

Fisheries (Satellite Vessel Monitoring) Amendment Regulations 2001

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 17th day of September 2001

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 (Satellite Vessel Monitoring) Amendment Regulations 2001.

(2) In these regulations, the Fisheries (Satellite Vessel Monitoring) Regulations 1993 SR 1993/354 are called "the principal regulations".

## 2 Commencement

These regulations come into force on 1 October 2001.

## 3 New regulation 2 substituted

The principal regulations are amended by revoking regulation 2, and substituting the following regulation:

### "2 Interpretation

In these regulations, unless the context otherwise requires,---

"Act" means the Fisheries Act 1996

"automatic location communicator" means a device that complies with the appropriate standards and requirements specified by the chief executive under regulation 4

"Fisheries Communication Centre" means the Communication Centre of the Ministry of Fisheries located in Wellington

"foreign licensed fishing vessel" means a foreign fishing vessel licensed under section 83 of the Act

"New Zealand fishing vessel" means any fishing vessel registered under section 103 of the Act

"type approval" means an approval given by the chief executive under regulation 5."

## 4 Vessels required to carry and operate automatic location communicators

(1) Regulation 3 of the principal regulations is amended by revoking subclause (1), and substituting the following subclause:

"(1) An automatic location communicator must be carried and operated on board---

"(a) foreign licensed fishing vessels; and

"(b) foreign-owned New Zealand fishing vessels; and

"(c) registered fish carriers; and

"(d) New Zealand fishing vessels exceeding 28 metres in overall length;  
and

"(e) New Zealand fishing vessels of 28 metres or less in length that are used at any time during a fishing year in fishing for orange roughy or scampi; and

"(f) New Zealand fishing vessels of any class specified by the chief executive by notice in the Gazette given for the purposes of this regulation after consultation with an organisation considered by the chief executive to be representative of the classes of persons having an interest in New Zealand fishing vessels or foreign chartered fishing vessels; and

"(g) individual New Zealand fishing vessels specified by the chief executive by notice in writing to the person who registered the vessel under section 103 of the Act."

(2) Regulation 3 of the principal regulations is amended---

(a) by omitting from subclause (2) the words "section 57 of the Act or licensed under section 15 of the Territorial Sea and Exclusive Economic Zone Act 1977", and substituting the words "section 103 of the Act or licensed under section 83 of the Act":

(b) by omitting from subclause (3) the word "Director-General", and substituting the words "chief executive".

5 References to chief executive substituted for references to Director-General

Regulations 4, 5, 6, and 10 of the principal regulations are amended by omitting the word "Director-General" wherever it appears, and substituting in each case the words "chief executive".

6 Responsibilities of fishing permit holder and master

(1) The heading of regulation 7 of the principal regulations is amended by omitting the words "fishing permit holder", and substituting the words "vessel operator".

(2) Regulation 7 of the principal regulations is amended by omitting the words "Where the holder of a fishing permit issued under section 63 or section 64 of the Act is operating a fishing vessel that is required by these regulations to carry and operate an automatic location communicator, the holder of the permit and the master of the vessel shall", and substituting the words "The operator and the master of any vessel required by these regulations to carry and operate an automatic location communicator must".

(3) Regulation 7 of the principal regulations is amended by omitting the word "Director-General" wherever it appears, and substituting in each case the words "chief executive".

7 Offences and penalties

(1) Regulation 8 of the principal regulations is amended by omitting the word "Director-General" wherever it appears, and substituting in each case the words "chief executive".

(2) Regulation 8(2) of the principal regulations is amended---

(a) by omitting the expression "\$10,000", and substituting the expression "\$100,000":

(b) by omitting the expression "\$500", and substituting the expression "\$1,000".

Martin Bell,  
Acting for Clerk of the Executive Council.

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

Date of notification in Gazette: 20 September 2001.

These regulations are administered in the Ministry of Fisheries.