



**THE FISHERIES (SOUTHERN SCALLOP FISHERY QUOTA)
REGULATIONS 1992**

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 10th day of August 1992

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 (Southern Scallop Fishery Quota) Regulations 1992.

(2) These regulations shall come into force on the 18th day of August 1992.

2. Interpretation—In these regulations—

“Meatweight” means the weight of scallops remaining when the shell, skirt, and gut has been removed and discarded:

“Scallop” means the mollusc *Pecten novaeselandiae*:

“Southern Scallop Fishery” means those waters bounded by straight lines commencing at Kahurangi Point (at 40° 46.7'S and 172° 13.2'E) on the west coast of the South Island and proceeding westerly along the 40° 46.7' south parallel of latitude to its intersection with the 171° 50' east meridian of longitude; then

northerly along that meridian of longitude to its intersection with the 40° 15' south parallel of latitude; then easterly along that parallel of latitude to its intersection with the 174° 30' east meridian of longitude; then southerly along that meridian of longitude to its intersection with the 41° 43.8' south parallel of latitude; then westerly along that parallel of latitude to Cape Campbell (at 41° 43.8'S and 174° 16.6'E) on the east coast of the South Island; then generally northwesterly along the mean high-water mark of the sea to the point of commencement.

3. Application—These regulations apply only in respect of the period commencing on the 18th day of August 1992 and ending with the close of the 19th day of December 1992.

4. Quota prescribed—A quota of 640 tonnes (meatweight) is hereby imposed on the taking of scallops by commercial fishermen in the Southern Scallop Fishery.

5. Allocation of quota by notice—The Minister may, by notice in the *Gazette*, allocate the quota prescribed by regulation 4 of these regulations to such commercial fishermen as the Minister may specify in that notice.

6. Offences—Every commercial fisherman commits an offence and is liable on summary conviction to a fine not exceeding \$10,000 who—

- (a) Not having received any allocation of quota for the Southern Scallop Fishery under regulation 5 of these regulations,—
 - (i) Takes any scallop from the waters of that Fishery; or
 - (ii) Is in possession of any scallop taken from the waters of that Fishery; or
- (b) Having received an allocation of quota for the Southern Scallop Fishery under regulation 5 of these regulations,—
 - (i) Takes from the waters of that Fishery any scallop in excess of that allocation; or
 - (ii) Is in possession of any scallop taken from the waters of that Fishery in excess of that allocation.

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 18 August 1992 and apply in respect of the period beginning on that day and ending on 19 December 1992, impose a quota of 640 tonnes (meatweight) on the taking of scallops in the Southern Scallop Fishery. The quota is to be allocated by the Minister of Fisheries by notice in the *Gazette*.

Every commercial fisher commits an offence and is liable to a fine not exceeding \$10,000 who takes scallops from the Fishery either in excess of that fisher's allocation or without an allocation.

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

Date of notification in *Gazette*: 13 August 1992.

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