



**THE FISHERIES (COMMERCIAL FISHING) REGULATIONS 1983,  
AMENDMENT NO. 1**

DAVID BEATTIE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 5th day of June 1984

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Fisheries Act 1983, His 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 1983, Amendment No. 1, and shall be read together with and deemed part of the Fisheries (Commercial Fishing) Regulations 1983\* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force 14 days after the date of their notification in the *Gazette*.

**2. Interpretation**—(1) Regulation 2 of the principal regulations is hereby amended by inserting, after the definition of the term “Act”, the following definition:

“ ‘Finfish’ includes the Classes Osteichthyes (boney fishes), Chondrichthyes (cartilaginous fishes), and Agnatha (jawless fishes):”.

(2) The said regulation 2 is hereby further amended by inserting, after the definition of the term “notice”, the following definitions:

“ ‘Oysters (dredge)’ means the mollusc *Tiostrea lutaria* (formerly known as *Ostrea lutaria*):”.

“ ‘Rock lobster’ means those fish of which the scientific names are *Jasus edwardsii* (commonly known as the spiny or red rock lobster) and *Jasus verreauxi* (commonly known as the packhorse or green rock lobster):

“ ‘Scallop’ means the mollusc *Pecten novaezelandiae*.”

**3. Limits on controlled fish taken by non-licence holders**—The principal regulations are hereby amended by inserting, after regulation 10, the following regulation:

“10A. For the purposes of section 31 (2) (a) of the Act, no person shall take, or be in possession of, on any one day in a controlled fishery more than the maximum number of species of fish to which the controlled fishery relates as specified in the following table:

<i>Controlled Fishing Species</i>	<i>Maximum Number</i>
“Finfish .. .. .	50
“Oysters (dredge) .. .. .	50
“Rock lobster .. .. .	6
“Scallop .. .. .	20.”

P. G. MILLEN,  
Clerk of the Executive Council.

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#### EXPLANATORY NOTE

*This note is not part of the regulations, but is intended to indicate their general effect.*

At present it is an offence for any person to take controlled fish from a controlled fishery without having a controlled fishery licence to do so. The prohibition applies whether the non-licence holder is an amateur or commercial fisherman.

These regulations relax the total prohibition and prescribe limits for commercial fishermen who are not controlled fishery licence holders to take and sell, by way of by-catch, species that are controlled fish.

A similar relaxation in respect of amateur fishermen is made by the Fisheries (Amateur Fishing) Regulations 1983, Amendment No. 1, except that amateur fishermen are prohibited from selling any part of their catch.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 7 June 1984.

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