



**FRESHWATER FISH FARMING AMENDMENT REGULATIONS
(NO. 2) 1997**

MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 3rd day of November 1997

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to sections 89 and 91 of the Fisheries Act 1983, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Freshwater Fish Farming Amendment Regulations (No. 2) 1997, and are part of the Freshwater Fish Farming Regulations 1983* (“the principal regulations”).

(2) These regulations come into force on the 28th day after the date of their notification in the *Gazette*.

2. Only fish raised or lawfully transferred to be on fish farm—(1) Regulation 17 (1) of the principal regulations is amended by omitting the words “subclauses (2) and (3) of”.

(2) Regulation 17 of the principal regulations is amended by revoking subclause (4), and substituting the following subclause:

*S.R. 1983/278

Amendment No. 1: S.R. 1987/180
Amendment No. 2: S.R. 1988/322
Amendment No. 3: S.R. 1991/205
Amendment No. 4: S.R. 1996/275
Amendment 1997: S.R. 1997/191

“(4) Subject to regulations 18 and 31, any person may, with the written authority of the chief executive given after consultation with and having regard to the functions of Fish and Game Councils, transfer to a fish farm any fish (including salmon ova)—

“(a) Taken by the person from any waters; or

“(b) Acquired by the person from any person who holds—

“(i) A lease or licence granted under the Marine Farming Act 1971; or

“(ii) A marine farming permit or spat catching permit issued under the Fisheries Act 1983; or

“(iii) A fish receiver’s licence issued under the Fisheries (Licensed Fish Receivers) Regulations 1986; or

“(iv) A fishing permit issued under section 63 of the Fisheries Act 1983.”

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, which come into force 28 days after their notification in the *Gazette*, amend the Freshwater Fish Farming Regulations 1983 to allow fish farmers to source their stock from licensed fish receivers, marine farmers, spat catching permit holders, and authorised wharf sales, as well as from “any waters”.

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

Date of notification in *Gazette*: 6 November 1997.

These regulations are administered in the Ministry of Fisheries.