

**Reprint
as at 1 February 2014**



**Fisheries (South-East Area
Amateur Fishing) Regulations 1986**

(SR 1986/225)

Fisheries (South-East Area Amateur Fishing) Regulations 1986: revoked, on 1 February 2014, by regulation 161(1)(e) of the Fisheries (Amateur Fishing) Regulations 2013 (SR 2013/482).

Paul Reeves, Governor-General

Order in Council

At Wellington this 2nd day of September 1986

Present:

The Right Hon G W R Palmer presiding in Council

Pursuant to section 89 of the Fisheries Act 1983, 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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Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.

Note 4 at the end of this reprint provides a list of the amendments incorporated.

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Regulations

1 Title and commencement

- (1) These regulations may be cited as the Fisheries (South-East Area Amateur Fishing) Regulations 1986.
- (2) These regulations shall come into force on the 14th day after the date of their notification in the *Gazette*.

2 Application

These regulations apply in respect of all persons taking or possessing any fish to which these regulations relate, other than commercial fishers taking or possessing fish under a permit, licence, quota, or other authorisation issued or granted under the Act or any regulations made under the Act.

Regulation 2: substituted, on 15 July 1999, by regulation 2 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations 1999 (SR 1999/182).

3 Interpretation

In these regulations, unless the context otherwise requires,—

Act means the Fisheries Act 1983 or the Fisheries Act 1996

Akaroa Harbour taiapure means the area described in the Schedule of the Fisheries (Akaroa Harbour Taiapure) Order 2006

barracouta means a fish of the species *Thyrsites atun*

blue cod means a fish of the species *Parapercis colias*

blue moki means a fish of the species *Latridopsis ciliaris*

blue shark means a fish of the species *Prionace glauca*

bluenose means a fish of the species *Hyperoglyphe antarctica*

bronze shark means a fish of the species *Carcharhinus brachyurus*

butterfish means a fish of the species *Odax pullus* or *Odax cyanoallix*

cat's eye means the shellfish of the species *Turbo smaragdus*

Chatham Islands rock lobster fishery means the rock lobster fishery within all that area of New Zealand fisheries waters enclosed by a line commencing at the point 40°25'S and 178°W on the outer limits of the exclusive economic zone, then pro-

ceeding along the outer limits of the zone to the point 51°50'S and 174°35'E, then proceeding in a straight line to the point 50°55'S and 173°50'E, then proceeding along the outer limits of the zone to the point 48°15'S and 174°E, then proceeding in a straight line to the point of commencement

cockle means the mollusc *Chione (Austrovenus) stutchburyi*

East Otago taiapure means the area described in the Schedule of the Fisheries (East Otago Taiapure) Order 1999

eel means the shortfin eel (*Anguilla australis*) and the longfin eel (*Anguilla dieffenbachii*)

elephant fish means a fish of the species *Callorhynchus milii*

flatfish means a fish of the species—

- (a) sand flounder (“dab”, “white”, or “square” flounder) (*Rhombosolea plebeia*); or
- (b) lemon sole (*Pelotretis flavilatus*); or
- (c) New Zealand sole (*Peltorhampus novaezeelandiae*); or
- (d) flounder (“yellow belly”) (*Rhombosolea leporina*); or
- (e) black flounder (*Rhombosolea retiaria*); or
- (f) greenback flounder (*Rhombosolea tapirina*); or
- (g) brill (*Colistium guntheri*); or
- (h) turbot (*Colistium nudipinnis*)

fyke net means any trap net (set with or without leaders or wings) with the trap section having single or multiple throats and supported by hoops or rings with the leaders or the net being held in position by poles or anchoring devices or by both poles and anchoring devices

grey mullet means a fish of the species *Mugil cephalus*

hammerhead shark means a fish of the species *Sphyrna zygaena*

hapuku/bass means a fish of the species *Polyprion oxygeneios* or *Polyprion moene*

herring means the yellow-eyed mullet (*Aldrichetta forsteri*); but does not include the sardine (*Sardinops neopilchardus*) or the species of mullet known as *Mugil cephalus* or kanae

kahawai means a fish of the species *Arripis trutta*

Kaikoura–North Canterbury area means all that area of New Zealand fisheries waters enclosed by a line commencing at a point 42°10.0'S and 176°00.0'E; then proceeding south

along the 176°00.0'E line of longitude to latitude 43°23.62'S; then proceeding west along the 43°23.62'S line of latitude to the mean high-water mark of the east coast of the South Island (approximately 172°42.43'E, near the south bank of the Waimakariri River); then proceeding in a generally north-easterly direction along the mean high-water mark of the South Island to latitude 42°10.0'S (approximately 173°56.5'E, near Clarence Point); then proceeding east along the 42°10.0'S line of latitude until reaching the point of commencement

kingfish means a fish of the species *Seriola lalandi* (formerly known as *Seriola grandis*)

lamprey means a fish of the species *Geotria australis*

ling means a fish of the species *Genypterus blacodes*

mako shark means a fish of the species *Isurus oxyrinchus*

Maori has the same meaning as in Te Ture Whenua Maori Act 1993

marblefish means a fish of the species *Aplodactylus etheridgi* or *Aplodactylus arctidens*

marlin means a fish of the species *Tetrapturus audax*, *Makaira nigricans*, or *Makaira indica*

