



**THE FISHERIES (SOUTHLAND AND SUB-ANTARCTIC  
AREAS COMMERCIAL FISHING) REGULATIONS 1986,  
AMENDMENT NO. 12**

---

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 4th day of May 1992

Present:

HER EXCELLENCY THE GOVERNOR-GENERAL 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 (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No. 12, 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).

\*S.R. 1986/220

Amendment No. 1: S.R. 1986/255  
Amendment No. 2: S.R. 1987/19  
Amendment No. 3: S.R. 1988/16  
Amendment No. 4: S.R. 1988/103  
Amendment No. 5: S.R. 1988/313  
Amendment No. 6: S.R. 1989/199  
Amendment No. 7: S.R. 1989/323  
Amendment No. 8: S.R. 1990/111  
Amendment No. 9: S.R. 1990/216  
Amendment No. 10: S.R. 1991/36  
Amendment No. 11: S.R. 1991/164

(2) Except as provided in subclause (3) of this regulation, these regulations shall come into force on the day after the date of their notification in the *Gazette*.

(3) Regulation 4 (a) of these regulations shall come into force on the 1st day of July 1992.

**2. Interpretation**—Regulation 2 of the principal regulations (as substituted by regulation 2(1) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No. 11) is hereby amended by inserting, in their appropriate alphabetical order, the following definitions:

“Albacore tuna” means a fish of the species *Thunnus alalunga*:

“Blue cod” means the fish of which the scientific name is *Paraperca colias*:

“Blue cod pot”—

“(a) Means any pot, whether baited or not, that is capable of catching or holding blue cod; and

“(b) Includes any other device capable of catching, holding, or storing blue cod; but

“(c) Does not include a rock lobster pot.”

**3. Concession relating to female rock lobster taken between 1 May 1992 and 30 April 1993**—Regulation 5c of the principal regulations (as inserted by regulation 3 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No. 6) is hereby amended by omitting from paragraph (a) the expression “1992” (as substituted by regulation 2(1) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No. 10), and substituting the expression “1993”.

**4. Method of measurement of rock lobster tail**—Regulation 5D(2) of the principal regulations (as inserted by regulation 3 of the Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No. 6) is hereby amended—

(a) By omitting the expression “58” wherever it occurs, and substituting in each case the expression “60”;

(b) By adding to paragraph (b) the expression “or ‘Invalid after 30 April 1992’”.

**5. Blue cod pots**—The principal regulations are hereby amended by inserting, after regulation 14, the following heading and regulation:

*“Blue cod pots*

**“14A. Apertures to be incorporated in blue cod pots**—(1) No commercial fisherman shall have on board any fishing vessel or use any blue cod pot, unless the pot has an aperture on each of 2 opposite sides (not being the top or bottom) through which undersize blue cod are able to escape and the aperture—

“(a) Is at least 45 mm in height; and

“(b) Extends across the full length of the face of the pot.

“(2) Nothing in subclause (1) of this regulation shall prohibit the use of any blue cod pot that is constructed entirely of square steel mesh in which the spaces are not less than 48 mm in height and 48 mm in width.

“(3) Nothing in subclause (1) of this regulation shall prohibit the use of a pot for holding blue cod so long as the pot is not capable of being used for taking blue cod.”

**6. Targeting of certain fish, aquatic life, and seaweed prohibited, unless specially authorised**—(1) Regulation 15<sub>CA</sub> (5) of the principal regulations (as inserted by regulation 5 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No. 11) is hereby amended by omitting from Part B of the Table of prohibited target species the item “Octopus”.

(2) Regulation 15<sub>CA</sub> (5) of the principal regulations is hereby further amended by inserting, in its appropriate alphabetical order, in Part A of the Table of prohibited target species, the item “Octopus”.

**7. Species that may be taken subject to competitive or individual quotas, method restrictions, etc.**—Regulation 15<sub>CB</sub> of the principal regulations (as inserted by regulation 5 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No. 11) is hereby amended—

(a) By omitting from the first column of the Table the item “Skate and ray”, and substituting in their appropriate alphabetical order the items “Albacore tuna” and “Spiny dogfish”:

(b) By omitting from the second column of the Table the item “Spiny dogfish”:

(c) By omitting from the third column of the Table the item “Paua”.

**8. Revocations**—(1) Regulation 15<sub>B</sub> of the principal regulations (as inserted by regulation 5 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No. 7), and the heading above that regulation, are hereby revoked.

(2) The following regulations are hereby consequentially revoked:

(a) Regulation 5 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No. 7:

(b) The Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No. 10.

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 amend the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986 and, with the exception of regulation 4 (a), come into force on the day after the date of their notification in the *Gazette*.

*Regulation 2* inserts definitions of "albacore tuna", "blue cod", and "blue cod pot".

*Regulation 3* extends, until 30 April 1993, the present size concession applying to female spiny rock lobster in the Southland Fishery Management Area. Presently, such lobsters must have a tail width of at least 57 mm before they can lawfully be taken. The size restriction applying in other areas is 60 mm.

*Regulation 4 (a)* increases, as from 1 July 1992, the minimum tail width for rock lobster. The size is increased from 58 mm to 60 mm.

*Regulation 4 (b)* provides for the use of tail measuring devices inscribed with the words "Invalid after 30 April 1992".

*Regulation 5* inserts a new regulation 14A into the principal regulations. New regulation 14A establishes an escape gap standard for blue cod pots in the Southland Fishery Management Area.

*Regulation 6* omits the species "Octopus" from Part B of the list of prohibited target species in regulation 15CA of the principal regulations and includes the species in Part A of that list. Octopus are presently totally prohibited as a target species. This amendment means that they will now be able to be taken as a target species if special authorisation has been obtained from the Director-General of Agriculture and Fisheries.

*Regulation 7* inserts the species "Albacore tuna" and the species "Spiny dogfish" into the list of species in regulation 15ca which may be taken subject to competitive or individual quotas, method restrictions, and other restrictions. They will be able to be taken from both quota management area 5 and quota management area 6. The regulation also removes from the list the items "Skate and ray" (areas 5 and 6), "Spiny dogfish" (area 5 only), and "Paua" (area 6 only).

*Regulation 8* revokes regulation 15b of the principal regulations (which provided for a paua season and quotas in quota management area 6).

---

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

Date of notification in *Gazette*: 7 May 1992.

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