

1975/181



**THE FISHERIES (GENERAL) REGULATIONS 1950,
AMENDMENT NO. 22**

DENIS BLUNDELL, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 7th day of July 1975

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Fisheries Act 1908, 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 (General) Regulations 1950, Amendment No. 22, and shall be read together with and deemed part of the Fisheries (General) Regulations 1950* (hereinafter referred to as the principal regulations).

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

2. Size limit for the taking of scallops—The principal regulations are hereby amended by revoking regulation 106 (as substituted by regulation 3 of the Fisheries (General) Regulations 1950, Amendment No. 15), and substituting the following regulation:

“106. (1) No person shall take any scallop the shell of which, whether entire, chipped, or broken, is less than 100 mm in greatest diameter.

“(2) No person shall have in his possession or sell, store, or process any scallop in the shell, or the shell of any scallop, which, whether entire, chipped, or broken, is less than 100 mm in greatest diameter.”

3. Restrictions on processing scallops—Regulation 106A of the principal regulations (as inserted by regulation 3 of the Fisheries (General) Regulations 1950, Amendment No. 15) is hereby amended by adding the following subclauses:

“(3) No person shall land or begin the processing of any dead scallop.

“(4) For the purposes of subclause (3) of this regulation, the act of shelling or shucking any scallop shall be deemed to be processing.”

*S.R. 1950/147 (Reprinted with Amendments Nos. 1 to 20: S.R. 1973/52)
Amendment No. 21: S.R. 1973/252

4. Restrictions on dredging for scallops in Golden Bay, Tasman Bay, and Marlborough Sounds—The principal regulations are hereby further amended by inserting, after regulation 106A (as inserted by regulation 3 of the Fisheries (General) Regulations 1950, Amendment No. 15), the following regulation—

“106AA. (1) No person shall dredge for scallops between sunset on any day and sunrise on the following day in the waters bounded by a line commencing at Farewell Spit, thence in a straight line to Cape Stephens, thence in a straight line to Cape Jackson, thence in a straight line to Cape Koamaru, thence in a straight line terminating at West Head, Tory Channel.

“(2) For the purposes of subclause (1) of this regulation, the times of sunset and sunrise on any particular day shall be as specified for that day in the Nautical Almanac.”

5. Close season for scallops—Regulation 106c of the principal regulations (as inserted by regulation 3 of the Fisheries (General) Regulations 1950, Amendment No. 15) is hereby amended by revoking subclause (2), and substituting the following subclause:

“(2) For the purpose of this regulation the close season for scallops shall commence on the 15th day of February in each year and end with the 14th day of July in that year.”

6. Metric amendments—The principal regulations are hereby further amended in the manner indicated in the Schedule to these regulations.

7. Revocations—The following regulations are hereby consequentially revoked:

- (a) Regulation 4 of the Fisheries (General) Regulations 1950, Amendment No. 10*:
- (b) Regulation 4 (1) of the Fisheries (General) Regulations 1950, Amendment No. 18†.

Reg. 6

SCHEDULE

METRIC AMENDMENTS TO FISHERIES (GENERAL) REGULATIONS 1950

Regulation Amended	Amendment
8	By omitting the expressions “1 lb.” and “ $\frac{1}{2}$ lb.”, and substituting respectively the expressions “0.5 kg” and “0.25 kg”.
12 (1)	By omitting from the table (as amended by regulation 4 of the Fisheries (General) Regulations 1950, Amendment No. 7, and regulation 4 of the Fisheries (General) Regulations 1950, Amendment No. 10) the expressions “ $4\frac{1}{4}$ in.”, “1 in.”, “4 in.”, “1 in.”, “ $1\frac{1}{4}$ in.”, “ $3\frac{1}{4}$ in.”, “ $\frac{1}{2}$ in.”, and “ $2\frac{1}{4}$ in.”, and substituting respectively the expressions “108 mm”, “25 mm”, “100 mm”, “25 mm”, “30 mm”, “80 mm”, “12 mm”, and “55 mm.”.

*S.R. 1968/104

†S.R. 1972/104

SCHEDULE—continued

METRIC AMENDMENTS TO FISHERIES (GENERAL) REGULATIONS 1950—
continued

Regulation Amended	Amendment
12 (2) (as added by regulation 2 of the Fisheries (General) Regulations 1950, Amendment No. 21)	By omitting the expression "6½ in." in every case where it occurs, and substituting in each case the expression "105 mm".
14	By omitting the words "180 yards", and substituting the expression "165 m".
15	By omitting the words "44 yards", and substituting the expression "40 m".
20 (1) (b) (as substituted by regulation 3 of the Fisheries (General) Regulations 1950, Amendment No. 2)	By omitting the words "66 yards", and substituting the expression "60 m".
22 (2) (f) (as substituted by regulation 2 of the Fisheries (General) Regulations 1950, Amendment No. 14)	By omitting the expression "½ in.", and substituting the expression "12 mm".
25A (as inserted by regulation 2 of the Fisheries (General) Regulations 1950, Amendment No. 12)	By omitting the expression "40 ft", and substituting the expression "10 m".
27	By omitting the expressions "4¾ in." and "160 yards", and substituting respectively the expressions "120 mm" and "150 m".
30	By omitting the words "200 yards", and substituting the expression "180 m".
31 (1)	By omitting the expressions "4¾ in." and "160 yards", and substituting respectively the expressions "120 mm" and "150 m".
31 (2)	By omitting the expressions "3¾ in." and "160 yards", and substituting respectively the expressions "95 mm" and "150 m".
32 (1) (as substituted by regulation 8 of the Fisheries (General) Regulations 1950, Amendment No. 1)	By omitting from paragraph (a) and paragraph (b) the expression "4¼ in.", and substituting in both cases the expression "108 mm".
	By omitting from paragraph (c) and paragraph (d) the words "600 yards", and substituting in both cases the expression "540 m".
	By omitting from paragraph (f) the words "100 yards", and substituting the expression "90 m".