Onawe Peninsula marine area means the area described in the Schedule

porbeagle shark means a fish of the species *Lamna nasus*

red cod means a fish of the species *Pseudophycis bacchus*

red coral means a coelenterate of the order stylasterina

red gurnard means a fish of the species *Chelidonichthys kumu*

red moki means a fish of the species *Cheilodactylus spectabilis*

rig means a fish of the species *Mustelus lenticulatus*

rock lobster means the fish whose scientific name is *Jasus edwardsii*, commonly known as the spiny or red rock lobster

school shark means a fish of the species *Galeorhinus australis*

sea horse means a fish of the genus *Hippocampus*

sea perch or **Jock Stewart** means a fish of the genus *Helicolenus*

set net includes a gill net or any other sort of net that acts by enmeshing, entrapping, or entangling any fish

seven gilled shark means a fish of the species *Notorhynchus cepedianus* or *Heptranchias perlo*

skate ray means a fish of the order *Rajiformes*

snapper means a fish of the species *Chrysophrys auratus*

South-East fishery management area means the fishery management area described as the South-East fishery management area in the Schedule of the Notice Declaring Fishery Management Areas that was published in the *Gazette* on 5 February 1986 at page 412

spiky dog means a fish of the species *Squalus acanthias*

stargazer means a fish of the species *Kathetostoma giganteum*

tarakihi means a fish of the species *Nemadactylus macropterus*

thresher shark means a fish of the species *Alopias vulpinus*

trevally means a fish of the species *Caranx georgianus*

trumpeter means a fish of the species *Latris lineata*

warehou means a fish of the species *Seriolella punctata* or *Seriolella brama*

wrasse means a fish of the family *Labridae*.

Regulation 3 **Act**: inserted, on 15 July 1999, by regulation 3 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations 1999 (SR 1999/182).

Regulation 3 **Akaroa Harbour taiapure**: inserted, on 1 October 2009, by regulation 4 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 2009 (SR 2009/249).

Regulation 3 **barracouta**: inserted, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **blue cod**: inserted, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **blue moki**: inserted, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **blue shark**: inserted, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **bluenose**: inserted, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **bronze shark**: inserted, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **butterfish**: inserted, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **cat's eye**: inserted, on 1 October 2009, by regulation 4 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 2009 (SR 2009/249).

Regulation 3 **Chatham Islands rock lobster fishery**: inserted, on 1 March 1998, by regulation 2 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations 1998 (SR 1998/27).

Regulation 3 **cockle**: inserted, on 30 November 1995, by regulation 2 of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 6 (SR 1995/237).

Regulation 3 **East Otago taiapure**: inserted, on 1 October 2010, by regulation 4 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations 2010 (SR 2010/299).

Regulation 3 **elephant fish**: inserted, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **flatfish**: inserted, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **grey mullet**: inserted, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **groper**: revoked, on 30 September 1993, by regulation 2(1) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **hammerhead shark**: inserted, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **hapuku/bass**: inserted, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **kahawai**: inserted, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **Kaikoura–North Canterbury area**: inserted, on 14 December 2000, by regulation 3 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations 2000 (SR 2000/241).

Regulation 3 **kingfish**: inserted, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **lamprey**: inserted, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **ling**: inserted, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **mako shark**: inserted, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **Maori**: amended, on 1 July 1993, pursuant to section 362(2) of Te Ture Whenua Maori Act 1993 (1993 No 4).

Regulation 3 **marblefish**: inserted, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **marlin**: inserted, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **Onawe Peninsula marine area**: inserted, on 1 October 2009, by regulation 4 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 2009 (SR 2009/249).

Regulation 3 **porbeagle shark**: inserted, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **red cod**: inserted, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **red coral**: added, on 9 May 1991, by regulation 2 of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 2 (SR 1991/59).

Regulation 3 **red gurnard**: inserted, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **red moki**: inserted, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **rig**: inserted, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **rock lobster**: inserted, on 1 March 1998, by regulation 2 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations 1998 (SR 1998/27).

Regulation 3 **school shark**: inserted, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **sea horse**: inserted, on 1 October 2009, by regulation 4 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 2009 (SR 2009/249).

Regulation 3 **sea perch** or **Jock Stewart**: inserted, on 1 October 2009, by regulation 4 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 2009 (SR 2009/249).

Regulation 3 **set net**: inserted, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **seven gilled shark**: inserted, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **skate ray**: inserted, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **snapper**: inserted, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **South-East fishery management area**: added, on 9 May 1991, by regulation 2 of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 2 (SR 1991/59).

Regulation 3 **spiky dog**: added, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **stargazer**: added, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **tarakihi**: added, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **thresher shark**: added, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **trevally**: added, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **trumpeter**: added, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **warehou**: added, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3 **white pointer**: revoked, on 1 April 2007, by regulation 4 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations 2007 (SR 2007/49).

Regulation 3 **wrasse**: added, on 30 September 1993, by regulation 2(2) of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

3A Maximum daily number of fish

- (1) The following table sets out the maximum daily number of particular species of fish that may be taken or possessed in accordance with subclauses (2), (3), and (3A):

Species	Maximum daily number
Barracouta	—
Blue cod	—
Blue moki	15
Blue shark	1
Bluenose	5
Bronze shark	1
Butterfish	15
Elephant fish	5
Flatfish	—
Grey mullet	—
Hammerhead shark	1
Kahawai	15
Lamprey	—
Ling	—
Mako shark	1
Marblefish	—
Marlin	1
Porbeagle shark	1
Quinnat salmon	2
Red cod	10
Red gurnard	—
Red moki	15
Rig	5
School shark	5
Seven gilled shark	1
Skate ray	5
Snapper	10
Spiky dog	15
Stargazer	—
Tarakihi	15
Thresher shark	1

- | Species | Maximum daily number |
|----------------|-----------------------------|
| Trevally | — |
| Trumpeter | 15 |
| Warehou | 15 |
| Wrasse | — |
- (2) No person may, on any day,—
- (a) take from within the South-East fishery management area any fish in excess of the maximum daily number specified in respect of that fish in the table set out in subclause (1); or
 - (b) possess more than the specified maximum daily number of any such fish in that area; or
 - (c) possess more than the specified maximum daily number of any such fish taken from within that area.
- (3) No person may, on any day,—
- (a) take from within the South-East fishery management area more than 30 fish to which the table set out in subclause (1) applies; or
 - (b) possess more than 30 of any such fish in that area; or
 - (c) possess more than 30 of any such fish taken from within that area.
- (3A) No person may, on any day,—
- (a) take from the Kaikoura–North Canterbury area more than 10 blue cod; or
 - (b) possess more than 10 blue cod in that area; or
 - (c) possess more than 10 blue cod taken from within that area.
- (4) No person may, on any day,—
- (a) take from within the South-East fishery management area a total quantity of hapuku/bass and kingfish exceeding 5; or
 - (b) possess a total quantity of hapuku/bass and kingfish exceeding 5 in that area; or
 - (c) possess a total quantity of hapuku/bass and kingfish exceeding 5 taken from within that area.
- (5) No person may, on any day,—
- (a) take from within the South-East fishery management area more than 3 kingfish; or

