



**THE FISHERIES (COMMERCIAL FISHING) REGULATIONS 1986,
AMENDMENT NO. 8**

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 8th day of April 1991

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 (Commercial Fishing) Regulations 1986, Amendment No. 8, and shall be read together with and deemed part of the Fisheries (Commercial Fishing) Regulations 1986* (hereinafter referred to as the principal regulations).

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

*S.R. 1986/215

Amendment No. 1: S.R. 1986/250

Amendment No. 2: S.R. 1988/104

Amendment No. 3: S.R. 1988/175

Amendment No. 4: S.R. 1988/321

Amendment No. 5: *(Revoked by S.R. 1990/186)*

Amendment No. 6: *(Revoked by S.R. 1990/186)*

Amendment No. 7: S.R. 1990/186

2. Interpretation—Regulation 2 of the principal regulations is hereby amended by inserting, in its appropriate alphabetical order, the following definition:

“‘Marlin’ means any fish of which the scientific name is *Tetrapturus audax* (commonly known as the striped marlin), *Makaira nigricans* (commonly known as the blue marlin), or *Makaira indica* (commonly known as the black marlin):”.

3. New heading and regulation inserted—The principal regulations are hereby amended by inserting, after regulation 20, the following heading and regulation:

Billfish

“20A. Taking of marlin prohibited—(1) No commercial fisherman shall take any marlin from New Zealand fisheries waters or be in possession of any marlin taken from those waters.

“(2) It is a defence to a charge under subclause (1) of this regulation if the fisherman proves that, immediately upon taking or coming into possession of the marlin,—

“(a) Where that fisherman had been supplied with tags by the Director-General or an officer of the Ministry, the fisherman tagged the marlin (if alive) and returned it to the sea; or

“(b) In any other case, the fisherman returned the marlin (whether alive or dead) to the sea.”

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 the date of their notification in the *Gazette*, amend the Fisheries (Commercial Fishing) Regulations 1986.

The regulations insert into the principal regulations new regulation 20A which prohibits the taking of marlin from New Zealand fisheries waters and the possession of marlin taken from those waters.

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

Date of notification in *Gazette*: 11 April 1991.

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