



Fisheries (Declaration of New Stocks Subject to and Stocks Determined Not to be Subject to Quota Management System) Notice 2009

Pursuant to sections 17B, 18, and 19 of the Fisheries Act 1996, the Minister of Fisheries, after consultation in accordance with those sections of that Act, gives the following notice.

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Notice

1 Title

This notice is the Fisheries (Declaration of New Stocks Subject to and Stocks Determined Not to be Subject to Quota Management System) Notice 2009.

2 Commencement

- (1) Clause 8 comes into force on 1 October 2010.
- (2) The rest of this notice comes into force on the day after the date of its notification in the *Gazette*.

3 Interpretation

- (1) In this notice, unless the context otherwise requires,—
attached, in relation to bladder kelp,—
 - (a) means bladder kelp that is affixed to the substrate; but
 - (b) excludes free-floating and beach cast bladder kelp**beach cast**, in relation to bladder kelp, means bladder kelp that is unattached and cast ashore.
- (2) In the Schedule,—
 - (a) the quota management areas referred to by a reference number in the third column are the fishery management areas described by reference to the same number in Part 1 of Schedule 1 of the Fisheries Act 1996; and
 - (b) the references to the quota management system fish-stock codes in the fourth column are references to the fishstock codes for the relevant stocks once they are introduced into the quota management system.

*Declaration of new stocks subject to quota
management system*

4 New stocks to be subject to quota management system

The stocks specified in the Schedule are, on and from 1 October 2010, subject to the quota management system established under Part 4 of the Fisheries Act 1996.

5 Fishing years

The fishing year for each stock specified in the Schedule is the 12-month period beginning on 1 October in any year.

6 How total allowable commercial catch and annual catch entitlements to be expressed

The total allowable commercial catch and annual catch entitlements for the stocks specified in the Schedule are to be expressed as greenweight kilograms.

*Stocks determined not to be subject to quota
management system*

7 Stocks determined not to be subject to quota management system

The stocks specified in the Schedule, in the free-floating and beach cast stages of their life history, have been determined by the Minister not to be subject to the quota management system established under Part 4 of the Fisheries Act 1996 on and from 1 October 2010.

Consequential amendment

8 Consequential amendment to Schedule 4C of Fisheries Act 1996

The item relating to bladder kelp in Schedule 4C of the Fisheries Act 1996 is amended by omitting “1 to 10” and substituting “1, 2, 5 to 10”.

cls 3–7

Schedule
New stocks subject to quota management system

Species	Stage of life history	Quota management area reference number	Quota management system fishstock code
Bladder kelp (<i>Macrocystis pyrifera</i>)	Attached	3	KBB3G
Bladder kelp (<i>Macrocystis pyrifera</i>)	Attached	4	KBB4G

Dated at Wellington this 20th day of October 2009.

Hon Phil Heatley,
Minister of Fisheries.

Explanatory note

This note is not part of the notice, but is intended to indicate its general effect.

This notice, (except *clause 8*), comes into force on the day after the date of its notification in the *Gazette*.

Clauses 4 to 6 relate to the introduction, on and from 1 October 2010, of new stocks from the bladder kelp species in the attached stage of their life history in quota management areas 3 and 4 into the quota management system established under Part 4 of the Fisheries Act 1996 (the **principal Act**).

Clause 7 notifies the determination by the Minister of Fisheries not to make stocks from the bladder kelp species in the free-floating and beach cast stages of their life history in quota management areas 3 and 4 subject to the quota management system on and from 1 October 2010. The effect of the notification is that the moratorium on the issue of fishing permits set out in section 93 of the principal Act ceases to apply to bladder kelp stocks in those stages of their life history.

Clause 8 consequentially amends Schedule 4C of the principal Act on and from 1 October 2010, as required by sections 17B(5) and 19(2A) of that Act, so that bladder kelp in quota management areas 3 and 4 is no longer subject to the fishing permit moratorium.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 29 October 2009.
This notice is administered by the Ministry of Fisheries.