- (b) possess more than 3 kingfish in that area; or
 - (c) possess more than 3 kingfish taken from within that area.
- (6) A person contravenes this subclause if the person, on any day, takes or possesses more than the daily limit of fish (as specified in this regulation), but not more than 3 times the daily limit.
- (7) A person contravenes this subclause if the person, on any day, takes or possesses more than 3 times the daily limit of fish (as specified in this regulation).

Regulation 3A: substituted, on 15 July 1999, by regulation 4 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations 1999 (SR 1999/182).

Regulation 3A(1): amended, on 1 May 2012, by regulation 4(1) of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations 2012 (SR 2012/49).

Regulation 3A(1) table: amended, on 1 May 2012, by regulation 4(2) of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations 2012 (SR 2012/49).

Regulation 3A(1) table: amended, on 1 April 2008, by regulation 4 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations 2008 (SR 2008/29).

Regulation 3A(1) table: amended, on 1 April 2007, by regulation 5 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations 2007 (SR 2007/49).

Regulation 3A(3A): inserted, on 14 December 2000, by regulation 4 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations 2000 (SR 2000/241).

Regulation 3A(6): added, on 1 October 2001, by regulation 3 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 2001 (SR 2001/274).

Regulation 3A(7): added, on 1 October 2001, by regulation 3 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 2001 (SR 2001/274).

3AB East Otago taiapure: maximum daily number of finfish

- (1) No person may, on any day,—
- (a) take more than 10 finfish from the southern part of the East Otago taiapure; or
 - (b) possess more than 10 finfish in the southern part of the East Otago taiapure; or
 - (c) possess more than 10 finfish taken from the southern part of the East Otago taiapure.

- (2) A person contravenes this subclause if the person, on any day, takes or possesses more than the maximum daily number of finfish specified in subclause (1), but not more than 3 times the maximum daily number.
- (3) A person contravenes this subclause if the person, on any day, takes or possesses more than 3 times the maximum daily number of finfish.
- (4) In this regulation, **southern part of the East Otago taiapure** means the area—
- (a) commencing at the easternmost point of Huriawa Peninsula (at 45°38.40'S and 170°40.47'E); and
 - (b) then proceeding due east to a point (at 45°38.40'S and 170°40.69'E); and
 - (c) then proceeding south-west to Brinns Point (at 45°40.32'S and 170°39.18'E); and
 - (d) then proceeding south-west to a point on Warrington Spit (at 45°43.73'S and 170°36.00'E); and
 - (e) then proceeding south-east to Potato Point (at 45°44.42'S and 170°38.30'E); and
 - (f) then proceeding generally west and north along the mean high-water mark to the point of commencement.

Regulation 3AB: inserted, on 1 October 2010, by regulation 5 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations 2010 (SR 2010/299).

3B Minimum set net mesh size

Notwithstanding regulation 6 of the Fisheries (Amateur Fishing) Regulations 1986, the mesh size of any set net used or possessed by any person in the South-East fishery management area shall not be less than the appropriate size specified in the following table:

Species of fish	Minimum set net mesh size (mm)
Blue moki	114
Bluenose	160
Hapuku/bass	160
Kahawai	90
Grey mullet	90

Species of fish	Minimum set net mesh size (mm)
School shark	150
Snapper	125

Regulation 3B: inserted, on 30 September 1993, by regulation 3 of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

3C Minimum legal size for blue cod

Notwithstanding regulation 6 of the Fisheries (Amateur Fishing) Regulations 1986, no person shall take from the South-East fishery management area any blue cod that is less than 30 cm in length or possess any blue cod taken from that area that is less than 30 cm in length.

Regulation 3C: inserted, on 30 September 1993, by regulation 3 of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

3D Set net prohibitions

- (1) No person shall, during the period commencing 1 hour before sunset on any day and ending 1 hour after sunrise on the following day, use a set net in the following waters:
 - (a) *[Revoked]*
 - (b) *[Revoked]*
- (2) No person shall use a set net in the following waters:
 - (a) *upper Otago Harbour*: all those waters of the upper harbour which lie to the north and west of a line from Burns Point (at 45°53.20'S and 170°31.60'E) to a point on the low tide training wall (at 45°52.62'S and 170°31.70'E); then generally in a north-easterly direction along the low tide training wall to a point (at 45°50.18'S and 170°36.08'E); then to Kilgour Point (at 45°49.96'S and 170°36.15'E):
 - (b) *Port Chalmers*: all those waters in the lower harbour in the vicinity of Port Chalmers which lie to the west of a line from Back Beach Point (at 45°49.21'S and 170°37.67'E), to a beacon (at 45°49.26'S and 170°37.92'E); then to the shore at Rocky Point (at 45°48.35'S and 170°37.70'E):

- (c) *[Revoked]*
- (d) *[Revoked]*
- (e) *Catlins Lake*: all those waters of the Catlins Lake and tributaries running into the Catlins Lake that lie up stream of the main road bridge commencing at a point (at 46°28.50'S and 169°45.60'E); then in a southerly direction to 46°28.60'S and 169°45.60'E.

Regulation 3D: inserted, on 30 September 1993, by regulation 3 of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

Regulation 3D(1)(a): revoked, on 1 October 2008, by regulation 4(1) of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 2008 (SR 2008/276).

