

Reprint
as at 1 February 2014

**Fisheries (Southland and
Sub-Antarctic Areas Amateur
Fishing) Amendment Regulations
(No 2) 2001**

(SR 2001/272)

Fisheries (Southland and Sub-Antarctic Areas Amateur Fishing) Amendment Regulations (No 2) 2001: revoked, on 1 February 2014, pursuant to regulation 161(1)(f) of the Fisheries (Amateur Fishing) Regulations 2013 (SR 2013/482).

Pursuant to section 297 of the Fisheries Act 1996, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following 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 in the Ministry for Primary Industries.

1 Title

- (1) These regulations are the Fisheries (Southland and Sub-Antarctic Areas Amateur Fishing) Amendment Regulations (No 2) 2001.
- (2) In these regulations, the Fisheries (Southland and Sub-Antarctic Areas Amateur Fishing) Regulations 1991¹ are called “the principal regulations”.

2 Commencement

These regulations come into force on 1 October 2001.

3 Maximum daily number of fish

Regulation 4 of the principal regulations is amended by adding the following subclauses:

- “(7) 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.
- “(8) 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).”

4 Scallops

- (1) Regulation 5 of the principal regulations is amended by inserting, after subclause (1), the following subclauses:
 - “(1A) A person contravenes this subclause if the person, in taking or being in possession of scallops in breach of subclause (1), takes or is in possession of not more than 10 scallops.
 - “(1B) A person contravenes this subclause if the person, in taking or being in possession of scallops in breach of subclause (1), takes or is in possession of more than 10 scallops.”
- (2) Regulation 5 of the principal regulations is amended by adding the following subclauses:
 - “(3) A person contravenes this subclause if the person, on any day, takes or possesses more than the daily limit of scallops, but not more than 3 times the daily limit.

¹ SR 1991/57

“(4) A person contravenes this subclause if the person, on any day, takes or possesses more than 3 times the daily limit of scallops.”

5 Other restrictions relating to Paterson Inlet

Regulation 5AA of the principal regulations is amended by adding the following subclauses:

“(2) A person contravenes this subclause if the person, in using rock lobster pots in breach of subclause (1), uses not more than 4 pots.

“(3) A person contravenes this subclause if the person, in using rock lobster pots in breach of subclause (1), uses 5 or more pots.”

6 Daily allowance for mussels in Southland Fishery Management Area

Regulation 5B of the principal regulations is amended by adding the following subclauses:

“(2) A person contravenes this subclause if the person, on any day, takes or possesses more than the daily limit of mussels, but not more than 3 times the daily limit.

“(3) A person contravenes this subclause if the person, on any day, takes or possesses more than 3 times the daily limit of mussels.”

7 New regulation 7 substituted

The principal regulations are amended by revoking regulation 7, and substituting the following regulation:

“7 Offences and penalties

“(1) A person commits an offence and is liable on summary conviction to a fine not exceeding \$10,000 if the person contravenes, or fails to comply with, any of regulations 4(7), 4A, 5(1A) or (3), 5A, 5AA(1)(a) or (2), 5B(2), or 6.

“(2) A person commits a serious non-commercial offence and is liable on summary conviction to a fine not exceeding \$20,000 if the person contravenes, or fails to comply with, any of regulations 4(8), 5(1B) or (4), 5AA(3), or 5B(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.”

8 Revocations

The following regulations are revoked:

- (a) regulation 5 of the Fisheries (Southland and Sub-Antarctic Areas Amateur Fishing) Regulations 1991, Amendment No 1 (SR 1993/289);
- (b) regulation 6 of the Fisheries (Southland and Sub-Antarctic Areas Amateur Fishing) Regulations 1991, Amendment No 2 (SR 1994/173);
- (c) regulation 5 of the Fisheries (Southland and Sub-Antarctic Areas Amateur Fishing) Amendment Regulations 1999 (SR 1999/183).

Martin Bell,
Acting for 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, which come into force on 1 October 2001, amend the Fisheries (Southland and Sub-Antarctic Areas Amateur Fishing) Regulations 1986 by restructuring certain prohibitions and offences to reflect appropriate penalty levels.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 20 September 2001.

Eprint notes

1 *General*

This is an eprint of the Fisheries (Southland and Sub-Antarctic Areas Amateur Fishing) Amendment Regulations (No 2) 2001 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)(f)
