



Fisheries (Commercial Fishing) Amendment Regulations 2007

Anand Satyanand, Governor-General

Order in Council

At Wellington this 26th day of February 2007

Present:

His Excellency the Governor-General in Council

Pursuant to section 297 of the Fisheries Act 1996, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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Regulations

- 1 Title**
These regulations are the Fisheries (Commercial Fishing) Amendment Regulations 2007.
- 2 Commencement**
These regulations come into force on 1 April 2007.
- 3 Principal regulations amended**
These regulations amend the Fisheries (Commercial Fishing) Regulations 2001.
- 4 Interpretation**
Regulation 3 is amended by revoking the definition of **brown bullhead catfish** and substituting the following definition:
“**brown bullhead catfish** (commonly known as catfish) means a fish of the species *Ameiurus nebulosus*”.
- 5 New regulation 50 substituted**
Regulation 50 is revoked and the following regulation substituted:
“50 Maximum legal weight for eels taken from New Zealand fisheries waters
“(1) Commercial fishers must not take or possess any shortfinned or longfinned eel weighing more than 4 kg.
“(2) No person may sell, possess for sale, or process for sale any shortfinned or longfinned eel weighing more than 4 kg.”
- 6 New heading and regulation 52A inserted**
The following heading and regulation are inserted after regulation 52:

*“Brown bullhead catfish***“52A Sale of live brown bullhead catfish prohibited**

No person may sell live brown bullhead catfish.”

7 Offences

Regulation 84(2) is amended by inserting “52A,” after “52(1),”.

8 Schedule 2 amended

- (1) Schedule 2 is amended by revoking clause 3 and substituting the clause 3 set out in Schedule 1.
- (2) Schedule 2 is amended by revoking clause 16(2) and substituting the clause 16(2) set out in Schedule 2.

Schedule 1

r 8(1)

New clause 3 substituted in Schedule 2**3 Application fees for fishing permits**

The fees payable in respect of an application for a fishing permit are as follows:

Type of application	\$
(a) for the issue of a permit under section 91 of the Act for a 1-year term	112
(b) for the issue of a permit under section 91 of the Act for a term longer than 1 year (the fee is payable for each whole or part subsequent year for which the permit is issued)	27
(c) for the approval of an agreement under section 89(4)(a) of the Act	36
(d) for the approval of an agreement under section 89(4)(b) of the Act	36
(e) for the approval of a variation of an agreement under section 89(6) of the Act	36
(f) for the issue of a permit under section 93A of the Act	112
(g) for the issue of a duplicate fishing permit	18

r 8(2)

Schedule 2

New clause 16(2) substituted in Schedule 2

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|-----|--|-----|
| (2) | The fee payable in respect of an application for the registration of an automatic location communicator— | 180 |
| (a) | for a 1-year term | 180 |
| (b) | for a term longer than 1 year (the fee is payable for each whole or part subsequent year for which the permit is issued) | 45 |

Diane Morcom,
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, which come into force on 1 April 2007, amend the Fisheries (Commercial Fishing) Regulations 2001.

The effect of the amendments is as follows:

- a maximum weight of 4 kg is set for freshwater eels taken anywhere in New Zealand (currently the maximum weight applies only to South Island eels);
- it is no longer lawful to sell live catfish;
- fees are set for applications for fishing permits for terms of up to a maximum of 5 years (currently terms are a maximum of 1 year);
- fees are set for applications for registrations of automatic location communicators for terms of up to a maximum of 5 years (currently terms are a maximum of 1 year).

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

Date of notification in *Gazette*: 1 March 2007.

These regulations are administered by the Ministry of Fisheries.