



**THE MARINE RESERVE (POOR KNIGHTS ISLANDS)
ORDER 1981**

DAVID BEATTIE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 2nd day of February
1981

Present:

THE RIGHT HON. B. E. TALLBOYS PRESIDING IN COUNCIL

PURSUANT to section 4 (1) of the Marine Reserves Act 1971, His Excellency the Governor-General, acting on the recommendation of the Minister of Agriculture and Fisheries made under section 5 (9) of that Act with the concurrence of the Minister of Transport, and by and with the advice and consent of the Executive Council, hereby makes the following order.

ORDER

1. Title and commencement—(1) This order may be cited as the Marine Reserve (Poor Knights Islands) Order 1981.

(2) This order shall come into force on the 18th day of February 1981.

2. Interpretation—In this order, unless the context otherwise requires,—

“The Act” means the Marine Reserves Act 1971:

“Marine reserve” has the same meaning as in the Act:

“The reserve” means the area constituted as a marine reserve under clause 3 of this order.

3. Marine reserve constituted—The area described in the First Schedule to this clause is hereby declared to be a marine reserve.

4. Certain fishing permitted—(1) Except as provided in subclauses (2) and (3) of this clause, any person may take fish within the reserve in accordance with subclause (4) of this clause until such time as a management committee for the reserve is appointed and is working and has been consulted as to whether a notice under section 3 (3) of the Act should be given or not.

(2) Nothing in this clause shall permit fishing by any person holding a permit issued under Part I of the Fisheries Act 1908.

(3) Nothing in this clause shall permit fishing in any area of the reserve described in the Second Schedule to this order.

(4) Any person permitted under this clause to take fish in any area of the reserve not referred to in the Second Schedule to this order may take the following kinds of fish only, and by the following methods only:

- (a) Shark, billfish, tuna, mackerel, kahawai, and kingfish, by trolling or by spear:
- (b) Snapper, kingfish, and trevally, by floating line (excluding leaded lines and lines with sinkers or other weights other than bait) or by spear.

SCHEDULES

Clause 3

FIRST SCHEDULE

Description of the Reserve

ALL that area containing 2410 hectares more or less in the South Pacific Ocean within a line every point of which is 800 metres out from mean low water mark on the Poor Knights Islands, High Peak Rocks, Sugarloaf Rock and adjacent islands and rocks, as shown on plan numbered MAF 98 deposited in the office of the Ministry of Agriculture and Fisheries at Wellington.

SECOND SCHEDULE

Clause 4 (3)

Areas of the Reserve Within Which no Fishing Permitted

AREA A: All that area of the South Pacific Ocean adjacent to the southeast coast of Aorangi Island enclosed by a line commencing at mean low water mark on Aorangi Island at the western entrance to the channel between Aorangi and Archway Islands, then by a straight line in a southeasterly direction to the northwest point of Archway Island, then by mean low water mark around the northeast coast of Archway Island and across the entrance of the archway penetrating that Island to the southeast point of that Island, then by a straight line to the southwest point of Aorangaia Island, then by mean low water mark around the east coast of Aorangaia Island and across the entrance to the archway penetrating Aorangaia Island to its northernmost point, then by a straight line to mean low water mark on Aorangi Island at Ramariki Point, then by mean low water mark in a southwesterly direction to the point of commencement.

SECOND SCHEDULE—*continued*

Area B: All that area of the South Pacific Ocean adjacent to the northern and northwestern coast of Aorangi Island enclosed by a line commencing at mean low water mark at Kahawai Point on Aorangi Island, then by a straight line to the southernmost point of Kaka Rock, by mean low water mark to the northernmost point of that rock, then in a northeasterly direction by straight lines joining the northwest and northernmost points respectively of the two larger islets between Aorangi and Tawhiti Rahi Islands, then by a straight line to the eastern point of Crater Bay on Aorangi Island, then by mean low water mark in a northwesterly then southwesterly direction to the point of commencement.

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

EXPLANATORY NOTE

This note is not part of the order, but is intended to indicate its general effect.

This order, which comes into effect on 18 February 1981, sets up the Poor Knights Islands Marine Reserve.

Until such time as the management committee has been consulted as to the giving of a notice setting conditions for fishing, fishing is permitted only on the following conditions:

1. Fishing is permitted only in areas not described in the Second Schedule to the order:
2. No person holding a permit issued under Part I of the Fisheries Act 1908 may fish in the area:
3. Persons who may take fish in the area may take only—
 - (a) Shark, billfish, tuna, mackerel, kahawai, and kingfish, by trolling or by spear; and
 - (b) Snapper, kingfish, and trevally by floating line or by spear.

No other fish may be taken, and no other method of fishing may be used.

Once the management committee has been consulted as to the giving of a notice under section 3 (3) of the Marine Reserves Act 1971 such fishing is no longer permitted.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 4 February 1981.

This order is administered in the Ministry of Agriculture and Fisheries.