



**THE FISHERIES (SOUTHLAND AND SUB-ANTARCTIC AREAS  
AMATEUR FISHING) REGULATIONS 1991,  
AMENDMENT NO. 1**

—

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 13th day of September 1993

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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ANALYSIS

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REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Fisheries (Southland and Sub-Antarctic Areas Amateur Fishing) Regulations 1991, Amendment No. 1, and shall be read together with and

deemed part of the Fisheries (Southland and Sub-Antarctic Areas Amateur Fishing) Regulations 1991\* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 30th day of September 1993.

**2. Interpretation**—(1) Regulation 3 of the principal regulations is hereby amended by revoking the definition of the term “groper”.

(2) Regulation 3 of the principal regulations is hereby amended by inserting, in their appropriate alphabetical order, the following definitions:

“Barracouta’ means a fish of the species *Thyrssites atun*:

“Blue cod’ means a fish of the species *Paraperca colias*:

“Blue moki’ means a fish of the species *Latridopsis ciliaris*:

“Bluenose’ means a fish of the species *Hyperoglyphe antarctica*:

“Blue shark’ means a fish of the species *Prionace glauca*:

“Bronze shark’ means a fish of the species *Carcharhinus brachyurus*:

“Butterfish’ means a fish of the species *Odax pullus* or *Odax cyanoallix*:

“Dredge’ means a device towed on or over or capable of being towed on or over the seabed primarily for the collection of shellfish; and includes a box dredge or ring device:

“Elephant fish’ means a fish of the species *Callorhynchus milii*:

“Flatfish’ means a fish of the species—

    “(a) Sand flounder (‘dab’, ‘white’, or ‘square’ flounder) (*Rhombosolea plebeia*); or

    “(b) Lemon sole (*Pelotretis flavilatus*); or

    “(c) New Zealand sole (*Peltorhampus novaezeelandiae*); or

    “(d) Flounder (‘yellow belly’) (*Rhombosolea leporina*); or

    “(e) Black flounder (*Rhombosolea retiaria*); or

    “(f) Greenblack flounder (*Rhombosolea tapirina*); or

    “(g) Brill (*Colistium guntheri*); or

    “(h) Turbot (*Colistium nudipinnis*):

“Grey mullet’ means a fish of the species *Mugil cephalus*:

“Hammerhead shark’ means a fish of the species *Sphyrna zygaena*:

“Hapuku/bass’ means a fish of the species *Polyprion oxygeneios* or *Polyprion moene*:

“Kahawai’ means a fish of the species *Arripis trutta*:

“Kingfish’ means a fish of the species *Seriola lalandi* (formerly known as *Seriola grandis*):

“Lamprey’ means a fish of the species *Geotria australis*:

“Ling’ means a fish of the species *Genypterus blacodes*:

“Mako shark’ means a fish of the species *Isurus oxyrinchus*:

“Marblefish’ means a fish of the species *Aplodactylus etheridgi* or *Aplodactylus arctidens*:

“Marlin’ means a fish of the species *Tetrapturus audax*, *Makaira nigricans*, or *Makaira indica*:

“Porbeagle shark’ means a fish of the species *Lamna nasus*:

“Red cod’ means a fish of the species *Pseudophycis bacchus*:

“Red gurnard’ means a fish of the species *Chelidonichthys kumu*:

“Red moki’ means a fish of the species *Cheilodactylus spectabilis*:

“Rig’ means a fish of the species *Mustelus lenticulatus*:

“Seven gilled shark’ means a fish of the species *Notorhynchus cepedianus* or *Heptranchias perlo*:

- “ ‘School shark’ means a fish of the species *Galeorhinus australis*:  
 “ ‘Set net’ includes a gill net or any other sort of net that acts by  
 enmeshing, entrapping, or entangling any fish:  
 “ ‘Skate ray’ means a fish of the Order *Rajiformes*:  
 “ ‘Spiky dog’ means a fish of the species *Squalus acanthias*:  
 “ ‘Snapper’ means a fish of the species *Chrysophrys auratus*:  
 “ ‘Stargazer’ means a fish of the species *Kathetostoma giganteum*:  
 “ ‘Tarakihi’ means a fish of the species *Nemadactylus macropterus*:  
 “ ‘Thresher shark’ means a fish of the species *Alopias vulpinus*:  
 “ ‘Trevally’ means a fish of the species *Caranx georgianus*:  
 “ ‘Trumpeter’ means a fish of the species *Latris lineata*:  
 “ ‘Warehou’ means a fish of the species *Serirolella punctata* or *Serirolella  
 brama*:  
 “ ‘White pointer’ means a fish of the species *Carcharodon carcharias*:  
 “ ‘Wrasse’ means a fish of the family *Labridae*.”

