



**FISHERIES (SOUTH TASMAN RISE ORANGE ROUGHY FISHERY)  
AMENDMENT REGULATIONS 1999**

---

SIAN ELIAS, Administrator of the Government

ORDER IN COUNCIL

At Wellington this 9th day of August 1999

Present:

HER EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT IN COUNCIL  
PURSUANT to section 297 of the Fisheries Act 1996, Her Excellency the  
Administrator of the Government, acting by and with the advice and  
consent of the Executive Council, makes the following regulations.

---

ANALYSIS

- |  |                       |
|--|-----------------------|
| 1. Title and commencement                | 4. Offences           |
| 2. Application                           | 5. Avoidance of doubt |
| 3. Prohibition on taking or landing fish |                       |

---

REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Fisheries (South Tasman Rise Orange Roughy Fishery) Amendment Regulations 1999, and are part of the Fisheries (South Tasman Rise Orange Roughy Fishery) Regulations 1999\* (“the principal regulations”).

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

**2. Application**—The principal regulations are amended by revoking regulation 3, and substituting the following regulation:

“3. (1) The provisions of these regulations relating to the taking of orange roughy in the South Tasman Rise Area apply to every person who is a New Zealand person or is the operator or a crew member of a New Zealand ship.

“(2) The provisions of these regulations relating to the landing in New Zealand of orange roughy taken in the South Tasman Rise Area apply to every person who lands such fish in New Zealand.”

**3. Prohibition on taking or landing fish**—Regulation 4 (1) of the principal regulations is amended by omitting the words “to whom these regulations apply”.

**4. Offences**—Regulation 5 of the principal regulations is amended—

- (a) By omitting from subclause (1) (a) the words “is a person to whom these regulations apply and”;
- (b) By omitting from subclause (2) the expression “\$10,000”, and substituting the expression “\$100,000”.

**5. Avoidance of doubt**—Regulation 2 of these regulations is for the avoidance of doubt.

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 the day after the date of their notification in the *Gazette*, amend the Fisheries (South Tasman Rise Orange Roughy Fishery) Regulations 1999.

The regulations amend the principal regulations as follows:

- The maximum penalty for an offence against the principal regulations is increased from \$10,000 to \$100,000.
- The application provision in regulation 3 of the principal regulations is replaced in order to clarify the effect of the principal regulations. Formerly, regulation 3 covered the taking of orange roughy in the South Tasman Rise Area but did not cover the landing of such fish in New Zealand, although the operative provisions relating to the landing of such fish are expressed to apply to all persons. The new application provision covers both situations and is for the avoidance of doubt.

---

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

Date of notification in *Gazette*: 12 August 1999.

These regulations are administered in the Ministry of Fisheries.