



**FISHERIES (AUCKLAND AND KERMADEC AREAS  
COMMERCIAL FISHING) AMENDMENT REGULATIONS (NO. 3)  
1999**

---

MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 11th day of October 1999

Present:

THE RIGHT HON JENNY SHIPLEY PRESIDING IN COUNCIL

PURSUANT to section 89 of the Fisheries Act 1983 and section 297 of the Fisheries Act 1996, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, makes the following regulations.

---

ANALYSIS

1. Title and commencement

2. Trawling and Danish seining prohibited  
in defined areas  
3. Taking of scallops

---

REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No. 3) 1999, and are part of the Fisheries

(Auckland and Kermadec Areas Commercial Fishing) Regulations 1986\* (“the principal regulations”).

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

**2. Trawling and Danish seining prohibited in defined areas**—Regulation 4 of the principal regulations is amended by adding the following paragraph:

“(zd) *Spirits Bay - Tom Bowling Bay*: The waters within the area defined by a line commencing at the point at 34°22.0’S and 172°40.0’E; then proceeding by a straight line in a northerly direction to the point at 34°18.5’S and 172°40.0’E; then proceeding by a straight line in an easterly direction to the point at intersection with the 100-metre depth contour line (as shown on Chart NZ41) at 34°18.5’S and 172°53.1’E; then proceeding in a generally south-easterly direction along the 100-metre depth contour line (as shown on Chart NZ41) to the point at 34°22.3’S and 173°2.7’E; then proceeding by a straight line in a southerly direction to the point at intersection with the 50-metre depth contour line (as shown on Chart NZ41) at 34°23.6’S and 173°2.7’E; then proceeding in a generally westerly direction along the 50-metre depth contour line (as shown on Chart NZ41) to the point at 34°23.0’S and 172°53.6’E; then proceeding by a straight line in a northerly direction to the point at 34°22.7’S and 172°53.6’E; then proceeding by a straight line in a westerly direction to the point at 34°22.7’S and 172°45.3’E; then proceeding by a straight line in a northerly direction to the point at 34°22.0’S and 172°45.3’E; then proceeding by a straight line in a westerly direction to the point of commencement.”

**3. Taking of scallops**—Regulation 22 (1) of the principal regulations is amended by adding the following paragraph:

“(zl) *Spirits Bay - Tom Bowling Bay*: The waters within the area defined by a line commencing at the point at 34°22.0’S and 172°40.0’E; then proceeding by a straight line in a northerly direction to the point at 34°18.5’S and 172°40.0’E; then proceeding by a straight line in an easterly direction to the point at intersection with the 100-metre depth contour line (as shown on Chart NZ41) at 34°18.5’S and 172°53.1’E; then proceeding in a

\*S.R. 1986/216

Amendment No. 1: S.R. 1986/251  
 Amendment No. 2: S.R. 1988/5  
 Amendment No. 3: S.R. 1989/291  
 Amendment No. 4: (*Revoked by S.R. 1995/33*)  
 Amendment No. 5: S.R. 1991/161  
 Amendment No. 6: S.R. 1992/210  
 Amendment No. 7: S.R. 1993/279  
 Amendment No. 8: S.R. 1994/181  
 Amendment No. 9: S.R. 1995/33  
 Amendment No. 10: S.R. 1995/158  
 Amendment No. 11: S.R. 1995/214  
 Amendment No. 12: S.R. 1995/230  
 Amendment No. 13: S.R. 1996/279  
 Amendment 1997: S.R. 1997/28  
 Amendment (No. 2) 1997: S.R. 1997/305  
 Amendment 1998: S.R. 1998/24  
 Amendment (No. 2) 1998: S.R. 1998/297  
 Amendment 1999: S.R. 1999/178  
 Amendment (No. 2) 1999: S.R. 1999/220

generally south-easterly direction along the 100-metre depth contour line (as shown on Chart NZ41) to the point at 34°22.3'S and 173°2.7'E; then proceeding by a straight line in a southerly direction to the point at intersection with the 50-metre depth contour line (as shown on Chart NZ41) at 34°23.6'S and 173°2.7'E; then proceeding in a generally westerly direction along the 50-metre depth contour line (as shown on Chart NZ41) to the point at 34°23.0'S and 172°53.6'E; then proceeding by a straight line in a northerly direction to the point at 34°22.7'S and 172°53.6'E; then proceeding by a straight line in a westerly direction to the point at 34°22.7'S and 172°45.3'E; then proceeding by a straight line in a northerly direction to the point at 34°22.0'S and 172°45.3'E; then proceeding by a straight line in a westerly direction to the point of commencement."

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 (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986 by—

- (a) Prohibiting trawling and Danish seining in Spirits Bay and Tom Bowling Bay; and
- (b) Prohibiting commercial fishers from taking scallops from Spirits Bay and Tom Bowling Bay or being in possession of scallops taken from those waters.

---

Issued under the authority of the Acts and Regulations Publication Act 1989.  
Date of notification in *Gazette*: 14 October 1999.  
These regulations are administered in the Ministry of Fisheries.