

**Reprint
as at 13 October 1995**



**Marine Reserve (Motu
Manawa-Pollen Island) Order 1995**

(SR 1995/216)

Catherine A Tizard, Governor-General

Order in Council

At Wellington this 9th day of October 1995

Present:

Her Excellency the Governor-General in Council

Pursuant to section 4(1) of the Marine Reserves Act 1971, Her Excellency the Governor-General, acting on the recommendation of the Minister of Conservation made under section 5(9) of that Act (a recommendation with which the Minister of Transport and the Minister of Fisheries concur) and by and with the advice and consent of the Executive Council, hereby makes the following order.

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 order is administered by the Department of Conservation.

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Order

1 Title and commencement

- (1) This order may be cited as the Marine Reserve (Motu Manawa-Pollen Island) Order 1995.
- (2) This order shall come into force on the 28th day after the date of its notification in the *Gazette*.

2 Motu Manawa-Pollen Island Marine Reserve constituted

The area described in the Schedule is hereby declared to be a marine reserve to be known as the Motu Manawa-Pollen Island Marine Reserve.

3 Condition of declaration

- (1) The declaration contained in clause 2 is subject to the condition that where, at the commencement of this order,—
 - (a) a contaminant is being discharged within the marine reserve or into the marine reserve; and
 - (b) all legal requirements in relation to the discharge within the marine reserve or into the marine reserve of the contaminant referred to in paragraph (a) are being complied with,—

the discharge of that contaminant may, subject to the provisions of the Resource Management Act 1991 and subject to continued compliance with all other legal requirements relating to the discharge of that contaminant, continue.
- (2) In this clause the terms **discharge** and **contaminant** have the meanings given to them by section 2(1) of the Resource Management Act 1991.

Schedule
Motu Manawa-Pollen Island
Marine Reserve

All that area comprising 500 hectares, more or less, being Part Bed of the Waitemata Harbour, situated in Block XV, Waitemata Survey District, and Block III, Titirangi Survey District, as shown marked A and B on SO Plan 68062, lodged in the office of the Chief Surveyor for the North Auckland Land District.

Marie Shroff,
Clerk of the Executive Council.

Explanatory note

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

This order, which comes into force on the 28th day after the date of its notification in the *Gazette*, constitutes the Motu Manawa-Pollen Island Marine Reserve.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 12 October 1995.

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Notes**1 General**

This is a reprint of the Marine Reserve (Motu Manawa-Pollen Island) Order 1995. The reprint incorporates all the amendments to the order as at 13 October 1995, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

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/editorial-conventions/> or Part 8 of the *Tables of New Zealand 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)*
