

Reprint
as at 1 October 2017



Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986

(SR 1986/220)

Paul Reeves, Governor-General

Order in Council

At Wellington this 2nd day of September 1986

Present:

The Right Hon G W R Palmer presiding in Council

Pursuant to section 89 of the Fisheries Act 1983, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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These regulations are administered by the Ministry for Primary Industries.

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Regulations

1 Title, commencement, and application

- (1) These regulations may be cited as the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986.
- (2) These regulations shall come into force on the 14th day after the date of their notification in the *Gazette*.

2 Interpretation

- (1) In these regulations, unless the context otherwise requires,—

Act means the Fisheries Act 1996

black coral means a coelenterate of the order *Antipatharia*

blue cod means the fish of which the scientific name is *Parapercis colias*

blue moki means a fish of the species *Latridopsis ciliaris*

blue mussel means the shellfish *Mytilus edulis aoteanus*

butterfish means the fish that has the scientific name *Odax pullus* or *Odax cyanoallis*

cage—

- (a) means a rock lobster holding pot that is used for holding or storing rock lobster; but

- (b) does not include any pot that is capable of catching rock lobster

catseye means a shellfish of the *Lunella* spp.

cockle means the mollusc *Chione (Austrovenus) stutchburyi*

cod-end means that end part of a net which is normally closed during fishing and is capable of holding fish while in the water; and includes, in respect of a net—

- (a) carried on a vessel not exceeding 10 m overall length, not less than the last 3 m of net:
- (b) carried on a vessel 10 m or more but less than 20 m overall length, not less than the last 5 m of net:
- (c) carried on a vessel 20 m or more but less than 30 m overall length, not less than the last 10 m of net:
- (d) carried on a vessel 30 m or more but less than 40 m overall length, not less than the last 15 m of net:
- (e) carried on a vessel 40 m or more overall length, not less than the last 20 m of net

commercial fisher means—

- (a) any person who takes any fish, aquatic life, or seaweed for the purposes of sale:
- (b) any person who is engaged in any capacity on a New Zealand fishing vessel:
- (c) any person who has a fishing permit issued under section 91 of the Fisheries Act 1996 entitling the person to take any species or class of fish, aquatic life, or seaweed

Cooks turban means the shellfish *Cookia sulcata*

culching means the process of sorting, either manually or mechanically, the catch from an oyster dredge

Danish seine net means any net or part of a net (including any warp, rope, chain, material, or device used in conjunction with or attached to the net) that—

- (a) has a buoyancy system on the top edge; and
- (b) is weighted on the bottom edge; and
- (c) is operated, without the use of any horizontal net opening device, by surrounding any fish and being drawn over the bed of any waters, or through any waters, to 1 or more vessels

day means a period of 24 hours computed from midnight to midnight

deepwater crab includes *Nectocarcinus*, *Jacquinitia edwardsii*, family *Lithodidae*, *Leptomithrax* spp., and *Paromola petterdi*

dog cockle means the shellfish *Glycymeris laticostata*

drag net or **beach seine net** means any net or part of a net (including any warp, rope, chain, material, or device used in conjunction with, or attached to, the net) that—

- (a) has a buoyancy system on the top edge; and
- (b) is weighted on the bottom edge; and

- (c) is operated by surrounding any fish and being drawn over the bed of any waters or through any waters to the shore

dredge means a device towed on or over or capable of being towed on or over the seabed primarily for the collection of shellfish; and includes a box dredge or ring-bag dredge

eel means the shortfinned eel (*Anguilla australis*) and the longfinned eel (*Anguilla dieffenbachii*)

Fiordland (Te Moana o Atawhenua) Marine Area means the area established by section 6(1) of the Fiordland (Te Moana o Atawhenua) Marine Management Act 2005

fishing trip means any period, during which fish are taken aboard or transferred to a vessel, that—

- (a) commences when the vessel—
- (i) leaves any place at which that vessel is moored or berthed or launched; or
 - (ii) enters the exclusive economic zone through the seaward boundary; and
- (b) ends when the vessel—
- (i) returns from the sea to a place at which the permit holder using the vessel is permitted to land fish and any fish are removed from the vessel or the vessel with the fish on board is removed from the water; or
 - (ii) having been granted permission under section 110 of the Act, leaves the exclusive economic zone by its seaward boundary;—

and in relation to any permit holder during the period when the permit holder is not using or does not have the use of a vessel, or operates otherwise than from a vessel, means any period that commences when the permit holder begins to take fish under a permit and ends when the permit holder returns to a point of landing

Foveaux Strait Dredge Oyster Fishery means the oyster fishery in Foveaux Strait within New Zealand fisheries waters, bounded—

- (a) to the west, by a straight line drawn from Oraka Point in Block 2, Longwood Survey District (at 46°23.49'S and 167°52.97'E) to the easternmost point of Centre Island (at 46°27.59'S and 167°51.25'E); then by mean high-water mark to Centre Island Lighthouse (at 46°27.60'S and 167°50.67'E); then by a straight line to the northernmost point of Codfish Island (at 46°45.2'S and 167°36.6'E); then by a straight line to North Red Head on the northwest coast of Stewart Island (at 46°44.74'S and 167°42.49'E); and

- (b) to the east, by a straight line drawn from Slope Point in Block 9, Waikawa Survey District (at 46°40.5'S and 169°0'E) to the East Cape on Stewart Island (at 47°0.90'S and 168°13.70'E)

fyke net means any trap net (set with or without leaders or wings) with the trap section having single or multiple throats and supported by hoops or rings, with the leaders or the net being held in position by poles or anchoring devices or by both poles and anchoring devices

green-lipped mussel means the shellfish *Perna canaliculus*

grey mullet means a fish of the species *Mugil cephalis*

hagfish means the common hagfish or blind eel that has the scientific name *Eptatretus cirrhatus*

hand-gathering includes shore picking, diving, hand digging for shellfish, and hand cutting of seaweed, but does not include diving using underwater breathing apparatus

hapuku/bass means a fish of the species *Polyprion oxygeneios* or *Polyprion moene*

horse mussel means the shellfish *Atrina zelandica*

internal waters of Fiordland means an area within the Fiordland (Te Moana o Atawhenua) Marine Area described in the Schedule 1

kahawai means a fish of the species *Arripis trutta*

kina means an echinoderm of the species *Evechinus chloroticus*

king clam means a shellfish of the genus *Panopea*

length, unless otherwise specified, means—

- (a) in relation to any finfish, its length from the tip of the nose to the posterior end of the middle ray of the tail fin:
- (b) in relation to any scallop or queen scallop, the greatest diameter of the shell:
- (c) in relation to any paua (including any virgin paua), the greatest overall length of the shell measured on a plane parallel to the ventral surface of the paua

licensed fish receiver means a holder of a fish receiver licence granted under the Fisheries (Licensed Fish Receivers) Regulations 1997

limpet means a shellfish of the genus *Cellana* or *Notoacmea*

longimactra means the shellfish that has the scientific name *Longimactra elongata*

low headline height trawl net means a trawl net that—

- (a) has been manufactured or modified with the intention of having a net opening with a vertical height of no more than 1 metre; and

(b) is fitted with a device (for example, a spreader bar, rope, or wire) that is no more than 1 metre long on the wing-end to constrain the wing-end height to below 1 metre; and

(c) has buoyancy on the headline that does not exceed 60 kilograms

mud crab means the crustacean *Helice crassa* and *Hemiplax hirtipes*

mud snail means the shellfish *Amphibola crenata*

net includes any net capable of being used to take fish; but does not include a whitebait net

octopus means the shellfish *Octopus maorum*

open season means that period of a year not prescribed as a closed season

overall length means the length of a vessel measured by a straight middle line from the extreme forward end to the extreme aft end of the hull of the vessel

oyster includes the kinds of molluscs known as *Saccostrea glomerata* (formerly known as *Crassostrea glomerata* or *Saxostrea glomerata*), and *Crassostrea gigas*, commonly known as the rock oyster and Pacific oyster respectively; and *Tiostrea chilensis* (formerly known as *Ostrea lutaria*), commonly known as the dredge oyster

paddle crab or **swimming crab** means the crab that has the scientific name *Ovalipes catharus*

paua includes ordinary paua (*Haliotis iris*) and yellow foot paua (*Haliotis australis*); but does not include virgin paua (*Haliotis virginea*)

pipi means the shellfish *Paphies australis*

place or port of domicile, in relation to any fishing vessel, means the place or port at which the vessel is based and from which fishing is substantially carried out, as specified in the fishing permit for the time being in force in respect of the vessel; and **domiciled** has a corresponding meaning

place or port of registry, in relation to a registered fishing vessel, means the place or port at which the fishing vessel is registered pursuant to section 103 or section 105 of the Act

queen scallop means the mollusc *Chlamys delicatula*

quota management area CRA8 means the quota management area CRA8—Southern as defined in Part 3 of Schedule 1 of the Fisheries Act 1996

red coral means a hydrocoral of the order *Stylasterina*

red rock crab means a crab of the species *Plagusia carpense*

rock lobster means the fish that has the scientific name *Jasus edwardsii* (commonly known as the spiny or red rock lobster)

rock lobster pot means any pot, whether baited or not, which is capable of catching or holding rock lobster; and includes any other device capable of catching, holding, or storing rock lobster

school shark means a fish of the species *Galeorhinus australis*

sea cucumber means a holothurian of the genus *Stichopus*

sea egg (other than kina) means an echinoderm of the species *Centrostephanus rodgersii*, commonly known as the purple urchin, or of the genus *Pseudechinus*

sea slug means a shellfish of the species *Aphysia dactylomela*

sea tulip means the ascidian *Pyura pachydermatina*

set net includes a gill net or any other sort of net which acts by enmeshing, entrapping, or entangling any fish; but does not include a fyke net or a hinaki trap

Southland and Sub-Antarctic fishery management areas means the fishery management areas described as fishery management area 5—Southland and fishery management area 6—Sub-Antarctic in Schedule 1 of the Fisheries Act 1996

Southland Region means the Southland Region as constituted by the Local Government (Southland Region) Reorganisation Order 1989 (*Gazette* 1989, p 2430)

spiny dogfish means a fish of the species *Squalus acanthias*

sponge means an animal of the phylum *Porifera*

squid means—

- (a) the shellfish, commonly known as arrow squid, that has the scientific name *Nototodarus* sp.; and
- (b) the shellfish, commonly known as broad squid, that has the scientific name *Sepioteuthis bilineata*

squid jigging means any type of fishing method for taking squid using a line

sunset means a shellfish of the genus *Gari*

surf clam means a shellfish of the genus *Mactra*, *Spisula*, *Dosinia*, or *Basina*, or of the species *Paphies donacina*

surrounding net includes a drag net, Danish seine net, drum seine net, purse seine net, lampara net, and all modes of fishing whereby fish are encircled

trawl net means any net or part of a net (including any warp, rope, chain, material, or device used in conjunction with or attached to the net) that—

- (a) has a buoyancy system on the top edge; and
- (b) is weighted on the bottom edge; and
- (c) is operated, by being drawn over the bed of any waters, or through any waters, by 1 or more vessels underway—

but does not include a Danish seine net

tuatua means the shellfish *Paphies subtriangulata*

venerupis means a shellfish of the genus *Venerupis largillierti*

virgin paua means the shellfish that has the scientific name *Haliotis virginea*

whelk means a shellfish of the genus *Struthiolaria*, *Cominella*, *Haustrum*, *Buccinulum*, *Lepsiella*, or *Taron*

whitebait net means any net, contrivance, instrument, or device used or capable of being used to take the fish commonly called whitebait.