Regulation 3D(1)(b): revoked, on 1 October 2008, by regulation 4(1) of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 2008 (SR 2008/276).

Regulation 3D(2)(c): revoked, on 1 October 2008, by regulation 4(2) of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 2008 (SR 2008/276).

Regulation 3D(2)(d): revoked, on 1 October 2008, by regulation 4(2) of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 2008 (SR 2008/276).

3E Unattended set nets in East Otago taiapure

- (1) A person using a set net in East Otago taiapure must, at all times, remain in the immediate vicinity of the set net.
- (1A) Subclause (1) does not authorise the use of a set net in any part of the East Otago taiapure that is within the area defined in regulation 6E.
- (2) *[Revoked]*

Regulation 3E: inserted, on 1 October 2007, by regulation 4 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 2007 (SR 2007/248).

Regulation 3E(1A): inserted, on 1 October 2008, by regulation 5 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 2008 (SR 2008/276).

Regulation 3E(2): revoked, on 1 October 2010, by regulation 6 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations 2010 (SR 2010/299).

4 Netting prohibited in North Canterbury

No person shall use any net, other than a fyke net, for taking finfish in the following waters:

- (a) the Kaiapoi River or its tributaries upstream from the Williams Street Bridge:
- (b) between 1 February and 30 April (both days inclusive) in any 1 year,—
 - (i) the Kaiapoi River or its tributaries downstream from the Williams Street Bridge:
 - (ii) that part of the Waimakariri River lying within straight lines drawn from the site of a white post on the north bank of the Waimakariri River 200 m downstream of the mouth of the Kaiapoi River, to the site of a white post on the south bank of the Waimakariri River; then by straight line to the site of a white post on the north bank of the Waimakariri River 200 m upstream of the mouth of the Kaiapoi River (the post on the south bank being situated approximately midway between the 2 posts on the north bank).

4A Set netting prohibited in Canterbury set net area

[Revoked]

Regulation 4A: revoked, on 1 October 2008, by regulation 6 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 2008 (SR 2008/276).

5 Net mesh size restricted at Lake Ellesmere

No person shall use for taking finfish, other than herring, a net having a mesh of less than 100 mm in the waters of Lake Ellesmere.

6 Use of nets restricted at and near Lake Ellesmere

- (1) No person shall—
 - (a) use any net for taking finfish in any river or stream flowing into Lake Ellesmere other than a net used in accordance with the Freshwater Fisheries Regulations 1983, or any District Anglers Notice for the time being in force:
 - (b) use any net for taking finfish in the waters of Lake Ellesmere lying within an arc of a circle having a radius of 1.2 km around the centre of the mouth of—
 - (i) the Irwell River:

- (ii) Harts Creek:
- (iii) the Selwyn River:
- (iv) No 2 Drain:
- (v) the Halswell River—

the points where that circular arc meets the shore of the lake being indicated in each case by posts painted with alternate black and yellow bands, such bands being approximately 30 cm in height, each such post being surmounted by a triangular plate, painted yellow.

- (2) For the purposes of this regulation, the mouth of any river or stream shall be the place where the waters of the river or stream meet the waters of the lake and, in any case where a river or stream has more than 1 mouth, shall include every outlet of the river or stream and the shore of the lake between those outlets.

Regulation 6(1)(a): amended, on 1 October 2001, by regulation 4 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 2001 (SR 2001/274).

6A Use of drag nets in Akaroa Harbour and Lyttelton Harbour

- (1) Notwithstanding regulation 13(a) of the Fisheries (Amateur Fishing) Regulations 1986 (SR 1986/221), a person may use a drag net in the waters specified in subclause (2), or possess a drag net in or adjacent to those waters, if—
 - (a) the net length does not exceed 40 m; and
 - (b) the total warp length does not exceed 600 m.
- (2) Subclause (1) applies to—
 - (a) those waters lying inside a straight line drawn from the south-eastern extremity of Timutimu Head (otherwise known as Iron Head) (at 43°54.0'S and 172°57'E) to the southern extremity of Te Ruahine Point (at 43°53.3'S and 172°58.2'E):
 - (b) those waters lying inside a straight line drawn from Godley Head lighthouse (at 43°35.4'S and 172°48.5'E) to Adderley Head (at 43°35'S and 172°49.7'E).

Regulation 6A: inserted, on 14 December 1989, by regulation 2 of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 1 (SR 1989/354).

6B Minimum size restriction on quinnat salmon caught in Otago Harbour

No person shall—

- (a) take any quinnat salmon that is less than 45 cm in length from those waters of Otago Harbour that are enclosed by a straight line drawn from Heywards Point (at 45°45.4'S and 170°41.4'E) to Taiaroa Head (at 45°46.5'S and 170°43.6'E); or
- (b) possess any quinnat salmon less than 45 cm in length that is taken from those waters.

Regulation 6B: inserted, on 14 December 1989, by regulation 2 of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 1 (SR 1989/354).

Regulation 6B(a): amended, on 22 October 1992, by regulation 2 of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 3 (SR 1992/271).

Regulation 6B(b): amended, on 22 October 1992, by regulation 2 of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 3 (SR 1992/271).

6C Akaroa Harbour taiapure: maximum daily number of fish

- (1) The following table sets out the maximum daily number of particular species of fish that may be taken or possessed in the Akaroa Harbour taiapure in accordance with subclause (2):

Species	Maximum daily number
Blue cod	3
Blue moki	3
Butterfish	3
Cat's eye	20
Cockle	20
Red cod	3
Rock lobster	3
Sea perch (Jock Stewart)	3
Trumpeter	3

- (2) No person may, on any day,—
- (a) take from the taiapure more fish of a species specified in the first column of the table in subclause (1) than

- the maximum daily number specified in respect of that species in the second column of the table; or
- (b) possess more than the specified maximum daily number of fish of a specified species in the taiapure; or
 - (c) possess more than the specified maximum daily number of fish of a specified species taken from the taiapure.
- (3) No person may, on any day,—
- (a) take more than 10 finfish from the taiapure; or
 - (b) possess more than 10 finfish in the taiapure; or
 - (c) possess more than 10 finfish taken from the taiapure.
- (4) A person contravenes this subclause if the person, on any day, takes or possesses more than the maximum daily number of fish specified in this regulation, but not more than 3 times the maximum daily number.
- (5) A person contravenes this subclause if the person, on any day, takes or possesses more than 3 times the maximum daily number of fish.
- (6) This regulation overrides regulation 3A.

