South Island lying between the mouth of the Rakaia River (at 43° 53.88’S and 172° 13.08’E), and Sumner Head (at 43° 34.14’S and 172° 46.60’E), except the following areas:
- “(i) All those waters lying to the west of a line drawn from a point at 43° 38.25’S and 172° 42.68’E and a point at 43° 36.92’S and 172° 40.22’E) in Lyttelton Harbour; and
- “(ii) All those waters lying to the south of a line drawn from a point (at 43° 38.92’S and 172° 49.16’E) to a point (at 43° 38.92’S and 172° 50.20’E) in Port Levy; and
- “(iii) All those waters lying to the south of a line drawn from Teopopaka Point (at 43° 40.18’S and 172° 54.34’E) and a point (at 43° 40.18’S and 172° 53.42’E) in Pigeon Bay; and
- “(iv) All those waters lying to the north of a line drawn between Green Point (at 43° 49.0’S and 173° 56.90’E) and Ohae Point (at 43° 48.20’S and 173° 55.30’E) in Akaroa Harbour;
- “(2) No person shall use a set net in the following waters:
- “(a) *Upper Otago Harbour*: All those waters of the upper harbour which lie to the north and west of a line from Burns Point (at 45° 53.20’S and 170° 31.60’E) to a point on the low tide training wall (at 45° 52.62’S and 170° 31.70’E); then generally in a north-easterly direction along the low tide training wall to a point (at 45° 50.18’S and 170° 36.08’E); then to Kilgour Point (at 45° 49.96’S and 170° 36.15’E);
- “(b) *Port Chalmers*: All those waters in the lower harbour in the vicinity of Port Chalmers which lie to the west of a line from Back Beach Point (at 45° 49.21’S and 170° 37.67’E), to a beacon (at 45° 49.26’S and 170° 37.92’E); then to the shore at Rocky Point (at 45° 48.35’S and 170° 37.70’E);
- “(c) *Taiaroa Head*: All those waters contained in an area commencing at Harrington Point (at 45° 47.20’S and 170° 43.35’E); then due west to a point (at 45° 47.20’S and 170° 43.20’E); then on a true bearing of 012° to a point (at 45° 46.53’S and 170° 43.20’E); then generally in a southerly direction at a distance of 200 m from the high water mark to a point (at 45° 50.69’S and 174° 44.0’E); then 200 m to the coast at Victory Beach (at 45° 50.69’S and 174° 43.85’E); then in a northerly direction along the high water mark to the point of commencement;
- “(d) *High Cliff*: All those waters enclosed in an area commencing at Maori Head (at 45° 54.65’S and 170° 33.80’E); then due south for 200 m to a point (at 45° 54.75’S and 170° 33.80’E); then generally in a north-easterly direction at a distance of 200 m from the high water mark to a point (at 45° 54.35’S and 170° 38.0’E); then due north for 200 m to the coast at Seal Point (at 45° 54.25’S and 170° 38.0’E); then in a south-easterly direction along the high water mark to point of commencement;

“(e) *Catlins Lake*: All of those waters of the Catlins Lake and tributaries running into the Catlins Lake that lie up stream of the main road bridge commencing at a point (at 46° 28.50’ S and 169° 45.60’ E); then in a southerly direction to 46° 28.60’ S and 169° 45.60’ E.”

4. Drag netting prohibited in Catlins River—The principal regulations are hereby amended by inserting, after regulation 6F, the following regulation:

“6G. No person shall use a dragnet in the waters of the Catlins Lake described in regulation 3D (2) (e) of these regulations.”

5. Revocations—(1) Regulations 6c and 6D of the principal regulations (as inserted by regulation 4 of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No. 2) are hereby revoked.

(2) Regulation 8 of the principal regulations (as substituted by regulation 5 of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No. 2) is hereby consequentially amended by revoking subclause (3).

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 (South-East Area Amateur Fishing) Regulations 1986.

Regulation 2 inserts new definitions into the principal regulations.

Regulation 3 inserts into the principal regulations new regulations 3A (setting maximum daily fish limits), 3B (imposing minimum set net mesh sizes for certain species), 3C (setting a minimum size of 30cm in length for blue cod), and 3D (prohibiting set netting in defined areas).

Regulation 4 prohibits drag netting in Catlins River.

Regulation 5 effects consequential revocations.

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.