



**THE FISHERIES (COMMERCIAL FISHING) REGULATIONS 1986,
AMENDMENT NO. 9**

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 26th day of August 1991

Present:

THE HON. D. C. MCKINNON PRESIDING 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. 9, 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 1st day of October 1991.

*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

Amendment No. 8: S.R. 1991/61

2. New Second Schedule substituted—(1) The principal regulations are hereby amended by revoking the Second Schedule (as substituted by regulation 5 of the Fisheries (Commercial Fishing) Regulations 1986, Amendment No. 7), and substituting the Second Schedule set out in the Schedule to these regulations.

(2) The Fisheries (Commercial Fishing) Regulations 1986, Amendment No. 7 are hereby consequentially amended by revoking regulation 5 and the Schedule.

Reg. 2 (1)

SCHEDULE

NEW SECOND SCHEDULE SUBSTITUTED IN PRINCIPAL REGULATIONS

Reg. 56

"SECOND SCHEDULE

FEES

PART I

REGISTRATION AND FISHING PERMIT FEES

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1. The fees payable in respect of the registration of a fishing vessel and the issue of duplicates shall be as follows:

(a) Registration	75.00
(b) Issue of duplicate certificate of registry	15.00
2. The fees payable in respect of permits and the issue of duplicates shall be as follows:

(a) Issue of permit other than for fishing under Part IIA of the Act	100.00
(b) Issue of permit for fishing under Part IIA of the Act	75.00
(c) Application for special permit under section 64 of the Act (including subsequent issue of the permit)	150.00
(d) Issue of any duplicate permit	15.00
(e) Amendment or alteration to conditions of permit at the request of the permit holder	15.00

SCHEDULE—*continued*NEW SECOND SCHEDULE SUBSTITUTED IN PRINCIPAL REGULATIONS—*continued*“SECOND SCHEDULE—*continued*”FEES—*continued*

PART II

CONTROLLED FISHERIES FEES

Application Fees

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1. On an application under section 29 of the Act—	
(a) To inspect the Register of Controlled Fishery Licences	3.00
(b) To obtain a copy of any specified entry in the Register of Controlled Fishery Licences—	
(i) Where a fee under paragraph (a) has been paid	5.00
(ii) Where a fee under paragraph (a) has not been paid	8.00
2. Application for a licence	75.00
3. Application for renewal of a licence	75.00
4. Application for a temporary licence—	
(a) To a Registrar of the Ministry	75.00
(b) To the Fisheries Authority	75.00
5. Any other application under Part III of the Act to a Registrar of the Ministry or to the Authority	75.00

Boat Authority Fees

Every holder of a licence granted under Part III of the Act shall pay to the Authority, in respect of every boat authority issued in respect of a vessel specified in the licence, a fee of \$200 for every year or part of a year for which the licence is current.

Where the holder of a licence granted under Part III of the Act is also granted a licence under that Part to fish in another controlled fishery contiguous to the first for the same species of fish, and a vessel for which a boat authority has been issued is to be used in both controlled fisheries by the licensee, no further fee shall be payable for the cancellation of the original boat authority and the issue of an appropriate new boat authority.

PART III

QUOTA REGISTRATION FEES

1. The fee payable for the registration of any transfer or lease of any individual transferable quota or transferable term quota is \$75.00.

2. The fee payable to inspect any register maintained under section 28^r of the Act is \$15.00.

SCHEDULE—*continued*NEW SECOND SCHEDULE SUBSTITUTED IN PRINCIPAL REGULATIONS—*continued*“SECOND SCHEDULE—*continued*”FEES—*continued*

PART IV

OTHER FEES

1. Conversion factor certificates—(1) The fee payable by the owner of a vessel in respect of which a greenweight conversion factor certificate is given under section 3A (3) of the Act is \$27.00.

(2) No fee is payable under this clause where the conversion factor certificate increases the greenweight conversion factor applying to the vessel.

(3) The Director-General may waive any fee payable under this clause where the conversion factor certificate is issued for the purpose of making any minor amendment to a previous certificate applying to the vessel concerned.

2. Supervision of conversion factors—(1) The fee payable in respect of any supervision by a scientific observer that is required pursuant to a greenweight conversion factor certificate given under section 3A (3) of the Act is, for each 24-hour period or part of a 24-hour period during which the scientific observer is involved in the supervision,—

- (a) \$271, for supervision at sea; and
- (b) \$226, for supervision on shore.

(2) Where more than 1 scientific observer is involved in the supervision, fees are payable under subclause (1) of this clause in respect of each scientific observer.

(3) Any fee payable under this clause is payable by the owner of the vessel concerned.

3. Supervision of transhipments—(1) The fee payable in respect of the provision of supervision by a scientific observer of a transhipment of fish in circumstances referred to in section 67H (1) of the Act is, for each 24-hour period or part of a 24-hour period during which the scientific observer is involved in supervising the transhipment,—

- (a) \$306, where the transhipment occurs at sea; and
- (b) \$221, where the transhipment occurs in port.

(2) Where more than 1 scientific observer is involved in supervising a transhipment, fees are payable under subclause (1) of this clause in respect of each scientific observer.

(3) Any fee payable under this clause is payable by the holder of the fishing permit under which the transhipped fish were taken, or, where the vessel from which fish are transhipped is not the catcher vessel, by the owner of the vessel.

(4) Where more than 1 person is liable to pay any fee under this clause in respect of any period during which a scientific observer is on board a vessel, the Director-General may divide the total fee payable between those persons on a proportionate basis, having regard to the percentage of total transhipment hours taken up by each relevant transhipment.

SCHEDULE—*continued*NEW SECOND SCHEDULE SUBSTITUTED IN PRINCIPAL REGULATIONS—*continued*“SECOND SCHEDULE—*continued*FEES—*continued*PART IV—*continued*OTHER FEES—*continued*

(5) For the purposes of this clause, a transhipment at sea or in port is deemed to occur from the commencement of the first sling from a catcher vessel to the completion of the last sling from the same catcher vessel.

4. Supervision of dumping at sea—(1) The fee payable in respect of the provision of supervision by a scientific observer of any abandonment in or return to the sea of fish authorised under section 28zB (5) of the Act is \$20 for each occasion on which fish are so returned or abandoned.

(2) Any fee payable under this clause is payable by the holder of the fishing permit under which the fish were taken.”

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 on 1 October 1991, increase boat registration and fishing permit fees, controlled fishery fees, and transferable quota registration fees by approximately 12 percent to reflect movements in inflation during the period to which the former fees applied.

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

Date of notification in *Gazette*: 29 August 1991.

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