



**THE FISHERIES (CHALLENGER AREA COMMERCIAL FISHING)
REGULATIONS 1986, AMENDMENT NO. 16**

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 Commercial Fishing) Regulations 1986, Amendment No. 16, and shall be read together with and deemed part of the Fisheries (Challenger Area Commercial Fishing) Regulations 1986* (hereinafter referred to as the principal regulations).

*S.R. 1986/218

Amendment No. 1: S.R. 1986/253
Amendment No. 2: S.R. 1987/109
Amendment No. 3: *(Revoked by S.R. 1992/227)*
Amendment No. 4: *(Revoked by S.R. 1989/241)*
Amendment No. 5: *(Revoked by S.R. 1989/241)*
Amendment No. 6: *(Revoked by S.R. 1992/227)*
Amendment No. 7: S.R. 1989/293
Amendment No. 8: S.R. 1990/218
Amendment No. 9: S.R. 1990/309
Amendment No. 10: *(Revoked by S.R. 1992/321)*
Amendment No. 11: S.R. 1991/162
Amendment No. 12: S.R. 1992/227
Amendment No. 13: S.R. 1992/321
Amendment No. 14: S.R. 1993/281
Amendment No. 15: S.R. 1993/332

(2) These regulations shall come into force on the 1st day of October 1994.

2. Interpretation—Regulation 2 (1) of the principal regulations (as substituted by regulation 2 (1) of the Fisheries (Challenger Area Commercial Fishing) Regulations 1986, Amendment No. 11) is hereby amended by revoking the definition of the term “dredge oyster”, and substituting the following definition:

“ ‘Dredge oyster’ means a shellfish of the species *Tiostrea chilensis*.”.

3. Trawling prohibited in Queen Charlotte Sound and restricted in Pelorus Sound—Regulation 7 (2) of the principal regulations is hereby amended by revoking paragraph (a).

4. Pacific oyster—The principal regulations are hereby amended by inserting, after regulation 13A (as inserted by regulation 2 of the Fisheries (Challenger Area Commercial Fishing) Regulations 1986, Amendment No. 2), the following regulation:

“13B. Notwithstanding anything in regulation 24 of the Fisheries (Commercial Fishing) Regulations 1986*, any commercial fisherman may take pacific oysters from the waters of the Challenger Fishery Management Area at anytime on any day.”

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

Regulation 2 updates the definition of the term "dredge oyster" in regulation 2 of the principal regulations.

Regulation 3 revokes regulation 7 (2) (a) of the principal regulations. Regulation 7 (2) (a) required that the mesh size of any trawl net used in the Marlborough Sounds be not less than 108 mm. The general provisions in the Fisheries (Commercial Fisheries) Regulations 1986 will now apply.

Regulation 4 removes the closed season applying to pacific oysters in the Challenger Area. Formerly, the closed season (as imposed by regulation 24 of the Fisheries (Commercial Fishing) Regulations 1986) commenced on 1 September in any year and ended with the close of the last day of February in the next year.

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.