- (2) In these regulations, a reference to a named quota management area is a reference to the area of that name as defined in Schedule 2 of the Fisheries (Quota Management Areas, Total Allowable Catches, and Catch Histories) Notice 1986 (SR 1986/267).

- (3) *[Revoked]*

Regulation 2: substituted, on 26 September 1991, by regulation 2(1) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 11 (SR 1991/164).

Regulation 2(1) **Act**: substituted, on 1 October 2001, by regulation 3(1) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **albacore tuna**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **anchovy**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **basking shark**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **bigeye tuna**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **black shark**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **blue cod**: inserted, on 8 May 1992, by regulation 2 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 12 (SR 1992/86).

Regulation 2(1) **blue cod pot**: revoked, on 1 June 2009, by regulation 4(1) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Regulation 2(1) **blue moki**: inserted, on 30 September 1993, by regulation 2(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 17 (SR 1993/283).

Regulation 2(1) **blue shark**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **broadbill swordfish**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **cage**: inserted, on 30 June 2005, by regulation 3 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2005 (SR 2005/140).

Regulation 2(1) **cardinal fish**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **commercial fisher**: inserted, on 1 October 2001, by regulation 3(3) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **commercial fisherman**: revoked, on 1 October 2001, by regulation 3(3) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **conger eel**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **dolphinfish**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **durvillea**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **ecklonia**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **Fiordland (Te Moana o Atawhenua) Marine Area**: inserted, on 30 June 2005, by regulation 3 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2005 (SR 2005/140).

Regulation 2(1) **fishing trip**: inserted, on 1 October 1995, by section 8(2) of the Fisheries Amendment Act 1995 (1995 No 51).

Regulation 2(1) **fishing trip** paragraph (b)(ii): amended, on 1 October 2001, by regulation 3(4)(a) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **flying fish**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **Foveaux Strait Dredge Oyster Fishery** paragraph (a): amended, on 1 June 2009, by regulation 4(2)(a) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Regulation 2(1) **Foveaux Strait Dredge Oyster Fishery** paragraph (a): amended, on 1 June 2009, by regulation 4(2)(b) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Regulation 2(1) **Foveaux Strait Dredge Oyster Fishery** paragraph (a): amended, on 1 June 2009, by regulation 4(2)(c) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Regulation 2(1) **Foveaux Strait Dredge Oyster Fishery** paragraph (a): amended, on 1 June 2009, by regulation 4(2)(d) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Regulation 2(1) **Foveaux Strait Dredge Oyster Fishery** paragraph (b): amended, on 1 June 2009, by regulation 4(3) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Regulation 2(1) **frost fish**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **garfish**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **ghost shark**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **gracilaria**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **grey mullet**: inserted, on 31 March 1994, by regulation 2 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 18 (SR 1994/29).

Regulation 2(1) **hapuku/bass**: inserted, on 30 September 1993, by regulation 2(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 17 (SR 1993/283).

Regulation 2(1) **internal waters of Fiordland**: inserted, on 30 June 2005, by regulation 3 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2005 (SR 2005/140).

Regulation 2(1) **jack mackerel**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **jellyfish**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **lamprey**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **leatherjacket**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **lessonia**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **licensed concession fish packing house**: revoked, on 1 April 2004, by regulation 3(1) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2004 (SR 2004/70).

Regulation 2(1) **licensed fish receiver**: inserted, on 1 October 2013, by regulation 4(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2013 (SR 2013/328).

Regulation 2(1) **licensed fish receiver's premises**: revoked, on 1 October 2013, by regulation 4(1) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2013 (SR 2013/328).

Regulation 2 **longfinned eel**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **low headline height trawl net**: inserted, on 1 October 2008, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2008 (SR 2008/279).

Regulation 2(1) **macrocystis**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **mako shark**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **munida**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **New Zealand cancer crab**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **oyster**: amended, on 1 October 1994, by regulation 2 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 19 (SR 1994/176).

Regulation 2(1) **pilchard**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **place or port of registry**: amended, on 1 October 2001, by regulation 3(4)(b) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **porphyra**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **pterocladia**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **quota management area CRA8**: inserted, on 1 October 2013, by regulation 4(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2013 (SR 2013/328).

Regulation 2(1) **rat tail**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **ray's bream**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **ribaldo**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **saury**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **scallop**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **scampi**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **school shark**: inserted, on 30 September 1993, by regulation 2(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 17 (SR 1993/283).

Regulation 2(1) **sea hare**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **sea horse**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **sea perch**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **set net**: substituted, on 30 November 1995, by regulation 2(1) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 20 (SR 1995/238).

Regulation 2 **shortfinned eel**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **silverside**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **skate and ray**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **skipjack tuna**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **slender tuna**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **southern blue whiting**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **southern bluefin tuna**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **Southland and Sub-Antarctic fishery management areas**: substituted, on 1 June 2009, by regulation 4(4) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Regulation 2(1) **Southland concession area**: revoked, on 1 October 2013, by regulation 4(1) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2013 (SR 2013/328).

Regulation 2(1) **Southland concession pack**: revoked, on 1 October 2013, by regulation 4(1) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2013 (SR 2013/328).

Regulation 2(1) **Southland Region**: inserted, on 1 April 2004, by regulation 3(3) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2004 (SR 2004/70).

Regulation 2(1) **spiny sea dragon**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **sprat**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **Stockell-smelt**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **thresher shark**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **trumpeter**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **ulva**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **undaria**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **wrasse**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **yellow-eyed mullet**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **yellowfin tuna**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **yellowtail kingfish**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(1) **zostera**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 2(3): revoked, on 1 October 2013, by regulation 4(3) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2013 (SR 2013/328).

Part 1

Southland area

Total prohibition

3 Total prohibitions

- (1) No commercial fisher shall take any fish from, or have in possession any fish taken from, the following waters:
 - (a) the waters of Milford Sound and all those waters in the vicinity of Milford Sound lying inside a straight line drawn from St Anne Point (at 44°34.38'S and 167°46.88'E) to Stripe Point (at 44°33.06'S and 167°49.32'E):
 - (b) those waters of Paterson Inlet lying inside a straight line drawn from Ackers Point (at 46°53.80'S and 168°09.80'E) to Bullers Point on Stewart Island (at 46°55.23'S and 168°11.65'E):
 - (c) the internal waters of Fiordland.
- (2) Despite subclause (1)(a) and (c), a commercial fisher may, in the internal waters of Fiordland,—
 - (a) hold live rock lobster, taken from outside the internal waters of Fiordland, in cages for up to 2 months; and
 - (b) store—
 - (i) cages, with all doors open; and
 - (ii) rock lobster pots, with all doors open.
- (3) Subclause (2) is subject to all prohibitions, restrictions, and conditions applying to any marine reserve established in the Fiordland (Te Moana o Atawhenua) Marine Area—
 - (a) by section 7(1) of the Fiordland (Te Moana o Atawhenua) Marine Management Act 2005; or
 - (b) under section 4(1) of the Marine Reserves Act 1971.
- (4) Nothing in subclause (2) permits—
 - (a) the taking of rock lobster in the internal waters of Fiordland; or

- (b) the storage of baited rock lobster pots in the internal waters of Fiordland.
- (5) Subclause (4) is for the avoidance of doubt.

Regulation 3: substituted, on 1 October 1994, by regulation 3(1) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 19 (SR 1994/176).

Regulation 3(1): amended, on 1 October 2001, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 3(1)(a): substituted, on 30 June 2005, by regulation 4(1) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2005 (SR 2005/140).

Regulation 3(1)(a): amended, on 1 June 2009, by regulation 5(1) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Regulation 3(1)(b): amended, on 1 June 2009, by regulation 5(2)(a) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Regulation 3(1)(b): amended, on 1 June 2009, by regulation 5(2)(b) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Regulation 3(1)(c): added, on 30 June 2005, by regulation 4(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2005 (SR 2005/140).

Regulation 3(2): added, on 30 June 2005, by regulation 4(3) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2005 (SR 2005/140).

Regulation 3(3): added, on 30 June 2005, by regulation 4(3) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2005 (SR 2005/140).

Regulation 3(4): added, on 30 June 2005, by regulation 4(3) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2005 (SR 2005/140).

Regulation 3(5): added, on 30 June 2005, by regulation 4(3) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2005 (SR 2005/140).

Certain fishing methods prohibited

Heading: inserted, on 30 September 1993, by regulation 3 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 17 (SR 1993/283).

3A Certain fishing methods prohibited in defined areas

- (1) No commercial fisher shall use for taking fish a box or teichi net, purse seine net, Danish seine net, trawl net, lampara net, or set nets of a total length exceeding 1 000 m, within the following waters:
- (a) *Bluff Harbour*: all those waters of Bluff Harbour enclosed within an area from Tiwai Point commencing at a point (at 46°36.13'S and 168°22.23'E) and across to Stirling Point at a point (at 46°36.73'S and 168°21.56'E):
- (b) *the Fiords*:
- (i) *Bligh Sound*: all those waters of Bligh Sound to the east of a line drawn from Tommy Point (at 44°45.21'S and 167°29.61'E) to Chasland Head (at 44°46.38'S and 167°28.27'E):
- (ii) *George Sound*: all those waters of George Sound to the east of a line drawn from a point on the coast (at 44°49.42'S and 167°21.34'E) to a point on the southern entrance to the sound (at 44°50.62'S and 167°19.54'E):

- (iii) *Caswell Sound*: all those waters of Caswell Sound to the east of a line drawn from a point on the coast (at 44°59.43'S and 167°08.15'E) to McKerr Point (at 45°00.33'S and 167°07.65'E):
 - (iv) *Charles Sound*: all those waters of Charles Sound to the east of a line drawn from Islet Point (at 45°01.57'S and 167°05.55'E) to Hawes Head (at 45°03.10'S and 167°04.71'E):
 - (v) *Nancy Sound*: all those waters of Nancy Sound to the east of a line drawn from Burnett Point (at 45°06.16'S and 167°01.60'E) to Anxiety Point (at 45°06.37'S and 167°00.84'E):
 - (vi) *Thompson Sound*: all those waters of Thompson and Bradshaw Sounds to the east of a line drawn from Shanks Head (at 45°08.31'S and 166°58.45'E) to Colonial Head on Secretary Island (at 45°08.67'S and 166°57.65'E):
 - (vii) *Doubtful Sound*: all those waters of Doubtful Sound to the east of a line drawn from a point on the coast of Secretary Island (at 45°14.49'S and 166°52.08'E) to Febrero Point (at 45°16.59'S and 166°50.52'E):
 - (viii) *Dagg Sound*: all those waters of Dagg Sound to the east of a line drawn from Cast-Off Point (at 45°22.72'S and 166°46.32'E) to Towing Head (at 45°23.93'S and 166°45.41'E):
 - (ix) *Breaksea Sound*: all those waters of Breaksea Sound to the east of a line drawn from Oliver Point (at 45°34.49'S and 166°40.31'E) to a point on Resolution Island (at 45°36.17'S and 166°36.35'E):
 - (x) *Dusky Sound*: all those waters of Dusky Sound to the east of a line drawn from Five Fingers Point on Resolution Island (at 45°44.30'S and 166°27.04'E) to South Point (at 45°48.79'S and 166°27.40'E):
 - (xi) *Preservation and Chalky Inlets*: all those waters of Preservation and Chalky Inlets to the east of a line drawn from Cape Providence (at 46°00.45'S and 166°28.12'E) to Puysegur Point (at 46°09.38'S and 166°36.60'E):
- (c) *Paterson Inlet, Stewart Island*: all those waters of Paterson Inlet lying generally south and east of a line from the eastern end of Sawyers Beach commencing at a point (at 46°49.85'S and 168°05.24'E), then across to Fish Rock at a point (at 46°51.49'S and 168°10.27'E), then across to Passage Island (Whero Rock) at a point at 46°54.80'S and 168°12.36'E, finishing at the easternmost tip of The Neck at a point (at 46°55.66'S and 168°12.06'E).
- (2) No commercial fisher shall set any net within 60 metres of any other net in any of the waters defined in subclause (1).