Regulation 6C: substituted, on 1 October 2009, by regulation 5 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 2009 (SR 2009/249).

6D Akaroa Harbour taiapure: prohibition on taking or possessing sea horse

No person may—

- (a) take a sea horse from the Akaroa Harbour taiapure; or
- (b) possess a sea horse in the taiapure; or
- (c) possess a sea horse that has been taken from the taiapure.

Regulation 6D: substituted, on 1 October 2009, by regulation 5 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 2009 (SR 2009/249).

6DA Onawe Peninsula marine area: prohibition on taking or possessing shellfish

No person may—

- (a) take shellfish from the Onawe Peninsula marine area; or
- (b) possess shellfish in the marine area; or

- (c) possess shellfish that has been taken from the marine area.

Regulation 6DA: inserted, on 1 October 2009, by regulation 5 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 2009 (SR 2009/249).

6DB East Otago taiapure: maximum daily number of paua

- (1) Despite regulation 19(1) of the Fisheries (Amateur Fishing) Regulations 1986, no person may, on any day,—
- (a) take more than 5 paua from the East Otago taiapure; or
 - (b) possess more than 5 paua in the East Otago taiapure; or
 - (c) possess more than 5 paua taken from the East Otago taiapure.
- (2) A person contravenes this subclause if the person, on any day, takes or possesses more than the maximum daily number of paua specified in subclause (1), but not more than 3 times the maximum daily number.
- (3) A person contravenes this subclause if the person, on any day, takes or possesses more than 3 times the maximum daily number of paua.

Regulation 6DB: inserted, on 1 October 2010, by regulation 7 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations 2010 (SR 2010/299).

6DC East Otago taiapure: maximum daily number of kina

- (1) Despite regulation 19(1) of the Fisheries (Amateur Fishing) Regulations 1986, no person may, on any day,—
- (a) take more than 10 kina from the East Otago taiapure; or
 - (b) possess more than 10 kina in the East Otago taiapure; or
 - (c) possess more than 10 kina taken from the East Otago taiapure.
- (2) A person contravenes this subclause if the person, on any day, takes or possesses more than the maximum daily number of kina specified in subclause (1), but not more than 3 times the maximum daily number.
- (3) A person contravenes this subclause if the person, on any day, takes or possesses more than 3 times the maximum daily number of kina.

Regulation 6DC: inserted, on 1 October 2010, by regulation 7 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations 2010 (SR 2010/299).

6DD East Otago taiapure: maximum daily number of shellfish

- (1) No person may, on any day,—
 - (a) take more than 50 shellfish from the East Otago taiapure; or
 - (b) possess more than 50 shellfish in the East Otago taiapure; or
 - (c) possess more than 50 shellfish taken from the East Otago taiapure.
- (2) A person contravenes this subclause if the person, on any day, takes or possesses more than the maximum daily number of shellfish specified in subclause (1), but not more than 3 times the maximum daily number.
- (3) A person contravenes this subclause if the person, on any day, takes or possesses more than 3 times the maximum daily number of shellfish.

Regulation 6DD: inserted, on 1 October 2010, by regulation 7 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations 2010 (SR 2010/299).

6DE East Otago taiapure: taking of paua prohibited in Huriawa Peninsula area for 2-year period

- (1) No person may, during the period 1 October 2010 to 30 September 2012 (both dates inclusive),—
 - (a) take any paua from the Huriawa Peninsula area; or
 - (b) possess any paua in the Huriawa Peninsula area; or
 - (c) possess any paua that has been taken from the Huriawa Peninsula area.
- (2) In this regulation, **Huriawa Peninsula area** means the area—
 - (a) commencing at a point on the mean high-water mark (at 45°38.44'S and 170°39.81'E); and
 - (b) then proceeding north-west to a point 50 m offshore (at 45°38.41'S and 170°39.80'E); and
 - (c) then proceeding generally east then west around the Huriawa Peninsula along a line every point of which is 50 m from the mean high-water mark to a point off-

- shore that is 50 m south of the mean high-water mark (at 45°38.57'S and 170°39.78'E); and
- (d) then proceeding north-west to a point (at 45°38.54'S and 170°39.77'E); and
 - (e) then proceeding generally east then west along the mean high-water mark around the Huriawa Peninsula to the point of commencement.

Regulation 6DE: inserted, on 1 October 2010, by regulation 7 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations 2010 (SR 2010/299).

6E Set net fishing prohibited in certain area from Clarence Point to Slope Point

- (1) A person must not use a set net for fishing in the waters lying within an area bounded by a line that—
 - (1) commences from Clarence Point (at 42°10.00'S and 173°56.00'E); and
 - (2) then follows a line in a generally southerly direction by the mean high-water mark to the north bank of the Waiau River mouth (at 42°45.81'S and 173°23.03'E); and
 - (3) then proceeds in a straight line to the south bank of the Waiau River mouth (at 42°47.08'S and 173°22.33'E); and
 - (4) then follows a line in a generally southerly direction by the mean high-water mark to the north bank of the Hurunui River mouth (at 42°54.07'S and 173°17.67'E); and
 - (5) then proceeds in a straight line to the south bank of the Hurunui River mouth (at 42°54.75'S and 173°16.82'E); and
 - (6) then follows a line in a generally southerly direction by the mean high-water mark to the north bank of the Ashley River (at 43°14.68'S and 172°44.10'E); and
 - (7) then proceeds in a straight line to the south bank of the Ashley River (at 43°16.65'S and 172°43.41'E); and
 - (8) then follows a line in a generally southerly direction by the mean high-water mark to the north bank of the Waimakariri River mouth (at 43°23.29'S and 172°42.54'E); and

