



**THE FISHERIES (CHALLENGER AREA COMMERCIAL FISHING)
REGULATIONS 1986, AMENDMENT NO. 18**

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 Commercial Fishing) Regulations 1986, Amendment No. 18, 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. 1989/295
- 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. 1993/352
- Amendment No. 16: S.R. 1994/177
- Amendment No. 17: S.R. 1995/54

(2) These regulations shall come into force on the 28th day after the date of their notification in the *Gazette*.

2. Interpretation—(1) Regulation 2 (1) of the principal regulations (as substituted by regulation 2 of the Fisheries (Challenger Area Commercial Fishing) Regulations 1986, Amendment No. 8) is hereby amended by inserting, after the definition of the term “catseye”, the following definition:

“‘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.”.

(2) Regulation 2 of the principal regulations (as so inserted) is hereby further amended by revoking the definition of the term “set net” (as amended by regulation 2 (1) of the Fisheries (Challenger Area Commercial Fishing) Regulations 1986, Amendment No. 14), and substituting the following definition:

“‘Set net’ includes a gill net or any other sort of net which acts by enmeshing, entrapping, or entangling any fish; but does not include a fyke net or a hinaki trap.”.

(3) Regulation 2 (1) of the Fisheries (Challenger Area Commercial Fishing) Regulations 1986, Amendment No. 14 is hereby consequentially revoked.

3. Oyster fishing restrictions—The principal regulations are hereby amended by revoking regulation 13A (as inserted by regulation 2 of the Fisheries (Challenger Area Commercial Fishing) Regulations 1986, Amendment No. 2), and substituting the following regulation:

“13A. When 500 tonnes of dredge oysters have been taken from the Challenger Fisheries Management Area during the period commencing with the 1st day of March in any year and expiring with the 31st day of August in that year, the chief executive of the Ministry of Fisheries shall give public notice of that fact in a newspaper circulating in the Nelson region and by such other means as the chief executive considers appropriate, and shall specify in that notice a date (being a date later than the publication of the notice) after which no commercial fisherman shall take dredge oysters from the Challenger Fisheries Management Area.”

4. Revocation—The Fisheries (Challenger Area Commercial Fishing) Regulations 1986, Amendment No. 2 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 Commercial Fishing) Regulations 1986 by—

- (a) Excluding fyke nets and hinaki traps from the definition of the term “set net”; and
- (b) Extending to the whole of the Challenger Fishery Management Area the 500-tonne catch restriction on the commercial harvesting of oysters that currently applies to Tasman Bay and Golden Bay.

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.