Regulation 3A: inserted, on 30 September 1993, by regulation 3 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 17 (SR 1993/283).

Regulation 3A(1): amended, on 1 June 2009, by regulation 6(1) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Regulation 3A(1): amended, on 1 October 2001, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 3A(1)(a): amended, on 1 June 2009, by regulation 6(2)(a) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Regulation 3A(1)(a): amended, on 1 June 2009, by regulation 6(2)(b) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Regulation 3A(1)(b): substituted, on 30 June 2005, by regulation 5 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2005 (SR 2005/140).

Regulation 3A(1)(b)(iv): amended, on 1 June 2009, by regulation 6(3)(a) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Regulation 3A(1)(b)(iv): amended, on 1 June 2009, by regulation 6(3)(b) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Regulation 3A(1)(b)(x): amended, on 1 June 2009, by regulation 6(4) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Regulation 3A(1)(b)(xi): amended, on 9 July 2015, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2015 (LI 2015/138).

Regulation 3A(1)(b)(xi): amended, on 1 June 2009, by regulation 6(5)(a) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Regulation 3A(1)(b)(xi): amended, on 1 June 2009, by regulation 6(5)(b) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Regulation 3A(1)(c): amended, on 1 June 2009, by regulation 6(6)(a) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Regulation 3A(1)(c): amended, on 1 June 2009, by regulation 6(6)(b) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Regulation 3A(1)(c): amended, on 1 June 2009, by regulation 6(6)(c) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Regulation 3A(2): amended, on 1 October 2001, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

3AB Set net fishing prohibited in defined area from Slope Point to Sand Hill Point

- (1) A commercial fisher must not use a set net for fishing in the waters lying within an area bounded by a line that—
 - (a) extends from Slope Point (at 46°40.50'S and 169°00.00'E); and
 - (b) then proceeds west along the mean high-water mark to the eastern entrance of Toetoes Harbour (at 46°34.94'S and 168°47.94'E); and
 - (c) then proceeds in a straight line to the western entrance of Toetoes Harbour (at 46°34.87'S and 168°47.73'E); and
 - (d) then proceeds in a generally westerly direction along the mean high-water mark to Tiwai Point (at 46°36.13'S and 168°22.23'E); and
 - (e) then proceeds in a straight line to Stirling Point (at 46°36.73'S and 168°21.56'E); and

- (f) then proceeds in a generally westerly direction along the mean high-water mark to the southern side of the New River Estuary mouth (at 46°31.00'S and 168°16.24'E); and
 - (g) then proceeds in a straight line to the northern side of the New River Estuary mouth (at 46°29.49'S and 168°16.24'E); and
 - (h) then proceeds in a generally westerly direction along the mean high-water mark to the northern entrance to Jacobs River Estuary (at 46°21.46'S and 168°01.34'E); and
 - (i) then proceeds in a straight line to Talls Point (at 46°21.60'S and 168°01.34'E); and
 - (j) then proceeds in a generally westerly direction along the mean high-water mark to Sand Hill Point (at 46°15.20'S and 167°19.05'E); and
 - (k) then in a straight line 4 nautical miles south-east from Sand Hill Point (at 46°19.29'S and 167°19.89'E); and
 - (l) then proceeds at a distance of 4 nautical miles from the mean high-water mark to a point (at 46°17.13'S and 167°25.38'E); and
 - (m) then proceeds in a straight line to a point (at 46°20.15'S and 167°35.97'E); and
 - (n) then proceeds in a generally easterly direction at a distance of 4 nautical miles from the mean high-water mark to a point on the Southland and Sub-Antarctic fishery management area boundary (at 46°44.36'S and 169°03.57'E); and
 - (o) then proceeds in a straight line to Slope Point (at 46°40.50'S and 169°00.00'E).
- (2) For the purposes of the area defined in subclause (1), a straight line joining the mean high-water marks at each side of a harbour entrance or, as the case may be, the natural entrance points of a river mouth must be treated as the inner boundary of that area if it extends seawards or as the outer boundary of that area if it extends landwards, except in the case of any harbours and rivers where specific co-ordinates are provided.

Regulation 3AB: inserted, on 1 October 2008, by regulation 5 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2008 (SR 2008/279).

Minimum set net mesh size

Heading: inserted, on 30 September 1993, by regulation 3 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 17 (SR 1993/283).

3B Minimum set net mesh size

Notwithstanding regulation 31(1) of the Fisheries (Commercial Fishing) Regulations 2001, the mesh size of any set net used or possessed by any commercial fisher in the Southland and Sub-Antarctic fishery management areas shall not be less than the appropriate size specified in the following table:

Species of fish	Minimum set net mesh size (mm)
Blue moki	114
Bluenose	160
Grey mullet	90
Hapuku/bass	160
Kahawai	90
School shark	150
Snapper	125

Regulation 3B: inserted, on 30 September 1993, by regulation 3 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 17 (SR 1993/283).

Regulation 3B: amended, on 1 October 2001, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 3B: amended, on 1 October 2001, by regulation 15 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 3B table: amended, on 31 March 1994, by regulation 3(1) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 18 (SR 1994/29).

Regulation 3B table: amended, on 31 March 1994, by regulation 3(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 18 (SR 1994/29).

3BA Minimum net mesh for queen scallop trawling

- (1) A commercial fisher must not use or possess a trawl net for taking queen scallop in the Southland and Sub-Antarctic fishery management area with net mesh less than 50 mm.
- (1A) However, subclause (1) does not prohibit a commercial fisher from using or possessing a trawl net that has been approved for use under regulation 71A of the Fisheries (Commercial Fishing) Regulations 2001.
- (2) Regulation 4 of the Fisheries (Commercial Fishing) Regulations 2001 ensures that subclause (1) overrides regulation 71 of those regulations.

Regulation 3BA: inserted, on 1 October 2002, by regulation 3 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 2) 2002 (SR 2002/278).

Regulation 3BA(1A): inserted, on 1 October 2017, by regulation 16 of the Fisheries (Trawling) Amendment Regulations 2017 (LI 2017/157).

Set net soak times

Heading: inserted, on 30 September 1993, by regulation 3 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 17 (SR 1993/283).

3C Set net soak times

No commercial fisher shall leave any set net within the Southland and Sub-Antarctic fishery management areas for more than 24 hours without underrunning the net and removing any fish that have been caught.

Regulation 3C: inserted, on 30 September 1993, by regulation 3 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 17 (SR 1993/283).

Regulation 3C: amended, on 1 October 2001, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

3D Restrictions on fishing in paua quota management areas

- (1) No commercial fisher may take paua from more than 1 of the following quota management areas described in Schedule 1 of the Fisheries Act 1996 during the course of any fishing trip:

- (a) quota management area PAU5A—Fiordland:
- (b) quota management area PAU5B—Stewart Island:
- (c) quota management area PAU5D—Southland and Otago.

- (2) No commercial fisher shall be in possession of paua taken in contravention of subclause (1).

Regulation 3D: inserted, on 1 October 1995, by section 8(2) of the Fisheries Amendment Act 1995 (1995 No 51).

Regulation 3D(1): substituted, on 1 June 2009, by regulation 7 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Regulation 3D(2): amended, on 1 October 2001, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

3E Labelling of containers for paua taken in any PAU 5 quota management area

- (1) Every master of a fishing vessel shall ensure that all paua—

- (a) taken from the waters of any quota management area referred to in regulation 3D; and
- (b) either—
 - (i) held on board the vessel; or
 - (ii) landed from the vessel; or
 - (iii) transferred from the vessel to any other vessel—

are held in a container that complies with subclause (2).

- (2) The label shall clearly and legibly state—

- (a) the name and registered number of the vessel from which the paua were taken; and
- (b) the date on which the paua were taken; and
- (c) the quota management area from which the paua were taken; and
- (d) the signature of the master of the vessel from which the paua were taken.

Regulation 3E: inserted, on 1 October 1995, by section 8(2) of the Fisheries Amendment Act 1995 (1995 No 51).

3F Marking of blue cod pots and fish holding pots

[Revoked]

Regulation 3F: revoked, on 1 June 2009, by regulation 8 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

*Trawling***4 Trawling prohibited in defined area from Slope Point to Sand Hill Point**

- (1) A commercial fisher must not use a trawl net for fishing in the waters lying within an area bounded by a line that—
 - (a) extends from Slope Point (at 46°40.50'S and 169°00.00'E); and
 - (b) then proceeds west along the mean high-water mark to the eastern entrance of Toetoes Harbour (at 46°34.94'S and 168°47.94'E); and
 - (c) then proceeds in a straight line to the western entrance of Toetoes Harbour (at 46°34.87'S and 168°47.73'E); and
 - (d) then proceeds in a generally westerly direction following a line by the mean high-water mark to Tiwai Point (at 46°36.13'S and 168°22.23'E); and
 - (e) then proceeds in a straight line to Stirling Point (at 46°36.73'S and 168°21.56'E); and
 - (f) then proceeds in a generally westerly direction along the mean high-water mark to the southern side of New River Estuary mouth (at 46°31.00'S and 168°16.24'E); and
 - (g) then proceeds in a straight line to the northern side of New River Estuary mouth (at 46°29.49'S and 168°16.24'E); and
 - (h) then proceeds in a generally westerly direction following a line by the mean high-water mark to Talls Point (at 46°21.60'S and 168°01.34'E); and
 - (i) then proceeds in a straight line to the southernmost point of the northern entrance to Jacobs River Estuary (at 46°21.46'S and 168°01.34'E); and
 - (j) then proceeds in a generally northerly direction following a line by the mean high-water mark to Sand Hill Point (at 46°15.20'S and 167°19.05'E); and
 - (k) then proceeds in a straight line in a south-easterly direction to a point (at 46°17.31'S and 167°19.49'E); and
 - (l) then proceeds easterly at a distance of 2 nautical miles from the mean high-water mark to a point along the Southland and Sub-Antarctic fishery management area boundary (at 46°42.32'S and 169°01.68'E); and
 - (m) then proceeds in a generally northerly direction to Slope Point (at 46°40.50'S and 169°00.00'E).
- (2) For the purposes of the area defined in subclause (1), a straight line joining the mean high-water marks at each side of a harbour entrance or, as the case may be, the natural entrance points of a river mouth must be treated as the inner boundary of that area if it extends seawards or as the outer boundary of that

area if it extends landwards, except in the case of any harbours and rivers where specific co-ordinates are provided.

- (3) This regulation does not apply to a commercial fisher who uses a low headline height trawl net.

Regulation 4: substituted, on 1 October 2008, by regulation 6 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2008 (SR 2008/279).

4A Use of 60 mm mesh trawl net permitted south of 48°S at certain times

- (1) Notwithstanding regulation 71(1) of the Fisheries (Commercial Fishing) Regulations 2001 or any other regulation made pursuant to the Fisheries Act 1983 or the Act relating to net mesh sizes, any commercial fisher entitled to use a trawl net in the Southland fishery management area (as defined in a notice published in the *Gazette* of 1986 at page 412) may use a trawl net with a mesh size of not less than 60 mm in that part of the area south of latitude 48°S (excluding the territorial sea) during the period commencing with 1 January in any year and ending with the close of 31 May in that year.

