



**THE FISHERIES (CHALLENGER AREA AMATEUR FISHING)
REGULATIONS 1986, AMENDMENT NO. 4**

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 30th day of October 1995

Present:

THE HON. WYATT CREECH 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. 4, 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 28th day after the date of their notification in the *Gazette*.

2. Interpretation—Regulation 2A of the principal regulations (as inserted by regulation 2 of the Fisheries (Challenger Area Amateur Fishing) Regulations 1986, Amendment No. 2) is hereby amended by

*S.R. 1986/224
Amendment No. 1: S.R. 1987/233
Amendment No. 2: S.R. 1993/287
Amendment No. 3: S.R. 1994/182

inserting, after the definition of the term "butterfish", the following definitions:

"'Challenger Fisheries Management Area' means all that area of New Zealand fisheries waters enclosed by a line commencing at Awarua Point on the west coast of the South Island (at 44° 16'S and 168° 03'E); then proceeding due west along latitude 44° 16'S to the outer limits of the exclusive economic zone to a point at 44° 16'S and 162° 13'E; then proceeding in a generally north-easterly direction along the outer limits of the exclusive economic zone to a point at 37° 44'S and 169° 56'E; then proceeding in a straight line to a point at 40° 32'S and 174° 20'E; then proceeding in a straight line to a point at 42° 10'S and 174° 42'E; then proceeding due west along latitude 42° 10'S to Clarence Point on the east coast of the South Island (at 42° 10'S and 173° 56'E); then proceeding in a generally northerly, westerly, and south-westerly direction along the mean high-water mark of the coast of the South Island to the point of commencement:

"'Dredge oyster' means a mollusc known as *Tiostrea chilensis* (formerly known as *Ostrea lutaria*):".

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

"3A. (1) Notwithstanding regulation 19 of the Fisheries (Amateur Fishing) Regulations 1986* or any other regulations made pursuant to the Fisheries Act 1983 relating to maximum daily catches, any person may take on any one day up to 50 scallops (*Pecten novaezelandiae*) from the Challenger Fisheries Management Area.

"(2) No person shall—

"(a) Take from the Challenger Fisheries Management Area any scallop whose shell, whether entire, chipped, or broken, is less than 90 mm in length; or

"(b) Be in possession of any scallop taken from the Challenger Fisheries Management Area whose shell, whether entire, chipped, or broken, is less than 90 mm in length.

"(3) For the purposes of subclause (1) of this regulation, the length of the shell of a scallop is its greatest diameter."

4. Dredge oysters—The principal regulations are hereby amended by inserting, after regulation 4c, the following regulation:

"4D. Regulation 23 (2) of the Fisheries (Amateur Fishing) Regulations 1986 shall not apply to prohibit the taking of dredge oysters from the Challenger Fisheries Management Area."

5. Revocation—The Fisheries (Challenger Area Amateur Fishing) Regulations 1986, Amendment No. 1 is hereby revoked.

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 the 28th day after the date of their notification in the *Gazette*, amend the Fisheries (Challenger Area Amateur Fishing) Regulations 1986 by—

- (a) Providing for a scallop amateur daily bag limit of 50 throughout the Challenger Fisheries Management Area; and
- (b) Reducing the minimum legal size for scallops in the Challenger Area from 100 mm to 90 mm; and
- (c) Removing the dredge oyster closed season for the recreational fishery in the Challenger Area.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 2 November 1995.
These regulations are administered in the Ministry of Fisheries.