



**FISHERIES (AUCKLAND AND KERMADEC AREAS
COMMERCIAL FISHING) AMENDMENT REGULATIONS
(NO. 2) 1998**

MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 5th day of October 1998

Present:

HIS EXCELLENCE THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 89 of the Fisheries Act 1983 and sections 296 and 297 of the Fisheries Act 1996, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, makes the following regulations.

ANALYSIS

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| 1. Title and commencement
2. Trawling by vessels over 46 m long prohibited in certain waters
3. Certain species may be taken by use of nets | 4. Targeting of certain fish, aquatic life, and seaweed prohibited, unless specifically authorised
5. Fish, aquatic life, and seaweed that may be taken subject to competitive or individual quotas, method restrictions, etc |
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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No. 2) 1998, and are part of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986* (“the principal regulations”).

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

2. Trawling by vessels over 46 m long prohibited in certain waters—Regulation 2A of the principal regulations is amended by omitting the expression “43 m”, and substituting the expression “46 m”.

3. Certain species may be taken by use of nets—The principal regulations are amended by revoking regulation 5C, and substituting the following regulation:

“5C. Despite regulation 21 (1) of the Fisheries (Commercial Fishing) Regulations 1986†, a commercial fisherman may take anchovy, pilchard, or saury from the waters of quota management area 1 or quota management area 9 by means of a net (not being a purse seine or lampara net) no mesh of which is less than 25 mm.”

4. Targeting of certain fish, aquatic life, and seaweed prohibited, unless specially authorised—Regulation 20C(5) of the principal regulations is amended by omitting from Part A of the table the item “Yellow-eyed mullet”.

5. Fish, aquatic life, and seaweed that may be taken subject to competitive or individual quotas, method restrictions, etc—Regulation 20D(1) of the principal regulations is amended by omitting from the table the items “Ribaldo” and “Rubyfish”.

MARIE SHROFF,
Clerk of the Executive Council.

*1986/216
 Amendment No. 1: S.R. 1986/251
 Amendment No. 2: S.R. 1988/5
 Amendment No. 3: S.R. 1989/291
 Amendment No. 4: (*Revoked by S.R. 1995/33*)
 Amendment No. 5: S.R. 1991/161
 Amendment No. 6: S.R. 1992/210
 Amendment No. 7: S.R. 1993/279
 Amendment No. 8: S.R. 1994/181
 Amendment No. 9: S.R. 1995/33
 Amendment No. 10: S.R. 1995/158
 Amendment No. 11: S.R. 1995/214
 Amendment No. 12: S.R. 1995/230
 Amendment No. 13: S.R. 1996/279
 Amendment 1997: S.R. 1997/28
 Amendment (No. 2) 1997: S.R. 1997/305
 Amendment 1998: S.R. 1998/24

†S.R. 1986/215

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force 28 days after their notification in the *Gazette*, amend the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986 by—

- (a) Increasing from 43 m to 46 m the maximum size of fishing vessels that may trawl in certain waters; and
 - (b) Removing the mesh size restrictions on purse seine and lampara nets; and
 - (c) Removing various limitations in relation to certain species that will be redundant once those species come within the quota management system from 1 October 1998.
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Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 8 October 1998.

These regulations are administered in the Ministry of Fisheries.