- (1A) However, subclause (1) does not prohibit a commercial fisher from using a trawl net that has been approved for use under regulation 71A of the Fisheries (Commercial Fishing) Regulations 2001.

- (2) No commercial fisher shall have on board any fishing vessel in any waters other than those described in subclause (1) or regulation 15A any trawl net permitted by those provisions unless the net is stowed in such a manner that it cannot readily be made available for fishing.

Regulation 4A: inserted, on 1 October 1986, by regulation 3 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 1 (SR 1986/255).

Regulation 4A(1): amended, on 1 October 2017, by regulation 17(1) of the Fisheries (Trawling) Amendment Regulations 2017 (LI 2017/157).

Regulation 4A(1): amended, on 1 October 2001, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 4A(1): amended, on 1 October 2001, by regulation 5 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 4A(1): amended, on 1 October 2001, by regulation 15 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 4A(1A): inserted, on 1 October 2017, by regulation 17(2) of the Fisheries (Trawling) Amendment Regulations 2017 (LI 2017/157).

Regulation 4A(2): amended, on 1 October 2001, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

4B Solander Trench closed to trawling and bottom-longlining by certain vessels

No commercial fisher shall use—

- (a) any New Zealand fishing vessel over 46 m in overall length for trawling;
or

- (b) any New Zealand fishing vessel over 30 m in overall length for bottom-longlining—

in the waters enclosed by a line commencing at a point 46°45.2'S and 167°3.3'E; then proceeding generally north-east around the boundary of the territorial sea to a point 46°58.1'S and 167°15'E; then proceeding in a straight line to the point of commencement.

Regulation 4B: inserted, on 1 October 1986, by regulation 3 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 1 (SR 1986/255).

Regulation 4B: amended, on 1 October 2001, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 4B(a): amended, on 5 November 1998, by regulation 2 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 2) 1998 (SR 1998/298).

Rock lobsters

5AA Prohibition on taking or possessing rock lobsters from Upokopotete (Potted Head)

- (1) A commercial fisher must not—
- (a) take rock lobsters from Upokopotete (Potted Head); or
 - (b) possess rock lobsters taken from Upokopotete (Potted Head).
- (2) In this regulation, **Upokopotete (Potted Head)** means all those waters enclosed by a line—
- (a) commencing at a point on the mean high-water mark at the northernmost point of Potted Head on Taukihepa (Big South Cape) Island (at 47°13.60'S and 167°24.72'E); then
 - (b) proceeding due north to a point offshore (at 47°13.57'S and 167°24.72'E); then
 - (c) proceeding due east to a point on the mean high-water mark on the north-west coast of Taukihepa (Big South Cape) Island (at 47°13.57'S and 167°24.96'E); then
 - (d) proceeding in a generally south-westerly then north-westerly direction along the mean high-water mark to the point of commencement.

Regulation 5AA: inserted, on 9 July 2015, by regulation 5 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2015 (LI 2015/138).

5 Tailing at sea permitted in specified area

- (1) Notwithstanding regulation 42 of the Fisheries (Commercial Fishing) Regulations 2001, it shall be lawful for the holder of a current southern rock lobster controlled fishery licence to tail at sea in the uncooked state any rock lobster taken from that part of the sea lying seaward of the mean high-water mark between a line following a true compass bearing of 135° from Long Point (at 46°34.66'S and 169°35.10'E) to the outer boundary of the exclusive economic zone; then along that boundary to meet a line following a true compass bearing

of 315° from the south of Bruce Bay (Heretanewha Point) at 43°35.36'S and 169°33.38'E to the outer boundary of the exclusive economic zone.

(2) *[Revoked]*

Regulation 5(1): amended, on 1 June 2009, by regulation 9(a) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Regulation 5(1): amended, on 1 June 2009, by regulation 9(b) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Regulation 5(1): amended, on 1 October 2001, by regulation 15 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 5(2): revoked, on 1 June 1988, by regulation 3 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 4 (SR 1988/103).

**5A Special provision relating to taking of female rock lobster between
1 January 1989 and 30 April 1989**

[Revoked]

Regulation 5A: revoked, on 11 July 2002, by regulation 3 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2002 (SR 2002/158).

**5B Concession relating to female rock lobster taken between 1 August 1989
and 30 April 1990**

[Revoked]

Regulation 5B: revoked, on 11 July 2002, by regulation 3 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2002 (SR 2002/158).

5C Special provisions relating to female rock lobster

- (1) Notwithstanding regulation 37 of the Fisheries (Commercial Fishing) Regulations 2001, but subject to regulation 41 of those regulations, any person authorised to take rock lobster from quota management area CRA8 may take or be in possession of or sell to a licensed fish receiver an undersize rock lobster that is a female, or the tail of an undersize female rock lobster, provided that—
- (a) the rock lobster is taken from quota management area CRA8; and
 - (b) the rock lobster was, or, if on board a fishing vessel, is to be, landed at a point lying within quota management area CRA8; and
 - (c) the rock lobster is, or, if on board a fishing vessel, is to be, delivered and sold to a licensed fish receiver—
 - (i) within the Southland Region; or
 - (ii) outside the Southland Region, subject to the licensed fish receiver being approved by the chief executive under subclause (3) and in accordance with the relevant conditions of any approval; and
 - (d) the width of the tail of the rock lobster is not less than 57 mm when measured in accordance with regulation 5D.
- (2) Notwithstanding regulation 37(2) of the Fisheries (Commercial Fishing) Regulations 2001, but subject to regulation 5E of these regulations, a licensed fish

receiver may sell or possess or process a female rock lobster, or female rock lobster tail, taken in accordance with subclause (1).

- (3) The chief executive may, subject to any conditions the chief executive thinks fit, approve in writing any licensed fish receiver outside the Southland Region as a point to which female rock lobster or tails taken in accordance with subclause (1) may be delivered and sold.

Regulation 5C: inserted, on 1 August 1989, by regulation 3 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 6 (SR 1989/199).

Regulation 5C heading: replaced, on 1 October 2013, by regulation 5(1) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2013 (SR 2013/328).

Regulation 5C(1): amended, on 1 October 2013, by regulation 5(2)(a) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2013 (SR 2013/328).

Regulation 5C(1): amended, on 1 October 2013, by regulation 5(2)(b) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2013 (SR 2013/328).

Regulation 5C(1): amended, on 1 October 2001, by regulation 6(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 5C(1): amended, on 1 October 2001, by regulation 15 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 5C(1): amended, on 1 October 1990, by regulation 2 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 9 (SR 1990/216).

Regulation 5C(1)(a): substituted, on 1 April 1996, by regulation 2(1) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 21 (SR 1996/22).

Regulation 5C(1)(a): amended, on 1 October 2013, by regulation 5(3) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2013 (SR 2013/328).

Regulation 5C(1)(b): amended, on 1 October 2013, by regulation 5(4) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2013 (SR 2013/328).

Regulation 5C(1)(c): replaced, on 1 October 2013, by regulation 5(5) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2013 (SR 2013/328).

Regulation 5C(2): amended, on 1 October 2013, by regulation 5(6) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2013 (SR 2013/328).

Regulation 5C(2): amended, on 1 October 2001, by regulation 15 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 5C(3): inserted, on 1 October 2013, by regulation 5(7) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2013 (SR 2013/328).

5D Method of measurement of rock lobster tail

- (1) *[Revoked]*
- (2) For the purposes of regulation 5C, the width of the tail of a rock lobster shall be measured in accordance with regulation 38 of the Fisheries (Commercial Fishing) Regulations 2001—
- (a) as if the references in that regulation to the expression “60” were read as the expression “57”; and
 - (b) instead of by means of the tail-width measuring device referred to in that regulation, by means of a tail-width measuring device, supplied by the chief executive, of similar description to that depicted in Schedule 1 of

the Fisheries (Commercial Fishing) Regulations 2001, but showing the expression “57 F” instead of the expression “60 F” on the relevant arm of the device, and inscribed with the words “Invalid after 30 April 1991” or “Invalid after 30 April 1992”.

Regulation 5D: inserted, on 1 August 1989, by regulation 3 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 6 (SR 1989/199).

Regulation 5D(1): revoked, on 12 May 2011, by clause 3 of the Fisheries Regulations Revocation Order 2011 (SR 2011/96).

Regulation 5D(2): amended, on 1 October 2001, by regulation 15 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 5D(2)(a): amended, on 1 July 1992, by regulation 4(a) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 12 (SR 1992/86).

Regulation 5D(2)(b): amended, on 1 October 2001, by regulation 7 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 5D(2)(b): amended, on 1 October 2001, by regulation 15 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 5D(2)(b): amended, on 1 July 1992, by regulation 4(a) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 12 (SR 1992/86).

Regulation 5D(2)(b): amended, on 8 May 1992, by regulation 4(b) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 12 (SR 1992/86).

5E Processing and sale of quota management area CRA8 female rock lobster

- (1) Any person who sells or possesses or processes any rock lobster or rock lobster tail pursuant to the authority of regulation 5C(2) must ensure that, except as otherwise authorised by these regulations—
 - (a) all tailing and processing of female rock lobster or tails is carried out by a licensed fish receiver; and
 - (b) female rock lobster, or tails, intended for sale in New Zealand are held in a container clearly and legibly marked “CRA8 rock lobsters”; and
 - (c) female rock lobster, or tails, intended for export are either—
 - (i) exported directly from a licensed fish receiver; or
 - (ii) delivered to an export transshipment point approved by the chief executive under subclause (2) and in accordance with the relevant conditions of any approval.
 - (d) *[Revoked]*
- (2) The chief executive may, subject to any conditions the chief executive thinks fit, approve in writing any premises or point within New Zealand as an export transshipment point to which female rock lobster or tails taken in accordance with regulation 5C may be sent by a licensed fish receiver.
- (3) *[Revoked]*

Regulation 5E: inserted, on 1 August 1989, by regulation 3 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 6 (SR 1989/199).

Regulation 5E heading: replaced, on 1 October 2013, by regulation 6(1) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2013 (SR 2013/328).

Regulation 5E(1): amended, on 1 October 2013, by regulation 6(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2013 (SR 2013/328).

Regulation 5E(1)(a): replaced, on 1 October 2013, by regulation 6(3) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2013 (SR 2013/328).

Regulation 5E(1)(b): replaced, on 1 October 2013, by regulation 6(3) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2013 (SR 2013/328).

Regulation 5E(1)(c): replaced, on 1 October 2013, by regulation 6(3) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2013 (SR 2013/328).

Regulation 5E(1)(d): revoked, on 1 October 2013, by regulation 6(3) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2013 (SR 2013/328).

Regulation 5E(2): replaced, on 1 October 2013, by regulation 6(4) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2013 (SR 2013/328).

Regulation 5E(3): revoked, on 1 October 2013, by regulation 6(5) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2013 (SR 2013/328).

Oysters

6 Prohibition on taking oysters from certain areas

No commercial fisher shall take any oyster or have in his or her possession any oyster taken from the following waters:

- (a) those waters which lie inside straight lines drawn from North Head on Ruapuke Island (at 46°44.3'S and 168°31.9'E) to Seal Rock (at 46°45.05'S and 168°35.80'E); then to the westernmost point of Green Island (at 46°46.2'S and 168°34.0'E); then to Parangiaio Point on Ruapuke Island (at 46°46.25'S and 168°32.60'E); then along the mean high-water mark to the point of commencement:
- (b) those waters of Patersons Inlet lying inside a straight line drawn from Ackers Point (at 46°53.8'S and 168°09.8'E) to Sprat Point on Bench Island (at 46°54.20'S and 168°14.40'E); then along the mean high-water mark to the southwesternmost point on Bench Island (at 46°54.78'S and 168°13.74'E); then by straight line to East Cape on Stewart Island (at 47°00.90'S and 168°13.70'E); then along the mean high-water mark to the point of commencement:
- (c) those waters of Port William lying inside a straight line drawn from West Head (at 46°50.26'S and 168°05.52'E) to Bob's Point on Stewart Island (at 46°51.4'S and 168°07.7'E).