- (9) then proceeds in a straight line to the south bank of the Waimakariri River mouth (at 43°23.50'S and 172°42.54'E); and
- (9A) then follows a line in a generally southerly direction by the mean high-water mark to the northern side of the estuary of the Heathcote and Avon Rivers Ihutai (at 43°33.69'S and 172°44.97'E); and
- (9B) then proceeds in a straight line to the southern side of the estuary of the Heathcote and Avon Rivers Ihutai (at 43°33.84'S and 172°44.97'E); and
- (10) then follows a line in a generally southerly direction by the mean high-water mark to the north bank of the Waitaki River mouth (at 44°55.50'S and 171°09.00'E); and
- (11) then proceeds in a straight line to the south bank of the Waitaki River mouth (at 44°57.60'S and 171°07.70'E); and
- (12) then follows a line in a generally southerly direction by the mean high-water mark to the north head of Shag River (at 45°28.72'S and 170°49.01'E); and
- (13) then proceeds in a straight line to the south head of the Shag River (at 45°28.83'S and 170°49.03'E); and
- (14) then follows a line in a generally southerly direction by the mean high-water mark to the north head of Pleasant River (at 45°34.00'S and 170°43.67'E); and
- (15) then proceeds in a straight line to the south head of Pleasant River (at 45°34.20'S and 170°43.67'E); and
- (16) then follows a line in a generally southerly direction by the mean high-water mark to the north head of Waikouaiti River (at 45°38.39'S and 170°39.71'E); and
- (17) then proceeds in a straight line to the south head of Waikouaiti River (at 45°38.48'S and 170°39.71'E); and
- (18) then follows a line in a generally southerly direction by the mean high-water mark to Warrington Spit, Blueskin Bay (at 45°43.73'S and 170°36.00'E); and
- (19) then proceeds in a straight line to the south head of Blueskin Bay (at 45°44.00'S and 170°36.00'E); and

- (20) then follows a line in a generally southerly direction by the mean high-water mark to the west head of Purakaunui Inlet (at 45°44.06'S and 170°37.05'E); and
- (21) then proceeds in a straight line to the east head of Purakaunui Inlet (at 45°44.06'S and 170°37.72'E); and
- (22) then follows a line in a generally southerly direction by the mean high-water mark to the north-eastern end of the mole at Otago Harbour (at 45°46.24'S and 170°43.20'E); and
- (23) then proceeds in a straight line to a point (at 45°46.32'S and 170°43.54'E); and
- (24) then proceeds in a south-westerly direction to a point (at 45°46.43'S and 170°43.21'E); and
- (25) then proceeds due south to a point (at 45°47.10'S and 170°43.21'E); and
- (26) then proceeds due east to Harrington Point (at 45°47.10'S and 170°43.51'E); and
- (27) then follows a line in a generally southerly direction by the mean high-water mark to the northern head of Papanui Inlet (at 45°50.60'S and 170°43.82'E); and
- (28) then proceeds in a straight line to the southern head of Papanui Inlet (at 45°50.88'S and 170°43.82'E); and
- (29) then follows a line in a generally southerly direction by the mean high-water mark to the east head of Hoopers Inlet (at 45°52.78'S and 170°40.92'E); and
- (30) then proceeds in a straight line to the west head of Hoopers Inlet (at 45°52.87'S and 170°40.65'E); and
- (31) then follows a line in a generally southerly direction by the mean high-water mark to the Taieri River north bank (at 46°03.08'S and 170°11.92'E); and
- (32) then proceeds in a straight line to the Taieri River south bank (at 46°03.37'S and 170°11.92'E); and
- (33) then follows a line in a generally southerly direction by the mean high-water mark to a point on the northern bank of Catlins Lake (at 46°28.67'S and 169°43.13'E); and
- (34) then proceeds in a straight line to the southern bank of Catlins Lake (at 46°29.18'S and 169°43.13'E); and

- (35) then follows a line in a generally southerly direction by the mean high-water mark to the north bank of the Fleming River (at 46°35.88'S and 169°25.57'E); and
 - (36) then proceeds in a straight line to the southern bank of the Fleming River (at 46°36.03'S and 169°25.82'E); and
 - (37) then follows a line in a generally southerly direction by the mean high-water mark to the northern bank of the Waipati River mouth (at 46°37.13'S and 169°21.23'E); and
 - (38) then proceeds in a straight line to the southern bank of the Waipati River mouth (at 46°37.29'S and 169°21.23'E); and
 - (39) then follows a line in a generally southerly direction by the mean high-water mark to the east head of Waikawa Harbour (at 46°38.09'S and 169°09.05'E); and
 - (40) then proceeds in a straight line to the west head of Waikawa Harbour (at 46°38.41'S and 169°08.31'E); and
 - (41) then follows a line in a generally southerly direction by the mean high-water mark to the eastern side of Haldane Estuary (at 46°39.52'S and 169°02.37'E); and
 - (42) then proceeds in a straight line to the western side of Haldane Estuary (at 46°39.78'S and 169°01.43'E); and
 - (43) then follows a line in a generally southerly direction by the mean high-water mark to Slope Point (at 46°40.50'S and 169°00.00'E); and
 - (44) then proceeds 4 nautical miles in a south-easterly direction along the South-East fishery management area boundary from Slope Point to a point (at 46°44.36'S and 169°03.57'E); and
 - (45) then proceeds in a northerly direction at a distance of 4 nautical miles from the mean high-water mark to a point 4 nautical miles east of Clarence Point (at 42°10.00'S and 174°01.74'E); and
 - (46) then proceeds west to the point of commencement at Clarence Point (at 42°10.00'S and 173°56.00'E).
- (1A) A person must not use a set net for fishing in the waters of the estuary of the Heathcote and Avon Rivers Ihutai, which are all the waters lying within an area extending landward of a straight line joining the northern side of the estuary

of the Heathcote and Avon Rivers Ihutai (at 43°33.69'S and 172°44.97'E) and the southern side of the estuary of the Heathcote and Avon Rivers Ihutai (at 43°33.84'S and 172°44.97'E).

