

**Reprint**  
**as at 1 February 2014**

**Fisheries (Auckland and  
Kermadec Areas Amateur Fishing)  
Amendment Regulations 1999**

(SR 1999/179)

Fisheries (Auckland and Kermadec Areas Amateur Fishing) Amendment  
Regulations 1999: revoked, on 1 February 2014, pursuant to regulation  
161(1)(b) of the Fisheries (Amateur Fishing) Regulations 2013 (SR 2013/482).

PURSUANT to section 89 of the Fisheries Act 1983 and 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.

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**1 Title and commencement**

- (1) These regulations may be cited as the Fisheries (Auckland and Kermadec Areas Amateur Fishing) Amendment Regulations

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**Note**

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this eprint. See the notes at the end of this eprint for further details.

**These regulations are administered by the Ministry for Primary Industries.**

1999, and are part of the Fisheries (Auckland and Kermadec Areas Amateur Fishing) Regulations 1986<sup>1</sup> (“the principal regulations”).

- (2) These regulations come into force on the 28th day after the date of their notification in the *Gazette*.

## 2 Application

The principal regulations are amended by revoking regulation 2, and substituting the following regulation:

“2

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.”

## 3 Interpretation

Regulation 3 of the principal regulations is amended by inserting, before the definition of the term **Auckland Fishery Management Area**, the following definition:

“**Act** means the Fisheries Act 1983 or the Fisheries Act 1996”.

## 4 Maximum daily number of fish

The principal regulations are amended by revoking regulation 3A, and substituting the following regulation:

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<sup>1</sup> SR 1986/222

- Amendment No 1: SR 1992/209
- Amendment No 2: SR 1992/309
- Amendment No 3: SR 1993/285
- Amendment No 4: SR 1994/256
- Amendment No 5: SR 1995/213
- Amendment No 6: SR 1995/231
- Amendment No 7: SR 1996/18
- Amendment No 8: SR 1996/276
- Amendment 1997: SR 1997/27
- Amendment 1998: SR 1998/26
- Amendment (No 2) 1998: SR 1998/299

“3A

(1) Subclause (2) applies to fish of the following species:

Blue cod	Red cod
Blue moki	Red gurnard
Bluenose	Red moki
Butterfish	Rig
Elephant fish	School shark
Flatfish	Tarakihi
John dory	Trevally.
Kahawai	

“(2) No person may, on any day,—

- “(a) Take from within the Auckland and Kermadec Fishery Management Areas more than 20 fish to which this subclause applies; or
- “(b) Possess more than 20 such fish in those areas; or
- “(c) Possess more than 20 such fish taken from within those areas.

“(3) No person may, on any day,—

- “(a) Take from within the Auckland and Kermadec Fishery Management Areas more than 30 grey mullet; or
- “(b) Possess more than 30 grey mullet in those areas; or
- “(c) Possess more than 30 grey mullet taken from within those areas.

“(4) No person may, on any day,—

- “(a) Take from within the Auckland and Kermadec Fishery Management Areas a total quantity of hapuku/bass and kingfish exceeding 5; or
- “(b) Possess a total quantity of hapuku/bass and kingfish exceeding 5 in those areas; or
- “(c) Possess a total quantity of hapuku/bass and kingfish exceeding 5 taken from within those areas.

- “(5) No person may, on any day,—
- “(a) Take from within the Auckland and Kermadec Fishery Management Areas more than 3 kingfish; or
  - “(b) Possess more than 3 kingfish in those areas; or
  - “(c) Possess more than 3 kingfish taken from within those areas.
- “(6) No person may, on any day,—
- “(a) Take from within the Auckland and Kermadec Fishery Management Areas more than 15 snapper; or
  - “(b) Possess more than 15 snapper in those areas; or
  - “(c) Possess more than 15 snapper taken from within those areas.
- “(7) No person may, on any day,—
- “(a) Take from within the Auckland Fishery Management Area (East) more than 9 snapper; or
  - “(b) Possess more than 9 snapper in that area; or
  - “(c) Possess more than 9 snapper taken from within that area.”

## 5 Offences

*[Revoked]*

Regulation 5 was revoked, as from 1 October 2001, by regulation 7(d) Fisheries (Auckland And Kermadec Areas Amateur Fishing) Amendment Regulations 2001 (SR 2001/265).

## 6 Revocation

Regulation 3 of the Fisheries (Auckland and Kermadec Areas Amateur Fishing) Regulations 1986, Amendment No 5 is consequentially revoked.

MARIE SHROFF,  
Clerk of the Executive Council.

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### Explanatory note

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations, which come into force 28 days after the date of their notification in the *Gazette*, amend the Fisheries (Auckland and Kermadec Areas Amateur Fishing) Regulations 1986.

*Regulation 2* revokes and replaces regulation 2 of the principal regulations, which relates to the application of those regulations. The new provision ensures that the principal regulations apply to the possession of fish as well as the taking of fish.

*Regulation 3* inserts into regulation 3 of the principal regulations a definition of the term **Act**. The term includes the Fisheries Act 1996 as well as the Fisheries Act 1983.

*Regulation 4* substitutes a new *regulation 3A* in the principal regulations, which allows a person to take, on any day, a limited number of fish from an area, be in possession of that number of fish while in that area, or be in possession of that limited number of fish if they have been taken from that area. The main reason for replacing regulation 3A is to make it consistent with the corresponding regulation in the other regional amateur fisheries regulations.

*Regulation 5* amends regulation 11 of the principal regulations (which relates to offences) to provide that,—

- on or after 1 June 2002, a person who has reoffended within a period of 3 years is liable on conviction to a fine of \$10,000; and
- the penalty for repeat offenders applies only to offences carrying a maximum fine of \$5,000; and
- it is a defence if the excess fish were not taken in breach of the regulations.

*Regulation 6* effects a consequential revocation.

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## **Eprint notes**

### **1    *General***

This is an eprint of the Fisheries (Auckland and Kermadec Areas Amateur Fishing) Amendment Regulations 1999 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

### **2    *About this eprint***

This eprint is not an official version of the legislation under section 18 of the Legislation Act 2012.

### **3    *Amendments incorporated in this eprint***

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

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