Regulation 6: substituted, on 26 September 1991, by regulation 3 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 11 (SR 1991/164).

Regulation 6 heading: replaced, on 9 July 2015, by regulation 6 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2015 (LI 2015/138).

Regulation 6: amended, on 1 October 2001, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 6(a): amended, on 1 June 2009, by regulation 10(1)(a) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Regulation 6(a): amended, on 1 June 2009, by regulation 10(1)(b) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Regulation 6(b): amended, on 1 June 2009, by regulation 10(2)(a) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Regulation 6(b): amended, on 1 June 2009, by regulation 10(2)(b) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Regulation 6(b): amended, on 1 June 2009, by regulation 10(2)(c) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Regulation 6(c): amended, on 1 June 2009, by regulation 10(3) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

6A Trawling prohibited in Foveaux Strait dredge oyster fishery

[Revoked]

Regulation 6A: revoked, on 11 July 2002, by regulation 3 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2002 (SR 2002/158).

7 Oyster season and quotas

[Revoked]

Regulation 7: revoked, on 1 June 1997, by regulation 2(1) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 1997 (SR 1997/70).

8 Oyster size limit

[Revoked]

Regulation 8: revoked, on 21 October 2004, by regulation 3 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 2) 2004 (SR 2004/335).

9 Permitted times

[Revoked]

Regulation 9: revoked, on 1 April 1998, by regulation 2 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 1998 (SR 1998/25).

10 Oyster dredges

- (1) Notwithstanding regulation 78 of the Fisheries (Commercial Fishing) Regulations 2001 or any other regulations made pursuant to the Fisheries Act 1983 or the Act relating to shellfish dredges, any commercial fisher may have or permit to be on board any fishing vessel used by the fisher and licensed to fish in the Foveaux Strait dredge oyster fishery not more than 2 dredges at any one time, and each dredge may have a bar or bit not exceeding 3.35 m in length.
- (2) No commercial fisher shall carry any dredge or permit any dredge to be carried on board any fishing vessel during any period closed to the taking of oysters in the Foveaux Strait dredge oyster fishery without the prior approval of a fishery officer.

Regulation 10(1): amended, on 1 October 2001, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 10(1): amended, on 1 October 2001, pursuant to regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 10(1): amended, on 1 October 2001, by regulation 9 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 10(1): amended, on 1 October 2001, by regulation 15 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 10(2): amended, on 1 October 2001, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

11 Culching

Every commercial fisher shall ensure that—

- (a) the culching of oysters is done at sea and in the area from which the oysters were taken:
- (b) all undersize oysters are returned to the sea as soon as practicable.

Regulation 11: amended, on 1 October 2001, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

12 Opening oysters

No person on board or engaged on any vessel licensed to take oysters from the Foveaux Strait dredge oyster fishery shall open any oyster while the vessel is at sea.

13 Labelling of oysters

[Revoked]

Regulation 13: revoked, on 1 April 1998, by regulation 2 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 1998 (SR 1998/25).

13A Restriction on taking of queen scallops

[Revoked]

Regulation 13A: revoked, on 12 May 2011, by clause 3 of the Fisheries Regulations Revocation Order 2011 (SR 2011/96).

Shellfish

14 Restrictions on taking shellfish (other than rock lobsters, oysters, or crabs)

No commercial fisher shall take from, or have in possession, any shellfish (except rock lobsters, oysters, or crabs) taken from the following waters:

- (a) *Howells Point Light, Riverton to Waipapa Point, Otara*—all those waters lying within an area bounded by a line—
 - (i) commencing at Howells Point Light, Riverton (at approximately 46°23.04'S and 168°01.8'E); then
 - (ii) proceeding south-west on a true bearing of 240° for 0.5 of a nautical mile to an offshore position (at approximately 46°23.3'S and 168°01.2'E); then
 - (iii) proceeding generally in an east and south-east direction at a distance of 0.5 of a nautical mile from the mean high-water mark from all points of the south coast of the South Island to an off-

shore position south-east of Waipapa Point (at approximately 46°40.1'S and 168°51.2'E); then

- (iv) returning due north to the shore for a distance of 0.5 of a nautical mile to a point (at approximately 46°39.6'S and 168°51.2'E), which is 0.3 of a nautical mile east of Waipapa Point Light; then
 - (v) returning in a generally west and north-west direction along the mean high-water mark of the south coast of the South Island to the point of commencement:
- (b) *Stewart Island*—those waters adjacent to Stewart Island lying inside a straight line from Mamaku Point (at 46°51.70'S and 168°08.64'E) to Bullers Point (The Neck) (at 46°55.23'S and 168°11.65'E):
 - (c) *Ruapuke Island*—all those high waters lying within 1 nautical mile seaward of the mean high-water mark of the coasts of Ruapuke Island and of Green Island, which lies to the east of Ruapuke Island.

Regulation 14: amended, on 1 October 2001, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 14(a): substituted, on 26 July 2001, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 2) 2001 (SR 2001/150).

Regulation 14(b): substituted, on 5 March 1988, by regulation 5 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 3 (SR 1988/16).

Regulation 14(b): amended, on 1 June 2009, by regulation 11(a) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Regulation 14(b): amended, on 1 June 2009, by regulation 11(b) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Regulation 14(c): substituted, on 5 March 1988, by regulation 5 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 3 (SR 1988/16).

Blue cod pots

[Revoked]

Heading: revoked, on 1 June 2009, pursuant to regulation 12 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

14A Blue cod pots to be covered in mesh

[Revoked]

Regulation 14A: revoked, on 1 June 2009, by regulation 12 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Kina

Heading: inserted, on 9 July 2015, by regulation 7 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2015 (LI 2015/138).

14B Prohibition on taking or possessing kina from certain areas

A commercial fisher must not—

- (a) take kina from an area listed in Part 2 of Schedule 2; or

- (b) possess kina taken from an area listed in Part 2 of Schedule 2.

Regulation 14B: inserted, on 9 July 2015, by regulation 7 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2015 (LI 2015/138).

Paua

Heading: inserted, on 9 July 2015, by regulation 7 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2015 (LI 2015/138).

14C Prohibition on taking or possessing paua from certain areas

A commercial fisher must not—

- (a) take paua from an area listed in Part 3 of Schedule 2; or
(b) possess paua taken from an area listed in Part 3 of Schedule 2.

Regulation 14C: inserted, on 9 July 2015, by regulation 7 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2015 (LI 2015/138).

Part 2 Sub-Antarctic area

Auckland Islands prohibitions

15 Taking of fish or aquatic life near Auckland Islands prohibited

No commercial fisher shall take, or be in possession of any fish or aquatic life taken, within 12 nautical miles of the mean low-water mark of each island and rock of the Auckland Islands.

Regulation 15: amended, on 1 October 2001, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Bounty Islands and Campbell Island prohibitions

Heading: inserted, on 2 March 2014, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2014 (LI 2014/45).

15AA Fishing with Danish seine net prohibited in specified areas

- (1) A commercial fisher must not use a Danish seine net for taking fish within the waters of a prohibited area specified by this regulation.
- (2) The first prohibited area is any part of the territorial sea around the Bounty Islands that excludes Section 1 on Survey Office plan SO 442748, meaning that the first prohibited area is any part of that territorial sea that is—
- (a) west of longitude 178°54.23'E; or
(b) both south of latitude 47°43.73'S and east of longitude 179°09.14'E.
- (3) The second prohibited area is Section 2 on Survey Office plan SO 442749, meaning that the second prohibited area is any part of the territorial sea around Campbell Island (and adjacent islands shown on that plan) that is 1 or more of the following:

- (a) north of latitude 52°24.48'S:
- (b) east of longitude 169°20.28'E:
- (c) south of latitude 52°39.48'S.

Regulation 15AA: inserted, on 2 March 2014, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2014 (LI 2014/45).

Trawling and squid jigging

Heading: inserted, on 1 October 1986, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 1 (SR 1986/255).

15A Use of 60 mm mesh trawl net permitted

- (1) Notwithstanding regulation 71(1) of the Fisheries (Commercial Fishing) Regulations 2001 or any other regulations made pursuant to the Fisheries Act 1983 or the Act relating to net mesh sizes any commercial fisher entitled to use a trawl net in the Sub-Antarctic fishery management area (as defined in a notice published in the *Gazette* of 1986 at page 412) may use a trawl net with a mesh size of not less than 60 mm in that area at any time.
- (1A) However, subclause (1) does not prohibit a commercial fisher from using a trawl net that has been approved for use under regulation 71A of the Fisheries (Commercial Fishing) Regulations 2001.
- (2) No commercial fisher shall have on board any fishing vessel in any waters other than those described in subclause (1) or regulation 4A any trawl net permitted by those provisions unless the net is stowed in such a manner that it cannot readily be made available for fishing.

Regulation 15A: inserted, on 1 October 1986, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 1 (SR 1986/255).

Regulation 15A(1): amended, on 1 October 2017, by regulation 18(1) of the Fisheries (Trawling) Amendment Regulations 2017 (LI 2017/157).

Regulation 15A(1): amended, on 1 October 2001, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 15A(1): amended, on 1 October 2001, by regulation 10 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 15A(1): amended, on 1 October 2001, by regulation 15 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 15A(1A): inserted, on 1 October 2017, by regulation 18(2) of the Fisheries (Trawling) Amendment Regulations 2017 (LI 2017/157).

Regulation 15A(2): amended, on 1 October 2001, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Paua

[Revoked]

Heading: revoked, on 8 May 1992, by regulation 8(1) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 12 (SR 1992/86).

15B Paua season and quotas

[Revoked]

Regulation 15B: revoked, on 8 May 1992, by regulation 8(1) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 12 (SR 1992/86).

Part 2A**General prohibitions, restrictions and quotas**

Part 2A: inserted, on 1 December 1989, by regulation 6 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1989/323).

15C Totally prohibited species

No commercial fisher shall take any black coral or any red coral from the waters of quota management area 5 or quota management area 6, or be in possession of any such coral if it has been taken from any of those waters.

Regulation 15C: substituted, on 26 September 1991, by regulation 5 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 11 (SR 1991/164).

Regulation 15C: amended, on 1 October 2001, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

15CA Targeting of certain fish, aquatic life, and seaweed prohibited, unless specially authorised

[Revoked]

Regulation 15CA: revoked, on 1 October 2001, by regulation 11 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

15CB Species that may be taken subject to competitive or individual quotas, method restrictions, etc

[Revoked]

Regulation 15CB: revoked, on 1 October 2001, by regulation 12 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

15D Butterfish season and quotas

[Revoked]

Regulation 15D: revoked, on 1 October 2002, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 2) 2002 (SR 2002/278).

15E Yellow-eyed mullet season and quotas

[Revoked]

Regulation 15E: revoked, on 5 November 1998, by regulation 5 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 2) 1998 (SR 1998/298).

15F Kina season and quotas

(1) *[Revoked]*

- (2) No commercial fisher shall take any kina or be in possession of any kina taken from those waters lying within half a nautical mile seaward of the mean high-water mark of that part of the coast between Monkey Island (at 46°18.00'S and 167°43.51'E), and Old Man Rock (at 46°23.6'S and 167°47.0'E).

- (3) *[Revoked]*

Regulation 15F: inserted, on 1 December 1989, by regulation 6 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1989/323).