- (2) For the purposes of the area defined in subclause (1), a straight line joining the mean high-water marks at each side of the natural entrance points of a river mouth must be treated as the inner boundary of that area if it extends seawards or as the outer boundary of that area if it extends landwards, except in the case of any rivers where specific co-ordinates are provided.

Regulation 6E: substituted, on 20 November 2008, by regulation 4 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 3) 2008 (SR 2008/408).

Regulation 6E(1)(9A): inserted, on 1 June 2009, by regulation 4(1) of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations 2009 (SR 2009/102).

Regulation 6E(1)(9B): inserted, on 1 June 2009, by regulation 4(1) of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations 2009 (SR 2009/102).

Regulation 6E(1A): inserted, on 1 June 2009, by regulation 4(2) of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations 2009 (SR 2009/102).

Regulation 6E(2): amended, on 1 June 2009, by regulation 4(3)(a) of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations 2009 (SR 2009/102).

Regulation 6E(2): amended, on 1 June 2009, by regulation 4(3)(b) of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations 2009 (SR 2009/102).

6EA Exemption from prohibition in regulation 6E

- (1) Despite regulation 6E, a person may, during the period commencing on 1 April in each year and ending on 30 September in that year (both days inclusive), use a flatfish set net in the waters described in subclause (2).
- (2) The waters referred to in subclause (1) are—
- (a) *inner Akaroa Harbour*: that part of Akaroa Harbour lying within a straight line drawn between Ohae (at 43°48.14'S and 172°55.31'E) and Green Point (at 43°48.91'S and 172°56.94'E); and
 - (b) *inner Lyttelton Harbour*: that part of inner Lyttelton Harbour lying within a straight line drawn between Rakaki South (at 43°36.81'S and 172°40.35'E) to Quail

- Island North (at 43°37.37'S and 172°41.51'E) then in a south-easterly direction along the mean high-water mark of Quail Island to Quail Island jetty (at 43°37.83'S and 172°41.99'E) then in a straight line to the western point of Hays Bay (at 43°38.14'S and 172°42.63'E); and
- (c) *inner Port Levy*: that part of Port Levy lying within a straight line drawn between Kaitara Wharf (at 43°38.84'S and 172°49.19'E) and Puari Jetty (at 43°38.87'S and 172°50.19'E); and
- (d) *inner Pigeon Bay*: that part of Pigeon Bay lying within a straight line drawn between a westerly point (at 43°40.13'S and 172°53.39'E) and an easterly point (at 43°40.18'S and 172°54.33'E).
- (3) **Flatfish set net** means a net that—
- (a) is equal to or less than 9 meshes deep; and
- (b) has a monofilament diameter equal to or less than 0.35 mm; and
- (c) has a mesh size equal to or greater than 100 mm; and
- (d) is anchored at each end; and
- (e) does not exceed a total length of 60 m.

Regulation 6EA: inserted, on 1 October 2008, by regulation 7 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 2008 (SR 2008/276).

Regulation 6EA(1): amended, on 20 November 2008, by regulation 5(1) of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 3) 2008 (SR 2008/408).

Regulation 6EA(2)(b): amended, on 20 November 2008, by regulation 5(2) of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 3) 2008 (SR 2008/408).

6F Taking and possession of red coral prohibited

No person shall take any red coral from the South-East fishery management area or possess any red coral taken from that area.

Regulation 6F: inserted, on 9 May 1991, by regulation 4 of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 2 (SR 1991/59).

6G Drag netting prohibited in Catlins River

No person shall use a dragnet in the waters of the Catlins Lake described in regulation 3D(2)(e).

Regulation 6G: inserted, on 30 September 1993, by regulation 4 of the Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288).

7 Ngai Tahu eel fishery at Lake Forsyth

- (1) No person who does not belong to the Ngai Tahu iwi may take any eels from Lake Forsyth.
- (2) For the purposes of this regulation the term **Ngai Tahu iwi** means the collective of those individuals who descend from the primary hapu of Ngai Tahu and Ngati Mamoe, namely, Kati Kuri, Kati Irakehu, Kati Huirapa, Ngai Tuahuriri, and Kai Te Ruahikihiki.

Regulation 7: substituted, on 4 December 1997, by regulation 2 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations 1997 (SR 1997/286).

7A Restriction on taking cockles from Port Levy

[Revoked]

Regulation 7A: revoked, on 21 October 2004, by regulation 3 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations 2004 (SR 2004/332).

7B Seasonal restriction on taking rock lobster from Chatham Islands

- (1) No person may—
 - (a) take any rock lobster from the waters of the Chatham Islands rock lobster fishery during the months of March and April in any year; or
 - (b) fish using any rock lobster pot in those waters during those months; or
 - (c) be in possession of any rock lobster that is taken from those waters during those months.
- (2) A person contravenes this subclause if the person, in taking or being in possession of rock lobsters in breach of subclause (1), takes or is in possession of not more than 6 rock lobsters.
- (3) A person contravenes this subclause if the person, in taking or being in possession of rock lobsters in breach of subclause (1), takes or is in possession of more than 6 rock lobsters.

Regulation 7B: inserted, on 1 March 1998, by regulation 3 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations 1998 (SR 1998/27).

Regulation 7B(2): added, on 1 October 2001, by regulation 5 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 2001 (SR 2001/274).

Regulation 7B(3): added, on 1 October 2001, by regulation 5 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 2001 (SR 2001/274).

