

**Reprint
as at 23 December 2005**



**Fisheries (Stocks Determined Not to be Subject to Quota
Management System) Notice 2005**

(SR 2005/349)

Pursuant to section 17B of the Fisheries Act 1996, the Minister of Fisheries gives the following notice.

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Notice

1 Title

This notice is the Fisheries (Stocks Determined Not to be Subject to Quota Management System) Notice 2005.

2 Commencement

This notice comes into force on the day after the date of its notification in the *Gazette*.

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

This notice is administered by the Ministry of Fisheries.

3 References to fishery management areas

In the Schedule of this notice, the fishery management areas referred to by a reference number are the fishery management areas described by reference to the same number in Part 1 of Schedule 1 of the Fisheries Act 1996.

4 Stocks determined not to be subject to quota management system

The stocks specified in the first column of the Schedule, in the fishery management areas specified in the second column of that schedule, have been determined by the Minister not to be made subject to the quota management system established under Part 4 of the Fisheries Act 1996.

5 Consequential amendments to Schedule 4C of Fisheries Act 1996

Amendment(s) incorporated in the Act(s).

Schedule**Stocks determined not to be subject to quota management system**

cls 3, 4

Species	Fishery management area
Cockle <i>(Chione (Austrovenus) stutchburyi)</i>	10
Deepwater (king) clam <i>(Panopea zelandica)</i>	10
Knobbed whelk <i>(Austrofuscus glans)</i>	10
Pipi <i>(Paphies australis)</i>	10
Tuatua <i>(Paphies subtriangulata)</i>	10

Dated at Wellington this 20th day of December 2005.

Jim Anderton,
Minister of Fisheries.

Explanatory note

This note is not part of the notice, but is intended to indicate its general effect.

This notice, which comes into force on the day after the date of its notification in the *Gazette*, notifies the determination by the Minister of Fisheries not to make the stocks specified in the *Schedule* subject to the quota management system established under

Part 4 of the Fisheries Act 1996. The effect of the determination is that the moratorium on the issue of fishing permits ceases to apply for the cockle, deepwater clam, knobbed whelk, pipi, and tuatua stocks in fishery management area 10. The notice also consequentially amends Schedule 4C of the Fisheries Act 1996, as required by section 17B(5)(b) of that Act.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 22 December 2005.

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Notes**1 General**

This is a reprint of the Fisheries (Stocks Determined Not to be Subject to Quota Management System) Notice 2005. The reprint incorporates all the amendments to the notice as at 23 December 2005, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that have yet to come into force or that contain relevant transitional or savings provisions are also included, after the principal enactment, in chronological order.

2 Status of reprints

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 How reprints are prepared

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/legislation/reprints.shtml> or Part 8 of the *Tables of Acts and Ordinances and Statutory Regulations, and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted

enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted.

A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)
- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)

- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*