Regulation 15F(1): revoked, on 1 October 2002, by regulation 5 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 2) 2002 (SR 2002/278).

Regulation 15F(2): amended, on 1 June 2009, by regulation 13 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Regulation 15F(2): amended, on 1 October 2001, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 15F(3): revoked, on 21 October 2004, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 2) 2004 (SR 2004/335).

15G Paddle crab season and quotas

[Revoked]

Regulation 15G: revoked, on 1 October 2002, by regulation 6 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 2) 2002 (SR 2002/278).

15H Taking certain paddle crabs prohibited

- (1) No commercial fisher shall take from the waters of quota management area 5 or quota management area 6 any paddle crab—
- (a) that is carrying any external eggs; or
 - (b) from which any of the external eggs have been removed by artificial means; or
 - (c) from which the egg-bearing appendages have been removed; or
 - (d) that has a carapace width of less than 75 mm at its widest point.
- (2) No commercial fisher shall be in possession of any such paddle crab if it has been taken from either of the waters referred to in subclause (1).

Regulation 15H: inserted, on 1 December 1989, by regulation 6 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1989/323).

Regulation 15H(1): amended, on 1 October 2001, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 15H(2): amended, on 1 October 2001, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

15HA Spiny dogfish season and quotas

[Revoked]

Regulation 15HA: revoked, on 2 October 2003, by regulation 3 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 2) 2003 (SR 2003/227).

15I Restrictions on fishing methods

[Revoked]

Regulation 15I: revoked, on 12 May 2011, by clause 3 of the Fisheries Regulations Revocation Order 2011 (SR 2011/96).

15J Restrictions on use of nets and dredges

(1) *[Revoked]*

(2) *[Revoked]*

(3) No commercial fisher shall set any net in the waters of quota management area 5 or quota management area 6 if the upper edge of the net is within 2 metres of the surface, unless the distance from the top of the net to its bottom is no more than 50 times greater than the relevant net mesh size and that fisher remains within 100 metres of the net while it is set.

(4) For the purpose of subclause (3), **relevant net mesh size** means the minimum legally permitted mesh size for the fish the commercial fisher is fishing for.

Regulation 15J: inserted, on 1 December 1989, by regulation 6 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1989/323).

Regulation 15J(1): revoked, on 12 May 2011, by clause 3 of the Fisheries Regulations Revocation Order 2011 (SR 2011/96).

Regulation 15J(2): revoked, on 12 May 2011, by clause 3 of the Fisheries Regulations Revocation Order 2011 (SR 2011/96).

Regulation 15J(3): amended, on 1 October 2001, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 15J(3): amended, on 1 October 2001, pursuant to regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 15J(4): amended, on 1 October 2001, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

15JA Trawling prohibited in certain seamount areas

(1) No person may use a trawl net for fishing in any closed seamount area.

(2) In this regulation, **closed seamount area** means all waters within the following areas:

(a) the area located in fisheries management area 5 that is bounded by—

(i) the latitudes 48°00'S and 48°45'S; and

(ii) the longitudes 162°10'E and 162°50'E:

(b) the area located in fisheries management area 6 that is bounded by—

(i) the latitudes 48°30'S and 51°00'S; and

(ii) the longitudes 175°00'W and 179°00'W:

(c) the area located in fisheries management area 6 that is bounded by—

(i) the latitudes 50°30'S and 51°25'S; and

(ii) the longitudes 163°35'E and 165°00'E:

- (d) *[Revoked]*
- (e) the area located in fisheries management area 6 that is bounded by—
 - (i) the latitudes 54°57'S and 55°06'S; and
 - (ii) the longitudes 169°00'E and 169°20'E.

Regulation 15JA: inserted, on 10 May 2001, by regulation 3 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2001 (SR 2001/68).

Regulation 15JA(2)(c): substituted, on 15 November 2007, by regulation 4(1) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2007 (SR 2007/310).

Regulation 15JA(2)(d): revoked, on 15 November 2007, by regulation 4(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2007 (SR 2007/310).

15K Taking eels from waters of national parks restricted

- (1) No commercial fisher shall use a fyke net to take any eel from the waters of any national park within quota management area 5 or quota management area 6.
- (2) For the purposes of this regulation, **national park** means any area declared to be a national park pursuant to the provisions of the National Parks Act 1980.

Regulation 15K: inserted, on 1 December 1989, by regulation 6 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1989/323).

Regulation 15K(1): amended, on 1 October 2001, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Part 3 Offences

16 Offences

- (1) A person commits an offence and is liable on conviction to a fine not exceeding \$20,000 if the person acts in contravention of, or fails to comply with, any of regulations 3C, 5C, 5E, 10, or 15A(2).
- (2) A person commits an offence and is liable on conviction to a fine not exceeding \$100,000 if the person acts in contravention of, or fails to comply with, any of regulations 3, 3A, 3AB, 3B, 3BA, 3D, 3E, 4, 4A, 4B, 6, 11, 12, 14, 14B, 14C, 15, 15AA, 15C, 15F(2), 15H, or 15J to 15K.

Regulation 16: substituted, on 1 October 2001, by regulation 14 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271).

Regulation 16(1): amended, on 9 July 2015, by regulation 8(1) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2015 (LI 2015/138).

Regulation 16(1): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

Regulation 16(1): amended, on 1 June 2009, by regulation 14 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105).

Regulation 16(1): amended, on 11 July 2002, by regulation 4(a) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2002 (SR 2002/158).

Regulation 16(2): amended, on 9 July 2015, by regulation 8(2) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2015 (LI 2015/138).

Regulation 16(2): amended, on 2 March 2014, by regulation 5 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2014 (LI 2014/45).

Regulation 16(2): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

Regulation 16(2): amended, on 1 October 2008, by regulation 7 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2008 (SR 2008/279).

Regulation 16(2): amended, on 21 October 2004, by regulation 5(a) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 2) 2004 (SR 2004/335).

Regulation 16(2): amended, on 21 October 2004, by regulation 5(b) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 2) 2004 (SR 2004/335).

Regulation 16(2): amended, on 2 October 2003, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 2) 2003 (SR 2003/227).

Regulation 16(2): amended, on 1 October 2002, by regulation 8(b) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 2) 2002 (SR 2002/278).

Regulation 16(2): amended, on 11 July 2002, by regulation 4(b) of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2002 (SR 2002/158).

Schedule 1

Description of internal waters of Fiordland

r 2

Schedule 1: substituted, on 30 June 2005, by regulation 6 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2005 (SR 2005/140).

- 1 Those waters of Long Sound lying to the east of a line drawn from 46°05.16'S and 166°42.67'E to 46°03.67'S and 166°41.41'E.
- 2 Those waters of Chalky Inlet lying to the east of a line drawn from 45°58.22'S and 166°35.74'E to 45°58.99'S and 166°37.69'E.
- 3 Those waters of Dusky Sound lying to the east of lines drawn—
 - (a) from 45°45.06'S and 166°36.83'E to 45°46.38'S and 166°36.45'E; and
 - (b) from 45°46.38'S and 166°36.45'E to 45°47.72'S and 166°35.77'E.
- 4 Those waters of Acheron Passage lying to the east and to the south of a line drawn from 45°36.76'S and 166°42.40'E to 45°36.15'S and 166°43.38'E.
- 5 Those waters of Breaksea Sound lying to the east of a line drawn from 45°35.85'S and 166°43.74'E to 45°34.91'S and 166°42.73'E.
- 6 Those waters of Dagg Sound lying to the east of a line drawn from 45°23.81'S and 166°48.44'E to 45°23.44'S and 166°48.52'E.
- 7 Those waters of Doubtful Sound lying—
 - (a) to the east of a line drawn from 45°17.56'S and 166°52.68'E to 45°17.15'S and 166°53.01'E; and
 - (b) to the east of a line drawn from 45°16.81'S and 166°54.61'E to 45°16.59'S and 166°55.21'E.

- 8 Those waters of Thompson and Bradshaw Sounds lying to the east and to the south of a line drawn from 45°10.60'S and 166°57.90'E to 45°11.36'S and 166°58.31'E.
- 9 Those waters of Nancy Sound lying to the east of a line drawn from 45°07.98'S and 167°04.43'E to 45°06.77'S and 167°02.38'E.
- 10 Those waters of Charles Sound lying to the east of a line drawn from 45°04.68'S and 167°06.21'E to 45°04.41'S and 167°06.66'E.
- 11 Those waters of Caswell Sound lying to the east of a line drawn from 45°01.23'S and 167°10.23'E to 45°00.58'S and 167°08.95'E.
- 12 Those waters of George Sound lying to the east and to the south of a line drawn from 44°53.10'S and 167°23.11'E to 44°53.43'S and 167°21.99'E.
- 13 Those waters of Bligh Sound lying to the east and to the south of a line drawn from 44°48.05'S and 167°32.29'E to 44°47.88'S and 167°32.43'E.
- 14 Those waters of Sutherland Sound lying to the east of a line drawn from 44°44.31'S and 167°35.61'E to 44°44.36'S and 167°35.64'E.
- 15 Those waters of Milford Sound lying to the east of a line drawn from 44°35.99'S and 167°49.12'E to 44°36.33'E and 167°48.71'E.

Schedule 1 item 7: replaced, on 1 May 2012, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2012 (SR 2012/52).

Schedule 1 item 8: replaced, on 1 May 2012, by regulation 4 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2012 (SR 2012/52).

Schedule 2

Closed areas for kina and paua

rr 14B, 14C

Schedule 2: inserted, on 9 July 2015, by regulation 9 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2015 (LI 2015/138).

Part 1

Interpretation

In this schedule,—

Betsy Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at the mean high-water mark at the easternmost point of Betsy Island (at 47°07.78'S and 167°32.43'E); then
- (b) proceeding due east to a point 50 metres offshore (at 47°07.78'S and 167°32.48'E); then
- (c) proceeding in a generally south-westerly direction following a line 50 metres offshore from the mean high-water mark of Betsy Island to a point offshore (at 47°07.86'S and 167°32.15'E); then

- (d) proceeding in straight line in a north-easterly direction to a point on the mean high-water mark of the southwest coast of Betsy Island (at 47°07.83'S and 167°32.17'E); then
- (e) proceeding in a generally north-easterly direction along the mean high-water mark to the point of commencement

Bunker Islets means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the east coast of the central island in the Bunker Islets (at 46°51.94'S and 168°15.93'E); then
- (b) proceeding in a straight line in an easterly direction to a point on the mean high-water mark at the northernmost point of the eastern island in the Bunker Islets (at 46°51.93'S and 168°16.07'E); then
- (c) proceeding in a generally southerly direction along the mean high-water mark to a point on the west coast of the easternmost island in the Bunker Islets (at 46°52.09'S and 168°16.02'E); then
- (d) proceeding in a straight line in a north-westerly direction to a point on the mean high-water mark at the southernmost point of the central island in the Bunker Islets (at 46°52.02'S and 168°15.93'E); then
- (e) proceeding in a generally northerly direction along the mean high-water mark of the central island to the point of commencement

Eastern Putauhinu Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the northeast coast of Putauhinu Island (at 47°12.82'S and 167°23.79'E); then
- (b) proceeding in a straight line in a south-easterly direction across the mouth of an unnamed bay to a point on the mean high-water mark on the north-east coast of Putauhinu Island (at 47°12.88'S and 167°23.90'E); then
- (c) proceeding in a generally southerly and then north-westerly direction along the mean high-water mark to the point of commencement

