



## Fisheries (Schedules 2, 5A, and 6) Order 2003

Sian Elias, Administrator of the Government

### Order in Council

At Wellington this 17th day of March 2003

Present:

Her Excellency the Administrator of the Government in Council

Pursuant to section 13(9), 67B, and 72(7) of the Fisheries Act 1996, Her Excellency the Administrator of the Government, acting on the advice and with the consent of the Executive Council, makes the following order.

#### Contents

1	Title	4	Chatham Islands scallops added to Schedule 5A of Fisheries Act 1996
2	Commencement	5	Chatham Islands scallops added to Sixth Schedule of Fisheries Act 1996
3	Chatham Islands scallops added to Second Schedule of Fisheries Act 1996		

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### Order

- 1 Title**  
This order is the Fisheries (Schedules 2, 5A, and 6) Order 2003.
- 2 Commencement**  
This order comes into force on 1 April 2003.

### 3 Chatham Islands scallops added to Second Schedule of Fisheries Act 1996

The Second Schedule of the Fisheries Act 1996 is amended by inserting, before the item relating to Coromandel scallops, the following item:

Chatham Island scallops  
(*Pecten novaezelandiae*)

SCA4 quota management area

### 4 Chatham Islands scallops added to Schedule 5A of Fisheries Act 1996

Schedule 5A of the Fisheries Act 1996 is amended by inserting, after the item “SCA1”, the item “SCA4”.

### 5 Chatham Islands scallops added to Sixth Schedule of Fisheries Act 1996

The Sixth Schedule of the Fisheries Act 1996 is amended by inserting, after the item relating to Coromandel scallops, the following item:

Chatham Islands  
scallops  
(*Pecten novaeze-  
landiae*)

Chatham Islands  
scallop fishery

A commercial fisher must immediately return a Chatham Islands scallop to the waters from which it was taken if the scallop is taken—

- (a) during any closed season in the Chatham Islands scallop fishery; or
- (b) in any area in which the taking of Chatham Islands scallops is, at the time, prohibited

Marie Shroff,  
Clerk of the Executive Council.

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#### Explanatory note

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

This order, which takes effect on 1 April 2003, adds Chatham Islands scallops to the Second Schedule of the Fisheries Act 1996 (which lists stocks whose abundance is highly variable) and Schedule 5A of that Act (which lists stocks for which no additional annual catch entitlement may be allocated where underfishing occurs). The

order also adds Chatham Islands scallops to the Sixth Schedule of that Act as a stock that must be returned to the sea if taken during a closed season or in any prohibited area.

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Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 20 March 2003.

This order is administered in the Ministry of Fisheries.

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