**3. New regulations substituted**—The principal regulations are hereby amended by revoking regulation 4, and substituting the following regulations:

**4. Maximum daily number of fish**—(1) No person shall, on any day, take from within the Southland and Sub-Antarctic Fishery Management Areas any fish in excess of the maximum daily number specified in respect of that fish in the following table:

<i>Species</i>					<i>Maximum Daily Number</i>
Barracouta	..	..	..	..	-
Blue cod	..	..	..	..	-
Blue moki	..	..	..	..	15
Bluenose	..	..	..	..	-
Blue shark	..	..	..	..	1
Bronze shark		..	..	..	1
Butterfish	..	..	..	..	15
Elephant fish		..	..	..	5
Flatfish	..	..	..	..	-
Grey mullet		..	..	..	-
Hammerhead shark	..	..	..	..	1
Kahawai	..	..	..	..	15
Lamprey	..	..	..	..	-
Ling	..	..	..	..	-
Mako shark		..	..	..	1
Marblefish	..	..	..	..	-
Marlin	..	..	..	..	1
Porbeagle shark		..	..	..	1
Quinnat salmon	..	..	..	..	2
Red cod	..	..	..	..	-
Red gurnard		..	..	..	-
Red moki	..	..	..	..	15
Rig	..	..	..	..	5
Seven gilled shark		..	..	..	1
School shark	..	..	..	..	5
Skate ray	..	..	..	..	5

<i>Species</i>					<i>Maximum Daily Number</i>
Spiky dog	..	..	..	..	15
Snapper	..	..	..	..	-
Stargazer	..	..	..	..	-
Tarakihi	..	..	..	..	15
Thresher shark	..	..	..	..	1
Trevally	..	..	..	..	-
Trumpeter	..	..	..	..	15
Warehou	..	..	..	..	15
White pointer	..	..	..	..	1
Wrasse	..	..	..	..	-

“(2) No person shall, on any day, possess any fish taken from within the Southland and Sub-Antarctic Fishery Management Areas in excess of the maximum daily number specified in respect of that fish in the table set out in subclause (1) of this regulation.

“(3) No person shall, on any day, take from within the Southland and Sub-Antarctic Fishery Management Areas more than 30 fish of any one or more of the species specified in the table set out in subclause (1) of this regulation or possess more than 30 fish of any one or more of the species specified in that table that have been taken from within those areas.

“(4) No person shall, on any day, take from within the Southland and Sub-Antarctic Fishery Management Areas a total quantity of hapuku/bass and kingfish exceeding 5 or possess a total quantity of hapuku/bass and kingfish taken from within those areas exceeding 5.

“(5) No person shall, on any day, taken from within the Southland and Sub-Antarctic Fishery Management Areas more than 3 kingfish or possess more than 3 kingfish taken from within those areas.

“4A. **Minimum set net mesh size**—Notwithstanding regulation 6 of the Fisheries (Amateur Fishing) Regulations 1986, the mesh size of any set net used or possessed by any person in the Southland and Sub-Antarctic Fishery Management Areas shall not be less than the appropriate size specified in the following table:

<i>Species of Fish</i>					<i>Minimum Set Net Mesh Size (mm)</i>
Blue moki	..	..	..	..	114
Bluenose	..	..	..	..	160
Hapuku/bass	..	..	..	..	160
Kahawai	..	..	..	..	90
Grey mullet	..	..	..	..	90
School shark	..	..	..	..	150
Snapper	..	..	..	..	125”

**4. New regulations inserted**—The principal regulations are hereby amended by inserting, after regulation 5, the following regulations:

“5A. **Dredging prohibited in Paterson Inlet**— No person shall use or possess a dredge within those waters of Paterson Inlet lying generally south and east of a line from the eastern end of Sawyers Beach commencing at a point (at 46° 49.85’ S and 168° 05.24’ E), then across to

Fish Rock at a point (at 46° 51.55'S and 168° 10.22'E), then across to Passage Island (Whero Rock) at a point (at 46° 54.83'S and 168° 12.40'E) finishing at the easternmost tip of The Neck at a point (at 46° 55.73'S and 168° 12.02'E).

**“5B. Daily allowance for mussels in Southland Fishery Management Area**—Notwithstanding regulation 19 of the Fisheries (Amateur Fishing) Regulations 1986, no person shall on any day take more than 25 mussels, or possess more than 25 mussels taken, from any waters of the Southland Fishery Management Area other than the waters south of the latitude 46° 41.0' S.”

**5. Offences**—Regulation 7 (1) of the principal regulations is hereby amended by omitting the words “regulation 4 or regulation 5 of these regulations”, and substituting the words “any provision of these regulations other than regulation 6 of these regulations”.

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 on 30 September 1993, amend the Fisheries (Southland and Sub-Antarctic Areas Amateur Fishing) Regulations 1991.

*Regulation 2* inserts new definitions into the principal regulations.

*Regulation 3* substitutes in the principal regulations new *regulations 4* (setting maximum daily fish limits) and *4A* (imposing minimum set net mesh sizes).

*Regulation 4* inserts into the principal regulations new *regulations 5A* (prohibiting dredging in Paterson Inlet) and *5B* (imposing a maximum daily limit of 25 mussels per person in the Southland Fishery Management Area other than the waters around Stewart Island).

*Regulation 5* consequentially amends regulation 7 of the principal regulations.

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

Date of notification in *Gazette*: 16 September 1993.

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