



**THE FISHERIES (SOUTHLAND AND SUB-ANTARCTIC AREAS
COMMERCIAL FISHING) REGULATIONS 1986,
AMENDMENT NO. 1**

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 15th day of September 1986

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.

ANALYSIS

- | | | |
|--|--|---|
| <ol style="list-style-type: none"> 1. Title and commencement 2. Interpretation 3. New regulations inserted <ol style="list-style-type: none"> 4A. Use of 60 mm mesh trawl net permitted south of 48°S at certain times 4B. Solander Trench closed to trawling and bottom-longlining by certain vessels | | <ol style="list-style-type: none"> 4. New regulations inserted <p style="text-align: center;"><i>Trawling and Squid Jigging</i></p> <ol style="list-style-type: none"> 15A. Use of 60 mm mesh trawl net permitted 15B. Squid not to be taken by jigging in Southern Islands Area 5. Offences |
|--|--|---|

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing)

Regulations 1986, Amendment No. 1, and shall be read together with and deemed part of the Fisheries (Southland and Sub-Antarctic 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 1986.

2. Interpretation—Regulation 2 of the principal regulations is hereby amended by adding the following definitions:

“ ‘Squid’ means—

“(a) The shellfish, commonly known as arrow squid, which has the scientific name *Nototodarus* sp; and

“(b) The shellfish, commonly known as broad squid, which has the scientific name *Sepioteuthis bilineata*:

“ ‘Squid jigging’ means any type of fishing method for taking squid using a line:”.

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

“4A. Use of 60 mm mesh trawl net permitted south of 48°S at certain times—(1) Notwithstanding regulation 21 of the Fisheries (Commercial Fishing) Regulations 1986† or any other regulation made pursuant to the Fisheries Act 1983 relating to net mesh sizes, any commercial fisherman entitled to use a trawl net in the Southland Fishery Management Area (as defined in a notice published in the *Gazette* of 1986 at page 412) may use a trawl net with a mesh size of not less than 60 mm in that part of the Area south of latitude 48°S (excluding the territorial sea) during the period commencing with the 1st day of January in any year and ending with the close of the 31st day of May in that year.

“(2) No commercial fisherman shall have on board any fishing vessel in any waters other than those described in subclause (1) of this regulation or regulation 15A of these regulations any trawl net permitted by those provisions unless the net is stowed in such a manner that it cannot readily be made available for fishing.

“4B. Solander Trench closed to trawling and bottom-longlining by certain vessels—No commercial fisherman shall use—

“(a) Any New Zealand fishing vessel over 43 m in overall length for trawling; or

“(b) Any New Zealand fishing vessel over 30 m in overall length for bottom-longlining—

in the waters enclosed by a line commencing at a point 46° 45.2’S and 167° 3.3’ E; then proceeding generally northeast around the boundary of the territorial sea to a point 46° 58.1’S and 167° 15’ E; then proceeding in a straight line to the point of commencement.”

4. New regulations inserted—The principal regulations are hereby amended by inserting, after regulation 15, the following heading and regulations:

*S.R. 1986/220

†S.R. 1986/215

“Trawling and Squid Jigging

“15A. **Use of 60 mm mesh trawl net permitted**—(1) Notwithstanding regulation 21 of the Fisheries (Commercial Fishing) Regulations 1986* or any other regulations made pursuant to the Fisheries Act 1983 relating to net mesh sizes any commercial fisherman entitled to use a trawl net in the Sub-Antarctic Fishery Management Area (as defined in a notice published in the *Gazette* of 1986 at page 412) may use a trawl net with a mesh size of not less than 60 mm in that Area at any time.

“(2) No commercial fisherman shall have on board any fishing vessel in any waters other than those described in subclause (1) of this regulation or regulation 4A of these regulations any trawl net permitted by those provisions unless the net is stowed in such a manner that it cannot readily be made available for fishing.

“15B. **Squid not to be taken by jigging in Southern Islands Area**—No commercial fisherman shall take squid by jigging from those parts of New Zealand fisheries waters—

“(a) Enclosed by a line commencing at a point 49° 30' S and 165° E; then proceeding due east to a point 49° 30' S and 168° E; then proceeding due south to a point 51° 30' S and 168° E; then proceeding due west to a point 51° 30' S and 165° E; then proceeding due north to the point of commencement; and

“(b) Enclosed by a line commencing at a point 51° 30' S and 168° E; then proceeding due east to a point 51° 30' S and 171° E; then proceeding due south to a point 53° 30' S and 171° E; then proceeding due west to a point 53° 30' S and 168° E; then proceeding due north to the point of commencement.”

5. Offences—The principal regulations are hereby amended by revoking regulation 16 and substituting the following regulations:

“16. (1) Every commercial fisherman commits an offence and is liable on summary conviction to a fine not exceeding \$10,000 who acts in contravention of, or fails to comply with, any of regulations 4, 4A, 4B, and 15A of these regulations.

“(2) Every commercial fisherman commits an offence and is liable on summary conviction to a fine not exceeding \$5,000 who acts in contravention of, or fails to comply with, any of these regulations not referred to in subclause (1) of this regulation.”

P. G. MILLEN,
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 insert into the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986 provisions that were formerly in the Fisheries (1985-86 Commercial Quotas and Restrictions) Regulations 1986 relating to the use of 60 mm mesh trawl nets and prohibitions on—

- (a) Trawling and bottom-longlining by certain vessels in the Solander Trench; and
- (b) Squid jigging in the Southern Islands Area.

Trawling by vessels over 43 m in length is also prohibited in the territorial sea by an amendment to the Fisheries (Commercial Fishing) Regulations 1986.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 18 September 1986.

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