7C Handgathering of dredge oysters

- (1) Despite regulations 19 and 23 of the Fisheries (Amateur Fishing) Regulations 1986, any person may take dredge oysters from the waters of the South-East (Coast) fishery management area (excluding the waters surrounding the Chatham Islands) at any time by the method of handgathering, without limit as to size or season, and may possess any dredge oysters so taken.
- (2) In this regulation, **dredge oyster** means a shellfish of the species *Tiostrea chilensis*.

Regulation 7C: inserted, on 5 November 1998, by regulation 3 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 1998 (SR 1998/301).

8 Offences and penalties

- (1) A person commits an offence and is liable on conviction to a fine not exceeding \$10,000 if the person contravenes, or fails to comply with, any of regulations 3A(6), 3AB(2), 3B to 6B, 6C(4), 6D, 6DA, 6DB(2), 6DC(2), 6DD(2), 6DE, 6F to 7, or 7B(1)(b) or (2).
- (2) A person commits a serious non-commercial offence and is liable on conviction to a fine not exceeding \$20,000 if the person contravenes, or fails to comply with any of regulations 3A(7), 3AB(3), 6C(5), 6DB(3), 6DC(3), 6DD(3), 6E, or 7B(3).
- (3) It is a defence to a charge of possessing more than the specified maximum daily number of any fish in contravention of these regulations if the defendant satisfies the court that the number of fish possessed in excess of the relevant specified daily number were not taken in breach of the regulations.

Regulation 8: substituted, on 1 October 2001, by regulation 6 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 2001 (SR 2001/274).

Regulation 8(1): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

Regulation 8(1): amended, on 1 October 2010, by regulation 8(1)(a) of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations 2010 (SR 2010/299).

Regulation 8(1): amended, on 1 October 2010, by regulation 8(1)(b) of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations 2010 (SR 2010/299).

Regulation 8(1): amended, on 1 October 2009, by regulation 6(1) of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 2009 (SR 2009/249).

Regulation 8(1): amended, on 20 November 2008, by regulation 6 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 3) 2008 (SR 2008/408).

Regulation 8(1): amended, on 1 October 2008, by regulation 8(1) of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 2008 (SR 2008/276).

Regulation 8(1): amended, on 21 October 2004, by regulation 4 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations 2004 (SR 2004/332).

Regulation 8(2): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

Regulation 8(2): amended, on 1 October 2010, by regulation 8(2)(a) of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations 2010 (SR 2010/299).

Regulation 8(2): amended, on 1 October 2010, by regulation 8(2)(b) of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations 2010 (SR 2010/299).

Regulation 8(2): amended, on 1 October 2009, by regulation 6(2) of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 2009 (SR 2009/249).

Regulation 8(2): amended, on 1 October 2008, by regulation 8(2) of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 2008 (SR 2008/276).

9 Revocation

The Fisheries (Christchurch Amateur Fishing) Notice 1983 (SR 1983/305) and the Fisheries (Chatham Islands Amateur Fishing) Notice 1983 (SR 1983/306) are hereby revoked.

Schedule

r 3

Onawe Peninsula marine area

Schedule: added, on 1 October 2009, by regulation 7 of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 2009 (SR 2009/249).

All the marine and estuarine waters surrounding Onawe Peninsula in Akaroa Harbour that are enclosed by a line—

- (a) commencing at a point east of the southernmost point of Onawe Flat Road on the eastern coast of Onawe Peninsula at 43°45.79'S and 172°55.63'E; then
- (b) proceeding in a north-easterly direction for 50 m to a point at 43°45.78'S and 172°55.67'E; then
- (c) proceeding south and then north along a line every point of which is 50 m from the mean high-water springs mark of Onawe Peninsula to a point 50 m off the coast on the western side of the peninsula at 43°45.82'S and 172°55.54'E; then
- (d) proceeding in a north-easterly direction for 50 m to a point south-west of the most southern point of Onawe Flat Road on the western coast of Onawe Peninsula at 43°45.80'S and 172°55.58'E.

P G Millen,
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 4 September 1986.

Reprints notes

1 *General*

This is a reprint of the Fisheries (South-East Area Amateur Fishing) Regulations 1986 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Fisheries (Amateur Fishing) Regulations 2013 (SR 2013/482): regulation 161(1)(e)

Fisheries (South-East Area Amateur Fishing) Amendment Regulations 2012 (SR 2012/49)

Criminal Procedure Act 2011 (2011 No 81): section 413

Fisheries (South-East Area Amateur Fishing) Amendment Regulations 2010 (SR 2010/299)

Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 2009 (SR 2009/249)

Fisheries (South-East Area Amateur Fishing) Amendment Regulations 2009 (SR 2009/102)

Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 3) 2008 (SR 2008/408)

Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 2008 (SR 2008/276)

Fisheries (South-East Area Amateur Fishing) Amendment Regulations 2008 (SR 2008/29)

Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 2007 (SR 2007/248)
Fisheries (South-East Area Amateur Fishing) Amendment Regulations 2007 (SR 2007/49)
Fisheries (South-East Area Amateur Fishing) Amendment Regulations 2004 (SR 2004/332)
Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 2001 (SR 2001/274)
Fisheries (South-East Area Amateur Fishing) Amendment Regulations 2000 (SR 2000/241)
Fisheries (South-East Area Amateur Fishing) Amendment Regulations 1999 (SR 1999/182)
Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 1998 (SR 1998/301)
Fisheries (South-East Area Amateur Fishing) Amendment Regulations 1998 (SR 1998/27)
Fisheries (South-East Area Amateur Fishing) Amendment Regulations 1997 (SR 1997/286)
Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 6 (SR 1995/237)
Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 4 (SR 1993/288)
Te Ture Whenua Maori Act 1993 (1993 No 4): section 362(2)
Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 3 (SR 1992/271)
Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 2 (SR 1991/59)
Fisheries (South-East Area Amateur Fishing) Regulations 1986, Amendment No 1 (SR 1989/354)
