



**THE FISHERIES (AUCKLAND AND KERMADEC AREAS
COMMERCIAL FISHING) REGULATIONS 1986,
AMENDMENT NO. 8**

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 29th day of August 1994

Present:

THE HON. DOUG KIDD 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 (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No. 8, 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).

(2) These regulations shall come into force on the 1st day of October 1994.

2. Interpretation—Regulation 2 (1) of the principal regulations (as substituted by regulation 2 (1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No. 5) is hereby

*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: S.R. 1991/60

Amendment No. 5: S.R. 1991/161

Amendment No. 6: S.R. 1992/210

Amendment No. 7: S.R. 1993/279

amended by omitting from the definition of the term “dredge oyster” the words “*Tiostrea lutaria*”, and substituting the words “*Tiostrea chilensis*”.

3. Trawling and Danish seining prohibited in defined areas—Regulation 4 of the principal regulations (as amended by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No. 7) is hereby amended by adding the following paragraph:

“(zb) *Tairua Harbour*: The waters enclosed by the mean high water mark at the northernmost point of Storm Beach (37° 02.77'S and 175° 53.23'E), then in a generally easterly direction to a position at the southernmost point of Home Bay (37° 03.11'S and 175° 56.05'E), then in a generally northerly direction to Big King Rock (36° 59.92'S and 175° 55.34'E), then in a generally northwesterly direction to the waters enclosed by the high water mark at Te Karo Bay (36° 57.70'S and 175° 50.75'E).”

4. Restriction on mesh size of trawl nets—Regulation 5 (4) of the principal regulations (as added by regulation 5 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No. 7) is hereby amended—

- (a) By omitting the expression “subclause (3)”, and substituting the expression “subclause (1)”;
- (b) By omitting the words “condition on”.

5. Certain species may be taken by use of nets—(1) The principal regulations are hereby amended by revoking regulation 5c (as inserted by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No. 3), and substituting the following regulation:

“5c. Notwithstanding regulation 21 of the Fisheries (Commercial Fishing) Regulations 1986, any commercial fisherman may take from the waters of quota management area 1 or quota management area 9—

“(a) Blue mackerel, jack mackerel, or koheru by means of a lampara net or purse seine net so long as any mesh of the net is not less than 50 mm:

“(b) Anchovy, pilchard, or saury by means of a net so long as any mesh of the net—

“(i) In the case of a lampara net or purse seine net, is not less than 12 mm:

“(ii) In the case of any other net, is not less than 25 mm:

“(c) Skipjack tuna by means of a lampara net or purse seine net so long as any mesh of the net is not less than 63 mm.”

(2) Regulation 8 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No. 5 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 1 October 1994, amend the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986.

Regulation 2 updates the definition of the term "dredge oyster" in regulation 2 of the principal regulations.

Regulation 3 amends regulation 4 of the principal regulations by prohibiting trawling and Danish seining in the area surrounding Tairua Harbour on the Coromandel Peninsula.

Regulation 4 corrects errors in regulation 5 of the principal regulations.

Regulation 5 revokes and replaces regulation 5c of the principal regulations and relates to minimum net mesh sizes in quota management areas 1 and 9. The purpose of the change is to allow the use of a lampara net or purse seine net, having a minimum net mesh size of 12 mm, for the purpose of taking anchovies, pilchards, and saury. In the case of anchovies and saury, the minimum mesh size was formerly 25 mm.

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

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