



**THE FISHERIES (SOUTH-EAST AREA COMMERCIAL FISHING)
REGULATIONS 1986, AMENDMENT NO. 3**

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 19th day of December 1988

Present:

THE HON. M. K. MOORE PRESIDING IN COUNCIL

PURSUANT to section 89 of the Fisheries Act 1983, His 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. 3, 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).

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

2. Trawling by large vessels prohibited between 15 December and 28 February in certain waters adjacent to Banks Peninsula—The principal regulations are hereby amended by inserting, after regulation 4A, the following regulation:

*S.R. 1986/219
Amendment No. 1: S.R. 1986/254
Amendment No. 2: S.R. 1988/105

“4B. No commercial fisherman shall use any New Zealand fishing vessel of 23 metres or more in overall length, or with a power rating of 250 Kw or more, for trawling during the period commencing with the 15th day of December in any year and ending with the 28th day of February in the following year (both dates inclusive) in those waters adjacent to Banks Peninsula enclosed by a line commencing at East Head, Okains Bay (at 43° 41.1'S and 173° 05.2'E); then proceeding on a true bearing of 045° to a point 43° 36.2'S and 173° 11.9'E; then proceeding generally in a southerly direction along a line every point of which is seven nautical miles seaward of the high water mark of Banks Peninsula to a point 44° 00.5'S and 172° 58.7'E; then proceeding due north to Akaroa Head (at 43° 53.5'S and 172° 58.7'E); then proceeding generally in a northerly direction along the mean high water mark to the point of commencement.”

3. Prohibition on trawling or set netting in certain areas—The principal regulations are hereby amended by revoking regulation 5, and substituting the following regulation:

“5. (1) No commercial fisherman shall use a trawl net or a set net during the period commencing with the 1st day of January in any year and ending with the 30th day of April (both days inclusive) in the same year in the waters lying within 1 nautical mile seawards in any direction from the mouth or mouths of the following rivers:

“(a) The Waiau, the northernmost limit of the closure being a point on the coast at 42° 44.8'S and 173° 23.6'E and the southern limit at a point on the coast at 42° 48.0'S and 173° 22.0'E:

“(b) The Hurunui, the northernmost limit of the closure being a point on the coast at 42° 54.0'S and 173° 18.0'E and the southern limit at a point on the coast at 42° 55.7'S and 173° 16.0'E:

“(c) The Waimakariri, the northernmost limit of the closure being a point on the coast at 43° 22.5'S and 172° 42.5'E and the southern limit at a point on the coast at 43° 24.8'S and 172° 42.9'E:

“(d) The Rakaia, the northernmost limit of the closure being a point on the coast at 43° 53.6'S and 172° 14.0'E and the southern limit at a point on the coast at 43° 54.2'S and 172° 11.4'E:

“(e) The Ashburton, the northernmost limit of the closure being a point on the coast at 44° 02.7'S and 171° 49.5'E and the southern limit at a point on the coast at 44° 04.0'S and 171° 46.9'E:

“(f) The Rangitata, the northernmost limit of the closure being a point on the coast at 44° 10.8'S and 171° 31.6'E and the southern limit at a point on the coast at 44° 12.0'S and 171° 29.2'E:

“(g) The Orari, the northernmost limit of the closure being a point on the coast at 44° 13.9'S and 171° 25.8'E and the southern limit at a point on the coast at 44° 15.2'S and 171° 23.4'E:

“(h) The Opihi, the northernmost limit of the closure being a point on the coast at 44° 16.3'S and 171° 22.0'E and the southern limit at a point on the coast at 44° 17.9'S and 171° 19.9'E:

“(i) The Waitaki, the northernmost limit of the closure being a point on the coast at 44° 55.5'S and 171° 09.0'E and the southern limit at a point on the coast at 44° 57.6'S and 171° 07.7'E.

“(2) No commercial fisherman shall use a set net during the period commencing with the 1st day of January in any year and ending with the

30th day of April (both days inclusive) in the same year in those waters lying within one nautical mile seawards in any direction of a line drawn from the southernmost bank to the northernmost bank of the mouths of the Clutha River, the northernmost limit of the closure being a point at $46^{\circ} 19.4'S$ and $169^{\circ} 51.9'E$ and the southern limit being at a point on the coast at $46^{\circ} 21.8'S$ and $169^{\circ} 47.4'E$."

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 day after the date of their publication in the *Gazette*, impose restrictions on certain trawling and set netting operations in the South-East Commercial Fishing Area during specified periods of the year.

Regulation 2 bans commercial trawling in waters adjacent to Banks Peninsula during the period 15 December to 28 February by fishing vessels 23 metres or more in length, or with a power rating of 250 Kw or more.

Regulation 3 bans commercial fishermen from using trawl nets or set nets during the period 1 January to 30 April in waters lying within 1 nautical mile seawards from the mouths of the 9 rivers specified in new regulation 5 (1), and bans the use of set nets round the mouths of the Clutha during that period. The regulation specifies the northern and southern limits of those river mouths. The rivers specified are the Waiau, the Hurunui, the Waimakiriri, the Rakaia, the Ashburton, the Rangitata, the Orari, the Opihi, the Waitaki, and the Clutha. Under the existing regulation 5 the ban was limited to the waters within 1 kilometre of the mouths of the Rakaia, the Ashburton, the Rangitata, and the Waitaki.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 21 December 1988.

These regulations are administered in the Ministry of Agriculture and Fisheries.