SCHEDULE—*continued*METRIC AMENDMENTS TO FISHERIES (GENERAL) REGULATIONS 1950—
continued

Regulation Amended	Amendment
32 (2) (as added by regulation 3 of the Fisheries (General) Regulations 1950, Amendment No. 12)	By omitting the words "66 yards", and substituting the expression "60 m".
38 (1) (a), 38 (1) (b)	By omitting the expression "4 in.", and substituting the expression "100 mm".
39	By omitting the expression "4 in.", and substituting the expression "100 mm".
40, 61	By omitting from the proviso (as added by regulation 2 of the Fisheries (General) Regulations 1950, Amendment No. 12) the expression " $\frac{1}{2}$ in.", and substituting the expression "12 mm".
43 (b) (as substituted by regulation 4 of the Fisheries (General) Regulations 1950, Amendment No. 5)	By omitting the expression "2 $\frac{1}{4}$ in." wherever it occurs, and substituting in each case the expression "55 mm".
43 (b) (as substituted by regulation 4 of the Fisheries (General) Regulations 1950, Amendment No. 5)	By omitting the words "three-quarters of a mile", and substituting the expression "1.2 km".
65	By omitting the expression "12 in.", and substituting the expression "30 cm".
65	By omitting the expressions "3 yards" and "5 in.", and substituting respectively the expressions "2.5 m" and "125 mm".
72 (19), 80 (13)	By omitting the words " $\frac{1}{2}$ mile", and substituting the words " $\frac{1}{2}$ a nautical mile".
75	By omitting the expressions "4 $\frac{1}{4}$ in.", "4 $\frac{1}{2}$ in.", and "4 in.", and substituting respectively the expressions "108 mm", "115 mm", and "100 mm".
81	By omitting the expressions "30 ft", "24 ft", and "4 $\frac{1}{4}$ in.", and substituting respectively the expressions "9 m", "7.5 m", and "108 mm".
85	By omitting the expressions "12 in." and "8 $\frac{3}{4}$ in.", and substituting respectively the expressions "30 cm" and "22 cm".
86	By omitting the expressions "13 in." and "9 $\frac{1}{2}$ in.", and substituting respectively the expressions "33 cm" and "24 cm".
106D (as substituted by regulation 7 of the Fisheries (General) Regulations 1950, Amendment No. 20)	By omitting from subclause (1) (a) and subclause (2) (a) the expression "5 in.", and substituting in each case the expression "125 mm".
106D (as substituted by regulation 7 of the Fisheries (General) Regulations 1950, Amendment No. 20)	By omitting from subclause (1) (b) and subclause (2) (b) the expression "3 $\frac{1}{4}$ in.", and substituting in each case the expression "82 mm".

SCHEDULE—*continued*METRIC AMENDMENTS TO FISHERIES (GENERAL) REGULATIONS 1950—
continued

Regulation Amended	Amendment
106j (as inserted by regulation 3 of the Fisheries (General) Regulations 1950, Amendment No. 15)	<p>By omitting from subclause (1) (a) the expression "8 ft", and substituting the expression "2.5 m".</p> <p>By omitting from subclause (1) (b) the expression "4 ft 6 in.", and substituting the expression "1.4 m".</p> <p>By omitting from the proviso to subclause (1) the expression "8 ft", and substituting the expression "2.5 m".</p> <p>By omitting from subclause (2) (as amended by regulation 4 of the Fisheries (General) Regulations 1950, Amendment No. 18) the expression "6 ft", and substituting the expression "2 m".</p>
107 (1) ----	<p>By omitting from the column headed "Length" in the table the expression "9 in." wherever it occurs, and substituting in each case the expression "23 cm".</p> <p>By omitting from the same column the expression "10 in." wherever it occurs, and substituting in each case the expression "25 cm".</p> <p>By omitting from the same column the expression "13 in.", and substituting the expression "33 cm".</p> <p>By omitting from the same column the expression "16 in.", and substituting the expression "40 cm".</p> <p>By omitting from the same column the expression "11 in." wherever it occurs, and substituting in each case the expression "28 cm".</p> <p>By omitting from the same column the expression "14 in.", and substituting the expression "35 cm".</p>
107 (2) (as added by regulation 3 of the Fisheries (General) Regulations 1950, Amendment No. 21)	By omitting the expressions "20 in." and "14 in.", and substituting respectively the expressions "50 cm" and "35 cm".

A. C. McLEOD,

Acting for the 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 amend the Fisheries (General) Regulations 1950.

Regulation 2 provides that the minimum size of a scallop shell that may be taken or had in possession is 100 mm in greatest diameter, whether the shell is entire, chipped, or broken.

Regulation 3 prohibits the landing, or shelling, of any dead scallop.

Regulation 4 inserts a new regulation which prohibits dredging for scallops in certain defined waters between sunset on any one day and sunrise the following day.

Regulation 5 amends the period of the close season for scallops from 1 March–31 July in any year to 15 February–14 July in any year.

Regulation 6 makes metric amendments to the principal regulations.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 10 July 1975.

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