



**THE FISHERIES (CHALLENGER AREA COMMERCIAL FISHING)
REGULATIONS 1986, AMENDMENT NO. 8**

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 27th day of August 1990

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL 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 (Challenger Area Commercial Fishing) Regulations 1986, Amendment No. 8, 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).

(2) These regulations shall come into force on the 2nd day of September 1990.

*S.R. 1986/218

Amendment No. 1: S.R. 1986/253

Amendment No. 2: S.R. 1987/109

Amendment No. 3: S.R. 1987/262

Amendment No. 4: S.R. 1988/185

Amendment No. 5: S.R. 1988/292

Amendment No. 6: S.R. 1989/241

Amendment No. 7: S.R. 1989/293

2. Conditions for taking scallops and oysters—(1) Regulation 12 (2) of the principal regulations is hereby amended by omitting the expression “41° 15’ South parallel” (as substituted by regulation 2 (2) of the Fisheries (Challenger Area Commercial Fishing) Regulations 1986, Amendment No. 6), and substituting the expression “40° 15’ South parallel”.

(2) Regulation 2 (2) of the Fisheries (Challenger Area Commercial Fishing) Regulations 1986, Amendment No. 6 is hereby consequentially revoked.

3. Scallop season and quotas—Regulation 12A of the principal regulations (as substituted by regulation 3 of the Fisheries (Challenger Area Commercial Fishing) Regulations 1986, Amendment No. 6) is hereby amended—

- (a) By omitting from subclause (1) the expression “3rd”, and substituting the expression “2nd”;
- (b) By omitting from subclause (1) the expression “21st”, and substituting the expression “20th”;
- (c) By omitting from subclause (2) the expression “4,600”, and substituting the expression “4,000”;
- (d) By omitting from subclause (4) the expression “90”, and substituting the expression “80”.

4. Offences—(1) The principal regulations are hereby amended by revoking regulation 15 (as amended by regulation 8 of the Fisheries (Challenger Area Commercial Fishing) Regulations 1986, Amendment No. 7), and substituting the following regulation:

“15. Every commercial fisherman who acts in contravention of, or fails to comply with, any of regulations 3 to 14j of these regulations commits an offence and is liable on summary conviction to a fine not exceeding \$10,000.”

(2) Regulation 8 of the Fisheries (Challenger Area Commercial Fishing) Regulations 1986, Amendment No. 7 is hereby consequentially 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 2 September 1990, amend the Fisheries (Challenger Area Commercial Fishing) Regulations 1986.

Regulation 2 corrects an error in the description of the southern scallop fishery in regulation 12 (2) of the principal regulations.

Regulation 3 amends regulation 12A of the principal regulations, which relates to the southern scallop season and quotas. The changes are as follows:

- (a) The new scallop season is from 2 September to 20 December. The old season began and ended a day later than the new season:
- (b) The boat limit is reduced from 4,600 kg to 4,000 kg;
- (c) The quota for the Marlborough Sounds area is reduced from 90 tonnes to 80 tonnes.

Regulation 4 replaces regulation 15 of the principal regulations, which relates to offences and penalties. The new regulation prescribes a fine not exceeding \$10,000 for all offences against the regulations. Formerly, the maximum penalty for some offences was a fine of \$5,000.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 30 August 1990.

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