



**THE FISHERIES (SOUTH-EAST AREA COMMERCIAL FISHING)
REGULATIONS 1986, AMENDMENT NO. 20**

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 (South-East Area Commercial Fishing) Regulations 1986, Amendment No. 20, and shall be read together with and deemed part of the Fisheries (South-East Area Commercial Fishing) Regulations 1986* (hereinafter referred to as the principal regulations).

*S.R. 1986/219

Amendment No. 1: S.R. 1986/254
 Amendment No. 2: S.R. 1988/105
 Amendment No. 3: S.R. 1988/320
 Amendment No. 4: S.R. 1989/322
 Amendment No. 5: *(Revoked by S.R. 1991/248)*
 Amendment No. 6: S.R. 1991/58
 Amendment No. 7: *(Revoked by S.R. 1991/163)*
 Amendment No. 8: S.R. 1991/163
 Amendment No. 9: *(Revoked by S.R. 1992/343)*
 Amendment No. 10: S.R. 1992/116
 Amendment No. 11: S.R. 1992/234
 Amendment No. 12: *(Revoked by S.R. 1993/282)*
 Amendment No. 13: S.R. 1995/48
 Amendment No. 14: S.R. 1995/282
 Amendment No. 15: S.R. 1995/355
 Amendment No. 16: S.R. 1994/28
 Amendment No. 17: S.R. 1994/174
 Amendment No. 18: S.R. 1995/36
 Amendment No. 19: S.R. 1995/175

(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 (South-East Area Commercial Fishing) Regulations 1986, Amendment No. 8) is hereby amended by revoking the definition of the term “set net” (as amended by regulation 2 (1) of the Fisheries (South-East 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.”

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

3. Commercial use of surface nets—Regulation 3A of the principal regulations (as inserted by regulation 3 of the Fisheries (South-East Area Commercial Fishing) Regulations 1986, Amendment No. 4) is hereby amended by omitting the word “net” where it first occurs, and substituting the words “set net”.

4. Restriction on taking cockles from Port Levy—The principal regulations are hereby amended by inserting, after regulation 10, the following regulation:

“10A. (1) No person shall take any cockle from the Port Levy area during the period commencing with the 7th day of December 1995 and ending with the close of the 30th day of September 1998, or be in possession of any cockle taken from that area during that period.

(2) In subclause (1) of this regulation, ‘Port Levy area’ means all those waters of Port Levy lying to the south of a line drawn from Adderley Head (at 43° 36.36’S and 172° 49.66’E) to Baleine Point (at 43° 36.33’S and 172° 51.19’E).”

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 (South-East Area Commercial Fishing) Regulations 1986 by—

- (a) Excluding fyke nets and hinaki traps from the definition of the term “set net”; and
- (b) Clarifying the restrictions on commercial use of surface nets as applying to the use of set nets only; and
- (c) Closing the cockle beds at Port Levy to commercial harvesting for the period 7 December 1995 to 30 September 1998.

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.