



**THE FISHERIES (SOUTHLAND AND SUB-ANTARCTIC AREAS
COMMERCIAL FISHING) REGULATIONS 1986,
AMENDMENT NO. 18**

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 28th day of February 1994

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. 18, 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: *(Revoked by S.R. 1992/204)*
 - Amendment No. 9: S.R. 1990/216
 - Amendment No. 10: *(Revoked by S.R. 1992/86)*
 - Amendment No. 11: S.R. 1991/164
 - Amendment No. 12: S.R. 1992/86
 - Amendment No. 13: S.R. 1992/204
 - Amendment No. 14: S.R. 1992/235
 - Amendment No. 15: S.R. 1992/302
 - Amendment No. 16: S.R. 1993/49
 - Amendment No. 17: S.R. 1993/283

(2) Except as provided in subclause (3) of this regulation, these regulations shall come into force on the 28th day after the date of their notification in the *Gazette*.

(3) Regulation 5 of 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 (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:

“Grey mullet” means a fish of the species *Mugil cephalis*:

“Southland and Sub-Antarctic Fishery Management Areas” means the Southland Fishery Management Area and the Sub-Antarctic Fishery Management Area, as described in the Notice Declaring Fishery Management Areas (*Gazette*, 1986, at page 412); and includes any waters in either of those areas:”.

3. Minimum set net mesh size—(1) Regulation 3B of the principal regulations (as inserted by regulation 3 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No. 17) is hereby amended by omitting from the table the item relating to yellow-eyed mullet.

(2) Regulation 3B of the principal regulations (as so inserted) is hereby amended by inserting in the table, in its appropriate alphabetical order, the following item:

“Grey mullet 90”.

4. Concession relating to female rock lobster taken between 1 May 1993 and 31 March 1996—(1) 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 the expression “31st day of March 1994” (as substituted by regulation 2 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No. 16), and substituting the expression “31st day of March 1996”.

(2) The Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No. 16 are hereby consequentially revoked.

5. Blue cod pots to be covered in mesh—(1) The principal regulations are hereby amended by revoking regulation 14A (as inserted by regulation 5 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No. 12), and substituting the following regulation:

“14A. No commercial fisherman shall have on board any fishing vessel or use any blue cod pot unless the blue cod pot is constructed entirely of square steel mesh in which the spaces are not less than 48 mm in width.”

(2) The Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No. 12 are hereby consequentially amended by revoking regulation 5.

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.

Regulation 2 inserts into the principal regulations definitions of the terms "grey mullet" and "Southland and Sub-Antarctic Fishery Management Areas".

Regulation 3 prescribes a minimum set net mesh size of 90mm for the taking of grey mullet. This minimum replaces the minimum prescribed for yellow-eyed mullet, which was prescribed in error.

Regulation 4 extends from 31 March 1994 to 31 March 1996 the current concession for the taking of female rock lobster in the Southland Fishery. Presently, such lobsters must have a tail width of at least 57 mm. The size restriction applying in other areas is 60 mm.

Regulation 5, which comes into force on 1 October 1994, replaces regulation 14A of the principal regulations with a provision that requires all blue cod pots used in the Southland Fishery to be covered in steel mesh in which the spaces are not less than 48 mm in width. Until 1 October 1994, specified escapement gaps may be used in such pots as an alternative to covering the pot in mesh of not less than 48 mm in width.

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

Date of notification in *Gazette*: 3 March 1994.

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