



**THE OYSTER FISHING REGULATIONS 1946,
AMENDMENT NO. 9**

DAVID BEATTIE, Governor-General

By his Deputy,
RONALD DAVISON

ORDER IN COUNCIL

At the Government House at Wellington this 28th day of June 1982

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL BY HIS DEPUTY IN COUNCIL
PURSUANT to section 5 of 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 Oyster Fishing Regulations 1946, Amendment No. 9, and shall be read together with and deemed part of the Oyster Fishing Regulations 1946* (hereinafter referred to as the principal regulations).

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

2. Interpretation—Regulation 3 of the principal regulations is hereby amended by inserting, in the definition of the term “rock oyster” after the words “*Ostrea mordax*,” the words “Pacific oyster or *Crassostrea gigas*,”.

3. Provision for open season to take rock oysters in North Island—(1) Regulation 13 of the principal regulations is hereby amended by adding, as subclause (2), the following subclause:

“(2) The Minister may from time to time, by notice in the *Gazette*, vary the close season prescribed in subclause (1) of this regulation by declaring that the taking of rock oysters from such place or places as may be specified in the notice during such period or periods of the close season as

may be so specified, shall, subject to these regulations, be lawful; and there shall accordingly be no close season for taking rock oysters in that place or those places during any such specified period."

(2) Regulation 24 of the principal regulations is hereby consequentially amended by inserting, after the words "provided by", the words "regulation 13 (2) hereof and".

4. Increase in penalty—Regulation 35 of the principal regulations is hereby amended by omitting the expression "\$100", and substituting the expression "\$1,000".

P. G. MILLEN,
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 remove a doubt as to the classification of the Pacific oyster by including them, for the purpose of the principal regulations, with rock oysters. Provision is also made for the Minister to provide from time to time for, in effect, an "open season" for the taking of rock oysters in the North Island, an activity which has previously been prohibited.

The penalty for an offence is increased from \$100 to \$1000.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 1 July 1982.

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