

- (a) Shark, billfish, tuna, mackerel, and kahawai, by trolling or by spear:
- (b) Snapper and trevally, by floating line (excluding leaded lines and lines with sinkers or other weights other than bait) or by spear:
- (c) Kingfish, pink maomao, and barracouta, by trolling, by spear, or by floating line (excluding leaded lines and lines with sinkers or other weights other than bait).

**4. Expiry of notice**—This notice shall expire with the close of the 10th day of December 1994.

**5. Revocation**—The Poor Knights Islands Marine Reserve Fishing Notice 1981† is hereby revoked.

## Schedule

Cl. 3 (3)

### **Areas of the Reserve Within Which No Fishing Permitted**

**Area A:** All that area of the South Pacific Ocean adjacent to the south-east coast of Aorangi Island enclosed by a line commencing at mean low water mark on Aorangi Island at the western entrance to the channel between Aorangi and Archway Islands, then by a straight line in a south-easterly direction to the north-west point of Archway Island, then by mean low water mark around the western and southern coast of Archway Island and across the southern entrance of the archway penetrating that Island to the south-east point of that Island, then by a straight line to the south-west point of Aorangaia Island, then by mean low water mark around the east coast of Aorangaia Island and across the entrance to the archway penetrating Aorangaia Island to the northernmost point of that island, then by a straight line to mean low water mark on Aorangi Island at Ramariki Point, then by mean low water mark in a south-westerly direction to the point of commencement.

**Area B:** All that area of the South Pacific Ocean adjacent to the northern and north-western coast of Aorangi Island enclosed by a line commencing at mean low water mark at Kahawai Point on Aorangi Island, then by a straight line to the southernmost point of Kaka Rock, by mean low water mark around the western side of the rock to the northernmost point of that rock, then in a north-easterly direction by straight lines joining the north-west and northernmost points respectively of the two larger islets between Aorangi and Tawhiti Rahi Islands, then by a straight line to the eastern point of Crater Bay on Aorangi Island, then by mean low water mark in a north-westerly direction, then south-westerly direction to the point of commencement.

Dated at Wellington this 23rd day of November 1989.

PHILIP WOOLLASTON, Minister of Conservation.

\*S.R. 1981/16

†S.R. 1981/349

### **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 11 December 1989, substantially re-enacts the Poor Knights Islands Marine Reserve Fishing Notice 1981. The notice expires on 10 December 1994.

go22250

### **The Poor Knights Islands Marine Reserve Bylaws 1989**

Pursuant to section 14 of the Marine Reserves Act 1971, the Minister of Conservation hereby approves the Poor Knights Islands Marine Reserve Bylaws 1989 which were made by the Poor Knights Islands Marine Reserve Management Committee on the 11th day of November 1989, and of which a copy is set out in the Schedule hereto.

## Schedule

### **The Poor Knights Islands Marine Reserve Bylaws 1989**

Pursuant to section 13 of the Marine Reserves Act 1971, the Poor Knights Islands Marine Reserve Management Committee hereby makes the following bylaws.

## **Bylaws**

**1. Title and commencement**—(1) These bylaws may be cited as the Poor Knights Islands Marine Reserve Bylaws 1989.

(2) These bylaws shall come into force on the 11th day of December 1989.

**2. Interpretation**—In these bylaws, unless the context otherwise requires,—

“Act” means the Marine Reserves Act 1971:

“Committee” means the Poor Knights Islands Marine Reserve Management Committee:

“Reserve” means the Poor Knights Islands Marine Reserve constituted by the Marine Reserve (Poor Knights Islands) Order 1981\*:

“Secretary” means the person appointed as Secretary to the Committee under section 11 of the Act.

## **Part I**

### **Conduct Within Reserve**

**3. Diving**—(1) Except as provided in subclause (2) of this bylaw, any person may dive in any part of the reserve.

(2) Every person commits a breach of this bylaw who dives in any area that has been closed to the public under bylaw 13 of these bylaws.

**4. Anchoring**—(1) Except as provided in subclause (2) of this bylaw, any person may anchor any vessel in any part of the reserve in such manner that damage to the reserve does not occur or is kept to the minimum practicable level.

(2) Every person commits a breach of this bylaw who anchors any vessel in any area that has been closed to the public under bylaw 13 of these bylaws, or within 100 metres of any buoy moored in accordance with that bylaw.

**5. Use of vessels within reserve**—(1) Every person commits a breach of this bylaw who operates or is in charge of any vessel that is being operated in the reserve at a speed in excess of 5 knots, if the vessel—

(a) Is within 30 metres of any other vessel or person in the water; or

(b) Is within 200 metres of the shore; or

(c) Is within 200 metres of any vessel that is flying flag “A” of the international code of signals (being the flag to indicate that a diver is below).

(2) Every person commits a breach of these bylaws who operates or is in charge of any vessel within the reserve from which a proper watch is not being kept for persons who may be diving in the reserve.

**6. Exclusion of public from areas closed for scientific study**—Every person commits a breach of this bylaw who enters any area of the reserve that has been closed to the public under bylaw 13 of these bylaws.

**7. Defence by reason of emergency**—(1) It shall not be a breach of any of bylaws 3 to 6 of these bylaws to act in breach of any of those bylaws by reason of an emergency.

(2) In any prosecution for a breach of the provisions of any of bylaws 3 to 6 of these bylaws, the onus shall lie on the defendant to prove that, by virtue of subclause (1) of this bylaw, the act complained of was not an offence.

**8. Proceedings under Acts in respect of offences**—Nothing in these bylaws shall limit or prevent the taking of proceedings under any Act in respect of any offence committed within the reserve.