

1972/125



**THE ROCK LOBSTER REGULATIONS 1969, AMENDMENT  
NO. 3**

—  
ARTHUR PORRITT, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 12th day of June 1972

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.

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REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Rock Lobster Regulations 1969, Amendment No. 3, and shall be read together with and deemed part of the Rock Lobster Regulations 1969\* (hereinafter referred to as the principal regulations).

(2) Except as provided in regulation 3 of these regulations, these regulations shall come into force on the day after the date of their notification in the *Gazette*.

**2. Special provisions relating to the taking of rock lobsters off Otago**—The principal regulations are hereby amended by revoking regulation 6, and substituting the following regulation:

“6. (1) Notwithstanding anything in regulation 3 or regulation 5 of these regulations, but subject to the provisions of this regulation, it shall be lawful for rock lobsters the tails of which are less than 6 in. in length to be fished for or taken in that part of the sea lying between a straight line running due east from the mouth of the Waitaki River and a straight line running due east from Nugget Point, and within 8 nautical miles of the highwater mark of the coast of the South Island.

\*S.R. 1969/250

Amendment No. 1: S.R. 1971/86

Amendment No. 2: S.R. 1971/172

“(2) No person shall take from that part of the sea described in subclause (1) of this regulation any rock lobster the tail of which is less than 6 in. in length unless—

“(a) The rock lobster is taken during the period commencing with the 21st day of June 1972 and ending with the 19th day of December 1972, and the tail of that rock lobster is not less than 4.75 in. in length; or

“(b) The rock lobster is taken during the period commencing with the 21st day of June 1973 and ending with the 19th day of December 1973, and the tail of that rock lobster is not less than 5.25 in. in length; or

“(c) The rock lobster is taken during the period commencing with the 21st day of June 1974 and ending with the 19th day of December 1974, and the tail of that rock lobster is not less than 5.75 in. in length.

“(3) Without limiting the provisions of subclause (2) of this regulation, no person operating from a fishing boat shall take from that part of the sea described in subclause (1) of this regulation any rock lobster the tail of which is less than 6 in. in length unless the following conditions are satisfied:

“(a) A boat-fishing permit authorising the taking of rock lobsters is in force in respect of the boat:

“(b) The boat is registered at Dunedin and domiciled at a port or place lying between the mouth of the Waitaki River and Nugget Point:

“(c) All rock lobsters with tails less than 6 in. in length are landed at the said port or place of domicile.

“(4) This regulation shall remain in force until the 19th day of December 1974, and shall then expire.”

**3. New provisions relating to the sale, purchase, and possession of rock lobsters in Otago**—The principal regulations are hereby further amended by revoking regulation 7, and substituting the following regulations:

**“7. Special provisions relating to the sale, purchase, and possession of rock lobsters in Otago**—(1) Notwithstanding anything in regulation 5 of these regulations, but subject to the provisions of this regulation, it shall be lawful for any person to sell, purchase, or have in his possession any rock lobster taken in accordance with regulation 6 of these regulations, or the tail of any such rock lobster, if the rock lobster or rock lobster tail is processed and packed in accordance with regulation 8 of these regulations.

“(2) Notwithstanding anything in regulation 5 of these regulations, or in subclause (1) of this regulation, but otherwise subject to the provisions of this regulation, it shall be lawful for any person to sell, purchase, or have in his possession any rock lobster taken in accordance with regulation 6 of these regulations, or the tail of any such rock lobster, if the rock lobster or rock lobster tail is packed in a consumer pack at an authorised packing house situated in the Provincial District of Otago but not in any of the counties of Southland, Wallace, Fiord, Lakes, Vincent, and Stewart Island, or in any of the ridings of Macleannan, Clinton, Catlins, Pomohaka, Clydevale, Waipahi, and Glenkenich of the

County of Clutha, or in any of the boroughs (except the Borough of Balclutha), or town districts, situated within or contiguous to the boundaries of those counties or of those ridings.

“(3) In any proceedings for having in possession any rock lobster the tail of which is less than 6 in. in length, or any rock lobster tail less than 6 in. in length, it shall be deemed a lawful excuse for the defendant to satisfy the Court that the rock lobster or rock lobster tail came from a consumer pack packed at an authorised packing house situated in that part of the Provincial District of Otago described in subclause (2) of this regulation.

“(4) In that part of the Provincial District of Otago described in subclause (2) of this regulation, and in that part of the Provincial District of Canterbury south of the Rangitata River other than in the parts of the Counties of Lakes and Vincent situated within that Provincial District, the provisions of subclause (2) of this regulation shall come into force 1 month after the date of notification of these regulations in the *Gazette*.

“(5) This regulation shall remain in force until the 19th day of March 1975, and shall then expire.

“7A. **Offence to sell, purchase, or possess, after 19 March 1975, any rock lobster taken in accordance with regulation 6**—Notwithstanding anything in these regulations, no person shall sell, purchase, or have in his possession, on or after the 19th day of March 1975, any rock lobster, or the tail of any rock lobster, that has been taken in accordance with regulation 6 of these regulations.”

**4. Minister may authorise tailing of rock lobsters in Otago subject to certain conditions**—The principal regulations are hereby further amended by revoking regulation 8, and substituting the following regulation:

“8. (1) In respect of rock lobsters (not being packhorse crayfish) taken in accordance with regulation 6 of these regulations, the Minister may, subject to the conditions specified in subclause (2) of this regulation, authorise—

“(a) The tailing, processing, packing for export, and export of those rock lobsters and the processing, packing for export, and export of their tails:

“(b) The sale in New Zealand of those rock lobsters and their tails.

