



Fisheries (Auckland and Kermadec Areas Amateur Fishing) Amendment Regulations (No 2) 2003

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 1st day of September 2003

Present:

Her Excellency the Governor-General in Council

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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Regulations

1 Title

- (1) These regulations are the Fisheries (Auckland and Kermadec Areas Amateur Fishing) Amendment Regulations (No 2) 2003.

- (2) In these regulations, the Fisheries (Auckland and Kermadec Areas Amateur Fishing) Regulations 1986¹ are called “the principal regulations”.

¹ SR 1986/222

2 Commencement

These regulations come into force on the 28th day after the date of their notification in the *Gazette*.

3 Set netting prohibited in defined areas

Regulation 6C(1) of the principal regulations is amended by adding the following subparagraph:

“(iv) *Manukau Harbour entrance to Kauri Point*: The waters lying within that part of the Manukau Harbour commencing at the mean high-water mark of the eastern extremity of Paratutae Island (at approximately 37°02.92’S and 174°30.50’E); then proceeding to a point on the mean high-water mark at South Head that intersects with a transect line from Paratutae Island to the Signal Station on South Head (at approximately 37°03.17’S and 174°32.65’E); then proceeding along the mean high-water mark of Awhitu Peninsula in an easterly direction to Kauri Point (at approximately 37°02.65’S and 174°39.42’E); then proceeding by a straight line due north for a half nautical mile to a point in the main harbour channel; then proceeding by a straight line in a north-westerly direction to Puponga Point (at approximately 37°01.28’S and 174°36.74’E); then proceeding along the mean high-water mark of the northern Manukau Harbour to the point of commencement.”

4 New regulation 6F inserted

The principal regulations are amended by inserting, after regulation 6E, the following regulation:

“6F Restriction on taking shellfish from Eastern Beach

No person may take shellfish from, or be in possession of any shellfish taken from, that area of New Zealand fishery waters

lying within an area bounded by a line commencing at the unnamed headland which delimits the northwestern end of Eastern Beach (at 36°52.16'S and 174°54.63'E); then in a generally north-easterly direction to the East Cardinal Beacon on the corner of the drying reef (at 36°51.81'S and 174°54.96'E); then in generally a south-easterly direction to the unnamed headland which delimits the southeastern end of Eastern Beach (at 36°52.75'S and 174°55.39'E); then in generally a north-westerly direction along the mean high-water mark to the point of commencement."

5 Oyster fishing prohibited in certain areas

Regulation 8 of the principal regulations is revoked.

6 Offences and penalties

- (1) Regulation 11(1) of the principal regulations is amended by omitting the expression "6E", and substituting the words "6F (other than regulation 6C(l)(iv))".
- (2) Regulation 11(1) of the principal regulations is amended by omitting the expression "8,".
- (3) Regulation 11(2) of the principal regulations is amended by adding the words ", or regulation 6C(l)(iv)".

7 Schedule revoked

The Schedule of the principal regulations is revoked.

Marie Shroff,
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 the 28th day after the date of their notification in the *Gazette*, amend the Fisheries (Auckland and Kermadec Areas Amateur Fishing) Regulations 1986. The amendments—

**Fisheries (Auckland and Kermadec Areas
Amateur Fishing) Amendment Regulations
(No 2) 2003**

Explanatory note

2003/224

- prohibit set netting in the waters of the Manukau Harbour entrance to Kauri Point:
 - prohibit the taking of shellfish, and the possession of shellfish taken, from Eastern Beach:
 - revoke the prohibition on the taking of oysters, and possession of oysters taken, from Whangaruru Harbour and the Bay of Islands.
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Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 4 September 2003.

These regulations are administered in the Ministry of Fisheries.
