

Reprint
as at 5 April 2018



**Exclusive Economic Zone and Continental Shelf
(Environmental Effects—Permitted Activities)
Amendment Regulations 2016**
(LI 2016/235)

Patsy Reddy, Governor-General

Order in Council

At Wellington this 17th day of October 2016

Present:

Her Excellency the Governor-General in Council

These regulations are made under sections 27(1), 30(1), and 35 of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister for the Environment given after the requirements of sections 32 to 34 of that Act have been met.

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Note

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.

These regulations are administered by the Ministry for the Environment.

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Regulations

1 Title

These regulations are the Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Amendment Regulations 2016.

2 Commencement

These regulations come into force on 21 October 2016.

3 Principal regulations

These regulations amend the Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Regulations 2013 (the **principal regulations**).

4 Revocation

[Revoked]

Regulation 4: revoked, on 5 April 2018, by regulation 7(2) of the Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Amendment Regulations 2018 (LI 2018/53).

5 Regulation 3 amended (Interpretation)

In regulation 3, insert in their appropriate alphabetical order:

authorised launch deposit area means—

- (a) the area within a quadrilateral with the vertices at—
 - (i) 44.309°S 176.151°E:
 - (ii) 44.420°S 176.897°E:
 - (iii) 54.233°S 174.447°E:
 - (iv) 53.988°S 172.651°E; and
- (b) the area within a quadrilateral with the vertices at the following points, but only to the extent that it is within the exclusive economic zone or continental shelf:
 - (i) 38.862°S 175.454°W:
 - (ii) 37.065°S 163.020°W:

(iii) 38.860°S 162.571°W:

(iv) 39.496°S 175.406°W

authorised test launch deposit area means—

(a) the area within a quadrilateral with the vertices at—

(i) 50.530°S 179.829°E:

(ii) 53.002°S 179.394°W:

(iii) 52.988°S 179.243°W:

(iv) 50.517°S 179.958°E; and

(b) the area within a 6-sided polygon with the vertices at—

(i) 45.035°S 178.736°E:

(ii) 45.012°S 178.970°E:

(iii) 46.550°S 179.350°E:

(iv) 48.470°S 179.730°E:

(v) 48.500°S 179.500°E:

(vi) 46.640°S 179.000°E

space vehicle means a vehicle that—

(a) travels or is intended to travel above controlled airspace (meaning controlled airspace designated by rules made under section 29A of the Civil Aviation Act 1990); and

(b) jettisons nothing other than the following material during its normal operation:

(i) aluminium, brass, copper, Inconel, nickel, steel, and zinc; and

(ii) adhesive, cork, foam, paint, glass fibre composite, carbon fibre composite, plastic, lithium batteries, and printed circuit boards

6 New regulation 8A inserted (Deposit of material on seabed)

After regulation 8, insert:

8A Deposit of material on seabed from launch of space vehicle

(1) The deposit on the seabed of material jettisoned from any test launch of a space vehicle from New Zealand is a permitted activity if the person undertaking the activity complies with the conditions in subclause (2).

(2) The conditions are that—

(a) there are no more than 10 space vehicle test launches in total; and

(b) all material jettisoned from the space vehicle is deposited within any authorised test launch deposit area; and

(c) the person complies with the pre-activity requirements in Schedule 4A; and

- (d) the person complies with the post-activity requirements in Schedule 4A.
- (3) The deposit on the seabed of material jettisoned from any launch (other than a test launch) of a space vehicle from New Zealand is a permitted activity if the person undertaking the activity complies with the conditions in subclause (4).
- (4) The conditions are that—
 - (a) there are no more than 100 space vehicle launches (other than test launches) in total; and
 - (b) there is no more than 1 space vehicle launch per week; and
 - (c) all material jettisoned from the space vehicle is deposited within any authorised launch deposit area; and
 - (d) the person complies with the pre-activity requirements in Schedule 4A; and
 - (e) the person complies with the post-activity requirements in Schedule 4A.

7 New Schedule 4A inserted

After Schedule 4, insert the Schedule 4A set out in the Schedule of these regulations.

**Schedule
New Schedule 4A inserted**

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Schedule 4A

Pre-activity and post-activity requirements for deposit of material on seabed from launch of space vehicle

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1 Pre-activity requirements

- (1) The person undertaking the activity must provide the EPA with the following information no later than 5 working days before the planned space vehicle launch:
 - (a) the proposed date and time of the launch; and
 - (b) the predicted flight path or paths of the launch; and
 - (c) the authorised test launch deposit area or authorised launch deposit area in which the material jettisoned from the space vehicle is expected to land; and
 - (d) details of any additional proposed actions to avoid, mitigate, or remedy adverse effects of the activity on existing interests.

- (2) The person undertaking the activity must provide the EPA with the final date and time of the planned space vehicle launch no later than 24 hours before the launch.
- (3) The EPA must publish on its Internet site the information provided under sub-clause (1) as soon as is reasonably practicable after the person provides it.

2 Post-activity requirements

- (1) The person undertaking the activity must provide the EPA with a post-activity report, which must be provided quarterly or after 10 consecutive launches (whichever happens first).
- (2) A post-activity report must include the following information:
 - (a) the date and time of each space vehicle launch; and
 - (b) the observed flight path of each space vehicle launch; and
 - (c) as far as is reasonably possible, each area in which the material jettisoned from each space vehicle landed; and
 - (d) if the person received any written complaint alleging that the conditions for undertaking the activity were breached,—
 - (i) a summary of each complaint; and
 - (ii) an explanation of how the person dealt with each complaint.
- (3) The EPA must publish a post-activity report on its Internet site as soon as is reasonably practicable after the person provides it.

Michael Webster,
Clerk of the Executive Council.

Reprints notes

1 *General*

This is a reprint of the Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Amendment Regulations 2016 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*

Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Amendment Regulations 2018 (LI 2018/53): regulation 7(2)