“(2) The conditions referred to in subclause (1) of this regulation are as follows:

“(a) Lobster tailing and processing shall be carried out in an authorised packing house under the supervision of a fishery officer or inspector:

“(b) Rock lobsters authorised for export shall be packed in an authorised packing house under the supervision of a fishery officer or inspector and the containers containing the rock lobsters shall be sealed by him:

“(c) Rock lobster tails for export shall immediately after tailing be packed in an authorised packing house under the supervision of a fishery officer or inspector, and the containers shall be sealed by him where the number of tails exceeds 59 for 20 lb packs or the equivalent where a different size of pack is used:

“(d) The exporter of the rock lobsters or rock lobster tails shall, in writing, give the District Inspector of Fisheries, Marine Department, Dunedin, full particulars relating to the transport and storage of the lobsters or lobster tails between the packing house and the ship or aircraft on which they are to be exported from New Zealand:

“(e) Rock lobsters for export shall, to the satisfaction of a fishery officer or inspector, be alive immediately before tailing or processing is commenced in the authorised packing house:

“(f) Rock lobsters or rock lobster tails for sale in New Zealand shall, under the supervision of a fishery officer or inspector, be packed into consumer packs in an authorised packing house.

“(3) This regulation shall remain in force until the 19th day of March 1975, and shall then expire.”

**5. Use of measuring sticks**—The principal regulations are hereby further amended by revoking regulation 23, and substituting the following regulation:

“23. (1) To ascertain whether a rock lobster or the tail of a rock lobster is undersized, it shall be measured with a measuring stick of a type shown in the Second Schedule to these regulations.

“(2) In using a measuring stick, no more pressure shall be exerted on the measuring stick or on any part of the rock lobster or the tail of a rock lobster being measured—

“(a) Than will straighten the ventral surface of the tail against the measuring stick; and

“(b) Than will hold the pin on the measuring stick against the after side of the calcified bar on the ventral surface of the first segment of the tail.”

**6. Second Schedule substituted**—The principal regulations are hereby further amended by revoking the Second Schedule (as substituted by regulation 6 of the Rock Lobster Regulations 1969, Amendment No. 2), and substituting the Second Schedule set out in the Schedule to these regulations.

**7. Restrictions on taking rock lobsters from certain parts of the sea**—During the period commencing with the 20th day of December 1971, and ending with the 19th day of December 1974, no person shall fish for or take any rock lobster from any waters which lie east of the Otago coastline between Nugget Point and that point known as Long Point which lies in a south-westerly direction from Nugget Point.

**8. Revocations**—The following regulations are hereby consequentially revoked:

(a) Regulations 6 and 7 of the Rock Lobster Regulations 1969, Amendment No. 1:

(b) The Rock Lobster Regulations 1969, Amendment No. 2.

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Reg. 6

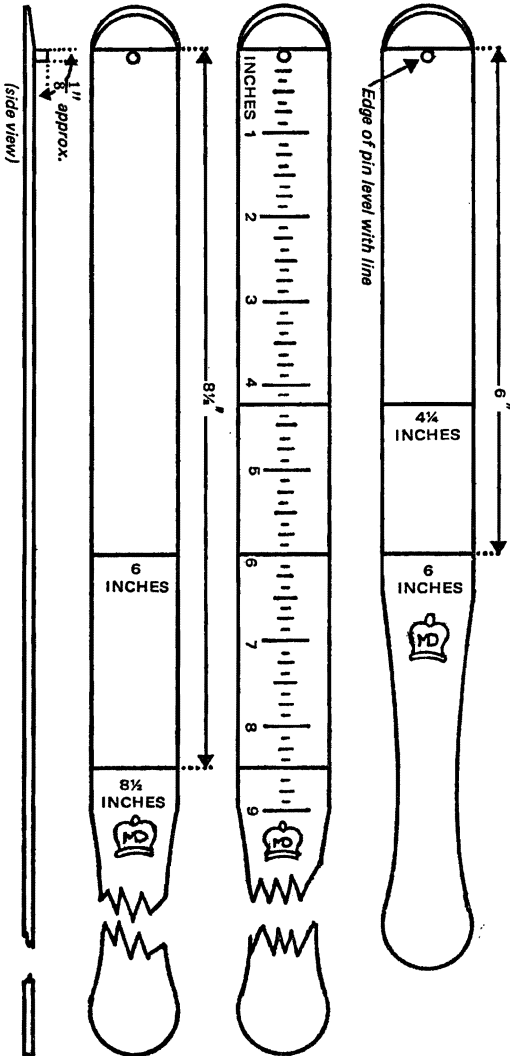
SCHEDULE

NEW SECOND SCHEDULE TO THE PRINCIPAL REGULATIONS

Reg. 23

“SECOND SCHEDULE

“ROCK LOBSTER TAIL MEASURING STICKS



P. J. BROOKS,  
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 Rock Lobster Regulations 1969. The principal amendment relates to the taking of rock lobsters off Otago. A new Second Schedule depicting rock lobster tail measuring sticks is substituted. The shortest stick is now marked at  $4\frac{1}{4}$  in. instead of  $5\frac{1}{4}$  in. Rock lobster fishing is prohibited until 19 December 1974 in that part of the sea lying east of the Otago coastline between Nugget Point and Long Point.

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Issued under the authority of the Regulations Act 1936.  
Date of notification in *Gazette*: 15 June 1972.  
These regulations are administered in the Marine Department.