Herekopare (Te Marama) Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the west coast of Herekopare (Te Marama) Island (at 46°52.00'S and 168°13.43'E); then
- (b) proceeding due west to a point offshore (at 46°52.00'S and 168°13.37'E); then
- (c) proceeding in a straight line in a north-easterly direction to a point offshore (at 46°51.90'S and 168°13.49'E); then
- (d) proceeding in a straight line in a north-easterly direction to a point on the mean high-water mark on the west coast of Herekopare (Te Marama) Island (at 46°51.89'S and 168°13.52'E); then
- (e) proceeding in a generally southerly direction along the mean high-water mark to the point of commencement

Hinekuha means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the east coast of Taukihepa (Big South Cape) Island (at 47°15.36'S and 167°24.08'E); then
- (b) proceeding due east to a point offshore (at 47°15.36'S and 167°24.11'E); then
- (c) proceeding in a straight line in a southerly direction to a point offshore (at 47°15.50'S and 167°24.07'E); then
- (d) proceeding due west to a point on the mean high-water mark on the east coast of Taukihepa (Big South Cape) Island (at 47°15.50'S and 167°24.04'E); then
- (e) proceeding in a generally northerly direction along the mean high-water mark to the point of commencement

Horomanu Patu means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the east coast of Taukihepa (Big South Cape) Island (at 47°14.60'S and 167°25.64'E); then
- (b) proceeding in a straight line in a south-westerly direction across the mouth of Murderers Cove to a point on the mean high-water mark of the unnamed island directly to the south of Boat Harbour (at 47°14.99'S and 167°25.18'E); then
- (c) proceeding in a generally westerly and then south-easterly direction along the mean high-water mark to a point on the south coast of the unnamed island (at 47°15.02'S and 167°25.12'E); then
- (d) proceeding in a straight line in a south-westerly direction to a point on the mean high-water mark on the east coast of Taukihepa (Big South Cape) Island (at 47°15.09'S and 167°24.37'E); then
- (e) proceeding in a generally north-easterly direction along the mean high-water mark to the point of commencement

Kaimohu Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the south-east coast of Kaimohu Island (at 47°12.18'S and 167°27.34'E); then
- (b) proceeding in a straight line in a south-easterly direction to a point offshore (at 47°12.19'S and 167°27.35'E); then
- (c) proceeding in a straight line in a south-westerly direction to a point offshore (at 47°12.26'S and 167°27.25'E); then
- (d) proceeding in a straight line in a north-westerly direction to a point on the mean high-water mark of the south-east coast of Kaimohu Island (at 47°12.25'S and 167°27.24'E); then
- (e) proceeding in a generally north-easterly direction along the mean high-water mark to the point of commencement

Kundy Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the south-east coast of Kundy Island (at 47°07.26'S and 167°33.28'E); then

- (b) proceeding in straight line in a south-westerly direction across the mouth of an unnamed bay to a point on the mean high-water mark on the south-east coast of Kundy Island (at 47°07.34'S and 167°33.22'E); then
- (c) proceeding in a generally north-westerly and then north-easterly direction along the mean high-water mark to the point of commencement

Mokoiti (Little Moggy) Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the south-west coast of Mokoiti (Little Moggy) Island (at 47°08.52'S and 167°24.93'E); then
- (b) proceeding in a straight line in a south-westerly direction to a point offshore (at 47°08.54'S and 167°24.90'E); then
- (c) proceeding in a straight line in a north-westerly direction to a point offshore (at 47°08.44'S and 167°24.82'E); then
- (d) proceeding in a straight line in a north-easterly direction to a point on the mean high-water mark on the south-west coast of Mokoiti (Little Moggy) Island (at 47°08.43'S and 167°24.85'E); then
- (e) proceeding in a generally south-easterly direction along the mean high-water mark to the point of commencement

North-eastern Putauhinu Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the north-east coast of Putauhinu Island (at 47°12.65'S and 167°23.62'E); then
- (b) proceeding in a straight line in a north-easterly direction to a point offshore (at 47°12.64'S and 167°23.63'E); then
- (c) proceeding in a straight line in a south-easterly direction to a point offshore (at 47°12.72'S and 167°23.71'E); then
- (d) proceeding in a straight line in a south-westerly direction to a point on the mean high-water mark of the north-east coast of the Putauhinu Island (at 47°12.73'S and 167°23.69'E); then
- (e) proceeding in a generally north-westerly direction along the mean high-water mark to the point of commencement

North-western Putauhinu Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the north coast of Putauhinu Island (at 47°12.72'S and 167°23.01'E); then
- (b) proceeding in a straight line in a northerly direction to a point offshore (at 47°12.54'S and 167°23.10'E); then
- (c) proceeding in a straight line in a south-easterly direction to a point on the mean high-water mark of the north coast of Putauhinu Island (at 47°12.57'S and 167°23.14'E); then

- (d) proceeding in a generally south-westerly direction along the mean high-water mark to the point of commencement

Patupahe Bay means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the north-east coast of Taukihepa (Big South Cape) Island (at 47°14.07'S and 167°26.15'E); then
- (b) proceeding in a straight line in a south-westerly direction across the mouth of Patupahe Bay to a point on the mean high-water mark on the north-east coast of Taukihepa (Big South Cape) Island (at 47°14.15'S and 167°25.85'E); then
- (c) proceeding in a generally north-easterly direction along the mean high-water mark to the point of commencement

Paua Bay means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the north-east coast of Mokonui (Big Moggy) Island (at 47°08.63'S and 167°24.58'E); then
- (b) proceeding in a straight line in a north-easterly direction to a point offshore (at 47°08.62'S and 167°24.61'E); then
- (c) proceeding in a straight line in a southerly direction to a point on the mean high-water mark of a small unnamed island to the east of Mokonui (Big Moggy) Island (at 47°08.73'S and 167°24.59'E); then
- (d) proceeding in a straight line in a south-westerly direction to a point on the mean high-water mark of the north-east coast of Mokonui (Big Moggy) Island (at 47°08.74'S and 167°24.56'E); then
- (e) proceeding in a generally south-westerly and then north-easterly direction along the mean high-water mark to the point of commencement

Pikomamakau-iti (North Island) means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the south-east coast of North Island (at 46°49.07'S and 168°14.45'E); then
- (b) proceeding due east to a point offshore (at 46°49.07'S and 168°14.47'E); then
- (c) proceeding in a straight line in a south-easterly direction to a point offshore (at 46°49.14'S and 168°14.53'E); then
- (d) proceeding in a straight line in a south-westerly direction to a point offshore (at 46°49.16'S and 168°14.48'E); then
- (e) proceeding in a straight line in a north-westerly direction to a point offshore (at 46°49.10'S and 168°14.41'E); then
- (f) proceeding in a straight line in a northerly direction to a point on the mean high-water mark on the south-west coast of North Island (at 46°49.09'S and 168°14.41'E); then
- (g) proceeding in a south-easterly and then north-westerly direction along the mean high-water mark to the point of commencement

Poho a Tairea (Big Island) means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the east coast of Big Island (at 47°08.20'S and 167°31.89'E); then
- (b) proceeding in a straight line in a south-easterly direction to a point offshore (at 47°08.22'S and 167°31.90'E); then
- (c) proceeding in a straight line in a south-westerly direction to a point offshore (at 47°08.31'S and 167°31.65'E); then
- (d) proceeding in a north-westerly direction to a point on the mean high-water mark of the south-east coast of Big Island (at 47°08.30'S and 167°31.64'E); then
- (e) proceeding in a generally north-easterly direction along the mean high-water mark to the point of commencement

Poho a Tairea 2 (Big Island) means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark at the northernmost point of Big Island (at 47°08.10'S and 167°31.48'E); then
- (b) proceeding in a straight line in a north-easterly direction to a point offshore (at 47°08.08'S and 167°31.76'E); then
- (c) proceeding in a straight line in a south-easterly direction to a point on the mean high-water mark of the north-east coast of Big Island (at 47°08.12'S and 167°31.80'E); then
- (d) proceeding in a generally westerly direction along the mean high-water mark to the point of commencement

Poutama Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the north-east coast of Poutama Island (at 47°15.88'S and 167°23.90'E); then
- (b) proceeding in a straight line in a north-easterly direction to a point offshore (at 47°15.86'S and 167°23.96'E); then
- (c) proceeding in a straight line in a south-easterly direction to a point offshore (at 47°15.99'S and 167°24.03'E); then
- (d) proceeding in a straight line in a south-westerly direction to a point on the mean high-water mark on the east coast of Poutama Island (at 47°16.01'S and 167°23.95'E); then
- (e) proceeding in a generally northerly direction along the mean high-water mark to the point of commencement

Pukeotakohe means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the north-east coast of Taukihepa (Big South Cape) Island (at 47°13.95'S and 167°26.38'E); then

- (b) proceeding in a straight line in a south-easterly direction to a point offshore (at 47°14.13'S and 167°26.50'E); then
- (c) proceeding in a straight line in a south-westerly direction to a point on the mean high-water mark on the east coast of an unnamed island to the east of Papatupahe Bay (at 47°14.18'S and 167°26.34'E); then
- (d) proceeding along the mean high-water mark in a generally north-westerly and then southerly direction to a point on the west coast of the unnamed island (at 47°14.20'S and 167°26.27'E); then
- (e) proceeding in a straight line in a north-westerly direction to a point on the mean high-water mark on the east coast of Taukihepa (Big South Cape) Island (at 47°14.07'S and 167°26.18'E); then
- (f) proceeding in a generally easterly and then northerly direction along the mean high-water mark of Taukihepa (Big South Cape) Island to the point of commencement

Pukeweka Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the north coast of Taukihepa (Big South Cape) Island (at 47°13.44'S and 167°25.70'E); then
- (b) proceeding in a straight line in a northerly direction to a point on the mean high-water mark of Rerewhakaupoko (Solomon) Island (at 47°13.28'S and 167°25.74'E); then
- (c) proceeding along the mean high-water mark in a generally easterly direction to a point on the south-east coast of Rerewhakaupoko (Solomon) Island (at 47°13.36'S and 167°26.31'E); then
- (d) proceeding in a straight line in a south-easterly direction to a point on the mean high-water mark of the north-east coast of Pukeweka Island (at 47°13.50'S and 167°26.36'E); then
- (e) proceeding in a generally westerly and then easterly direction along the mean high-water mark to a point on the south-east coast of Pukeweka Island (at 47°13.51'S and 167°26.35'E); then
- (f) proceeding in a straight line in a south-westerly direction to a point on the mean high-water mark of Taukihepa (Big South Cape) Island (at 47°13.63'S and 167°26.25'E); then
- (g) proceeding in a generally north-westerly direction along the mean high-water mark of Taukihepa (Big South Cape) Island to the point of commencement

Putauhinu Nuggets means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the east coast of the southernmost island in the Putauhinu Nuggets group (at 47°13.91'S and 167°20.95'E); then
- (b) proceeding due east to a point offshore (at 47°13.91'S and 167°21.01'E); then

- (c) proceeding in straight line in a southerly direction to a point offshore (at 47°14.07'S and 167°20.99'E); then
- (d) proceeding due west to a point offshore (at 47°14.07'S and 167°20.85'E); then
- (e) proceeding in a northerly direction to a point on the mean high-water mark of the south coast of the southernmost island (at 47°14.01'S and 167°20.86'E); then
- (f) proceeding in a generally north-easterly direction along the mean high-water mark to the point of commencement

Puwai Bay means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at point on the mean high-water mark on the south coast of Taukihepa (Big South Cape) Island (at 47°15.32'S and 167°23.24'E); then
- (b) proceeding in a straight line in a north-westerly direction across the mouth of Puwai Bay to a point on the mean high-water mark on the south coast of Taukihepa (Big South Cape) Island (at 47°15.26'S and 167°22.99'E); then
- (c) proceeding in a generally north-easterly then south-westerly direction along the mean high-water mark to the point of commencement

