



**THE FISHERIES (CATCH AGAINST QUOTA) REGULATIONS  
1993, AMENDMENT NO. 1**

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CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 21st day of March 1994

Present:

THE RIGHT HON. D. C. MCKINNON 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.

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REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Fisheries (Catch Against Quota) Regulations 1993, Amendment No. 1, and shall be read together with and deemed part of the Fisheries (Catch Against Quota) Regulations 1993\* (hereinafter referred to as the principal regulations).

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

**2. Power to correct errors or rectify omissions**—(1) Regulation 8 of the principal regulations is hereby amended by revoking subclauses (2) and (3), and substituting the following subclause:

“(2) Where, pursuant to subclause (1) of this regulation, the Director-General amends any notification given to a quota holder, the following

provisions shall apply in relation to any other quota holder (in this subclause referred to as a third party) affected by the amendment to the notification:

“(a) The Director-General may consequentially amend any notification given to any third party where any matter specified in that notification is required to be amended as a consequence of the application of the rules in these regulations and the making of the first-mentioned amendment:

“(b) Where such a consequential amendment to a notification given to a third party is made more than 6 months after the close of the month to which the amendment relates, the third party may request the Director-General to cancel the consequential amendment, and the Director-General, after having regard to the effect that the consequential amendment is likely to have on the third party and any resulting prejudice to that party, may cancel the amendment in whole or in part accordingly.”

(2) Regulation 8 (6) of the principal regulations is hereby amended by omitting the expression “subclauses (2), (3), and (5)”, and substituting the expression “subclauses (2) and (5)”.

MARIE SHROFF,  
Clerk of the Executive Council.

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EXPLANATORY NOTE

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations which come into force 28 days after the date of their notification in the *Gazette*, amend the Fisheries (Catch Against Quota) Regulations 1993.

The principal purposes of the regulations are as follows:

- (a) The 2-month time limit on the amendment of a third party's quota balance as a consequence of the correction of another party's quota balance is removed from regulation 8 of the principal regulations:
- (b) If a consequential change to the quota balance of a third party is made more than 6 months after the close of the month to which the amendment relates, the third party may request the Director-General to cancel the amendment, and the Director-General has a discretion to cancel the amendment in whole or in part.

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

Date of notification in *Gazette*: 24 March 1994.

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