



**THE FISHERIES (AUCKLAND AND KERMADEC AREAS
COMMERCIAL FISHING) REGULATIONS 1986,
AMENDMENT NO. 13**

MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 23rd day of September 1996

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 (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No. 13, and shall be read together with and deemed part of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986* (hereinafter referred to as the principal regulations).

*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: S.R. (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

(2) Subject to subclause (3) of this clause, these regulations shall come into force on the 28th day after the date of their notification in the *Gazette*.

(3) Regulation 4 of these regulations shall come into force on 1 October 1996.

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

“(zc) *Cape Runaway*: The waters within the area defined by a line beginning at the mean high-water mark at Cape Runaway (at approximately 37° 32.3’S and 177° 59’E); then proceeding in a straight line in a northerly direction to a position 2 nautical miles from the point of commencement at approximately 37° 30.3’S and 177° 59’E; then in a generally westerly direction by a line every point of which is 2 nautical miles from the mean high-water mark of Cape Runaway to a point at 37° 31.2’S and 177° 56.8’E; then in a straight line in a southerly direction to the mean high-water mark of a position (at 37° 37.2’S and 177° 56.8’E) adjacent to, or on, a stream tributary on Oruiti Beach; and then proceeding along the line of the mean high-water mark in a generally easterly and northerly direction to the point of commencement at Cape Runaway.”

3. Set netting prohibited in defined areas—Regulation 15A of the principal regulations (as inserted by regulation 10 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No. 7) is hereby amended by adding the following paragraph:

“(n) *Cape Runaway*: The waters within the area defined by a line beginning at the mean high-water mark at Cape Runaway (at approximately 37° 32.3’S and 177° 59’E); then proceeding in a straight line in a northerly direction to a position 2 nautical miles from the point of commencement at approximately 37° 30.3’S and 177° 59’E; then in a generally westerly direction by a line every point of which is 2 nautical miles from the mean high-water mark of Cape Runaway to a point at 37° 31.2’S and 177° 56.8’E; then in a straight line in a southerly direction to the mean high-water mark of a position (at 37° 37.2’S and 177° 56.8’E) adjacent to, or on, a stream tributary on Oruiti Beach; and then proceeding along the line of the mean high-water mark in a generally easterly and northerly direction to the point of commencement at Cape Runaway.”

4. Fish, aquatic life, and seaweed that may be taken subject to competitive or individual quotas, method restrictions, etc.—Regulation 20D (1) of the principal regulations (as inserted by regulation 11 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No. 5) is hereby amended by omitting the words “Jack mackerel”.

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 to prohibit trawling and Danish seining and the use of set nets within 2 nautical miles of the shoreline to the west of Cape Runaway in the eastern Bay of Plenty. "Jack mackerel" is omitted from regulation 20D of the principal regulations as a consequence of section 367 of the Fisheries Act 1996.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 26 September 1996.
These regulations are administered in the Ministry of Fisheries.