Rerewhakaupoko (Solomon) Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the north coast of Rerewhakaupoko (Solomon) Island (at 47°13.22'S and 167°25.85'E); then
- (b) proceeding in a straight line in a northerly direction to a point offshore (at 47°12.93'S and 167°25.78'E); then
- (c) proceeding in a straight line in a north-easterly direction to a point offshore (at 47°12.84'S and 167°26.41'E); then
- (d) proceeding in a straight line in a southerly direction to a point on the mean high-water mark on the north coast of Rerewhakaupoko (Solomon) Island (at 47°13.18'S and 167°26.38'E); then
- (e) proceeding in a generally westerly direction along the mean high-water mark to the point of commencement

Rukawahakura Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the east coast of Rukawahakura Island (at 47°06.27'S and 168°12.31'E); then
- (b) proceeding in a straight line in a south-easterly direction to a point offshore (at 47°06.30'S and 168°12.32'E); then
- (c) proceeding in a straight line in a south-westerly direction to a point on the mean high-water mark on the south east coast of Rukawahakura Island (at 47°06.37'S and 168°12.19'E); then
- (d) proceeding in a generally northerly and then easterly direction along the mean high water mark to the point of commencement

South Eastern Putauhinu Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the east coast of Putauhinu Island (at 47°13.12'S and 167°23.63'E); then
- (b) proceeding in straight line in a south-westerly direction across the mouth of an unnamed bay to a point on the mean high-water mark on the east coast of Putauhinu Island (at 47°13.20'S and 167°23.45'E); then
- (c) proceeding in a generally north westerly and then south easterly direction along the mean high-water mark to the point of commencement

Southern Putauhinu Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the south coast of Putauhinu Island (at 47°13.29'S and 167°22.98'E); then
- (b) proceeding in a straight line in a south-westerly direction to a point on the mean high-water mark of the easternmost island of a small group to the south of Putauhinu Island (at 47°13.38'S and 167°22.74'E); then
- (c) proceeding in a generally north-westerly then southerly direction along the mean high-water mark to a point on the west coast of the easternmost island (at 47°13.36'S and 167°22.71'E); then
- (d) proceeding due west to a point on the mean high-water mark on the east coast of the central island of the group (at 47°13.36'S and 167°22.68'E); then
- (e) proceeding in a generally north-westerly direction along the mean high-water mark to a point on the north coast of the central island (at 47°13.30'S and 167°22.58'E); then
- (f) proceeding in a straight line in a northerly direction to a point on the mean high-water mark on the south coast of Putauhinu Island (at 47°13.17'S and 167°22.63'E); then
- (g) proceeding in a generally easterly direction along the mean high-water mark of Putauhinu Island to the point of commencement

Tamaitemioka and Pohowaitai Islands means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the southeast coast of Tamaitemioka Island (at 47°13.29'S and 167°19.84'E); then
- (b) proceeding in a straight line in a south-easterly direction to a point 10 metres offshore from the unnamed island to the south-east of Tamaitemioka Island (at 47°13.31'S and 167°19.90'E); then
- (c) proceeding in a generally south-easterly direction following a line 10 metres offshore from the mean high-water mark of the unnamed island to a point offshore (at 47°13.34'S and 167°19.91'E); then

- (d) proceeding in a straight line in a south-westerly direction to a point on the mean high-water mark on the east coast of Pohowaitai Island (at 47°13.38'S and 167°19.80'E); then
- (e) proceeding in a generally north-westerly direction along the mean high-water mark to a point on the north-east coast of Pohowaitai Island (at 47°13.30'S and 167°19.72'E); then
- (f) proceeding in a straight line in a northerly direction to a point on the mean high-water mark on the south coast of Tamaitemioka Island (at 47°13.27'S and 167°19.74'E); then
- (g) proceeding in a generally easterly and then northerly direction along the mean high-water mark of Tamaitemioka Island to the point of commencement

Tia (Entrance) Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the west coast of Tia (Entrance) Island (at 47°04.40'S and 168°12.98'E); then
- (b) proceeding due west to a point 100 metres offshore (at 47°04.40'S and 168°12.88'E); then
- (c) proceeding in a generally north-easterly direction following a line 100 metres offshore from the mean high-water mark of Tia (Entrance) Island to a point offshore (at 47°04.25'S and 168°13.22'E); then
- (d) proceeding in a straight line in a south-westerly direction to a point on the mean high-water mark on the north coast of Tia (Entrance) Island (at 47°04.31'S and 168°13.19'E); then
- (e) proceeding along the mean high-water mark in a generally north-westerly and then south-westerly direction to the point of commencement

Timore (Chimneys) Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the south-west coast of Big Island (at 47°08.33'S and 167°31.26'E); then
- (b) proceeding in a straight line in a south-westerly direction to a point on the mean high-water mark on the south-east coast of Timore (Chimneys) Island (at 47°08.38'S and 167°31.07'E); then
- (c) proceeding in a northerly and then westerly direction along the mean high-water mark to a point on the north coast of the Timore (Chimneys) Island (at 47°08.28'S and 167°31.05'E); then
- (d) proceeding in a straight line in a northerly direction to a point on the mean high-water mark on the south coast of the unnamed island to the north of Timore (Chimneys) Island (at 47°08.24'S and 167°31.04'E); then
- (e) proceeding in a north-easterly and then north-westerly direction along the mean high-water mark to a point on the north coast of the unnamed island (at 47°08.20'S and 167°31.03'E); then

- (f) proceeding in a straight line in a northerly direction to a point offshore (at 47°08.17'S and 167°31.04'E); then
- (g) proceeding in a straight line in a north-easterly direction to a point on the mean high-water mark of the most north-westerly point of Big Island (at 47°08.12'S and 167°31.31'E); then
- (h) proceeding in a generally southerly direction along the mean high-water mark to the point of commencement

Upokopotete (Potted Head) means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark at the northernmost point of Potted Head on Taukihepa (Big South Cape) Island (at 47°13.60'S and 167°24.72'E); then
- (b) proceeding due north to a point offshore (at 47°13.57'S and 167°24.72'E); then
- (c) proceeding due east to a point on the mean high-water mark on the north-west coast of Taukihepa (Big South Cape) Island (at 47°13.57'S and 167°24.96'E); then
- (d) proceeding in a generally south-westerly then north-westerly direction along the mean high-water mark to the point of commencement

West Taukihepa means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the west coast of Taukihepa (Big South Cape) Island (at 47°14.60'S and 167°23.07'E); then
- (b) proceeding in a straight line in a north-westerly direction to a point offshore (at 47°14.52'S and 167°23.00'E); then
- (c) proceeding in a straight line in a north-easterly direction to a point offshore (at 47°14.28'S and 167°23.42'E); then
- (d) proceeding in a straight line in a southerly direction to a point on the mean high-water mark on the north coast of Taukihepa (Big South Cape) Island (at 47°14.34'S and 167°23.50'E); then
- (e) proceeding in a generally south-westerly direction along the mean high-water mark to the point of commencement

Wharepuitaha Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the north west coast of Wharepuitaha Island (at 47°06.88'S and 168°12.28'E); then
- (b) proceeding in a straight line in a northerly direction to a point offshore (at 47°06.83'S and 168°12.27'E); then
- (c) proceeding in a straight line in a north-easterly direction to a point offshore (at 47°06.82'S and 168°12.46'E); then

- (d) proceeding in a straight line in a south-easterly direction to a point on the mean high-water mark on the north coast of Wharepuitaha Island (at 47°06.87'S and 168°12.47'E); then
- (e) proceeding in a generally westerly direction along the mean high-water mark to the point of commencement.

Part 2

Closed areas for kina

The following areas are closed for kina:

- (1) Pikomamakau-iti (North Island):
- (2) Bunker Islets:
- (3) Herekopare (Te Marama) Island:
- (4) Tia (Entrance) Island:
- (5) Rukawahakura Island:
- (6) Wharepuitaha Island:
- (7) Poutama Island:
- (8) Puwai Bay:
- (9) Hinekuha:
- (10) Horomanu Patu:
- (11) Patupahe Bay:
- (12) Pukeotakohe:
- (13) Pukeweka Island:
- (14) Rerewhakaupoko (Solomon) Island:
- (15) Upokopotete (Potted Head):
- (16) West Taukihepa:
- (17) Southern Putauhinu Island:
- (18) South Eastern Putauhinu Island:
- (19) Eastern Putauhinu Island:
- (20) North-eastern Putauhinu Island:
- (21) North-western Putauhinu Island:
- (22) Putauhinu Nuggets:
- (23) Kaimohu Island:
- (24) Tamaitemioka and Pohowaitai Islands:
- (25) Poho a Tairea (Big Island):
- (26) Poho a Tairea 2 (Big Island):

- (27) Timore (Chimneys) Island:
- (28) Betsy Island:
- (29) Kundy Island:
- (30) Paua Bay:
- (31) Mokoiti (Little Moggy) Island.

Part 3 Closed areas for paua

The following areas are closed for paua:

- (1) Pikomamakau-iti (North Island):
- (2) Herekopare (Te Marama) Island:
- (3) Tia (Entrance) Island:
- (4) Rukawahakura Island:
- (5) Wharepuitaha Island:
- (6) Poutama Island:
- (7) Puwai Bay:
- (8) Hinekuha:
- (9) Horomanu Patu:
- (10) Patupahe Bay:
- (11) Pukeotakohe:
- (12) Pukeweka Island:
- (13) Upokopotete (Potted Head):
- (14) Southern Putauhinu Island:
- (15) South Eastern Putauhinu Island:
- (16) Eastern Putauhinu Island:
- (17) North-eastern Putauhinu Island:
- (18) North-western Putauhinu Island:
- (19) Putauhinu Nuggets:
- (20) Kaimohu Island:
- (21) Tamaitemioka and Pohowaitai Islands:
- (22) Timore (Chimneys) Island:
- (23) Betsy Island:
- (24) Kundy Island:
- (25) Paua Bay:
- (26) Mokoiti (Little Moggy) Island.

P G Millen,
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2012.
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Reprints notes

1 *General*

This is a reprint of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Fisheries (Trawling) Amendment Regulations 2017 (LI 2017/157): regulations 16–18

Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2015 (LI 2015/138)

Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2014 (LI 2014/45)

Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2013 (SR 2013/328)

Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2012 (SR 2012/52)

Criminal Procedure Act 2011 (2011 No 81): section 413

Fisheries Regulations Revocation Order 2011 (SR 2011/96)

Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/105)

Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2008 (SR 2008/279)

Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2007 (SR 2007/310)

Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2005 (SR 2005/140)

Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 2) 2004 (SR 2004/335)

Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2004 (SR 2004/70)

- Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 2) 2003 (SR 2003/227)
- Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 2) 2002 (SR 2002/278)
- Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2002 (SR 2002/158)
- Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/271)
- Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 2) 2001 (SR 2001/150)
- Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2001 (SR 2001/68)
- Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations (No 2) 1998 (SR 1998/298)
- Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 1998 (SR 1998/25)
- Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 1997 (SR 1997/70)
- Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 21 (SR 1996/22)
- Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 20 (SR 1995/238)
- Fisheries Amendment Act 1995 (1995 No 51): section 8(2)
- Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 19 (SR 1994/176)
- Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 18 (SR 1994/29)
- Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 17 (SR 1993/283)
- Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 12 (SR 1992/86)
- Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 11 (SR 1991/164)
- Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 9 (SR 1990/216)
- Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1989/323)
- Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 6 (SR 1989/199)
- Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 4 (SR 1988/103)
- Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 3 (SR 1988/16)
- Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Amendment No 1 (SR 1986/255)

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