



Fisheries (Schedules 5, 5A, and 6) Order 2010

Anand Satyanand, Governor-General

Order in Council

At Wellington this 30th day of August 2010

Present:

His Excellency the Governor-General in Council

Pursuant to sections 59, 67B, and 72 of the Fisheries Act 1996, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council and on the recommendation of the Minister of Fisheries after complying with the requirements of sections 59 and 67B of that Act, makes the following order.

Contents

	Page
1 Title	2
2 Commencement	2
3 Schedule 5 of Fisheries Act 1996 amended	2
4 Schedule 5A of Fisheries Act 1996 amended	2
5 Schedule 6 of Fisheries Act 1996 amended	2
Schedule	2
New items inserted in Schedule 6 of Fisheries Act 1996	

Order

- 1 Title**
This order is the Fisheries (Schedules 5, 5A, and 6) Order 2010.
- 2 Commencement**
This order comes into force on 1 October 2010.
- 3 Schedule 5 of Fisheries Act 1996 amended**
Schedule 5 of the Fisheries Act 1996 is amended by inserting “Patagonian toothfish (*Dissostichus eleginoides*)” in its appropriate alphabetical order.
- 4 Schedule 5A of Fisheries Act 1996 amended**
Schedule 5A of the Fisheries Act 1996 is amended by adding “STN1”.
- 5 Schedule 6 of Fisheries Act 1996 amended**
Schedule 6 of the Fisheries Act 1996 is amended by inserting the items set out in the Schedule of these regulations in their appropriate alphabetical order.

Schedule

r 5

New items inserted in Schedule 6 of Fisheries Act 1996

Stock	Area	Requirements
Bladder kelp (<i>Macrocystis pyrifera</i>)	All New Zealand fisheries waters	A commercial fisher may return bladder kelp to the waters from which it was taken if it was taken as the inevitable consequence of the taking of other fish, aquatic life, or seaweed in accordance with a current fishing permit.

Stock	Area	Requirements
Patagonian toothfish (<i>Dissostichus eleginoides</i>)	All New Zealand fisheries waters	<p>A commercial fisher may return any Patagonian toothfish to the waters from which it was taken if—</p> <p>(a) the Patagonian toothfish is likely to survive on return; and</p> <p>(b) the return takes place as soon as practicable after the Patagonian toothfish is taken; and</p> <p>(c) in the case of a trawl-caught Patagonian toothfish, it is released only in the presence of an observer.</p>

Rebecca Kitteridge,
Clerk of the Executive Council.

Explanatory note

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

This order, which comes into force on 1 October 2010, amends Schedules 5, 5A, and 6 of the Fisheries Act 1996.

The amendments insert references to—

- Patagonian toothfish into Schedule 5:
 - southern bluefin tuna into Schedule 5A:
 - Patagonian toothfish and bladder kelp into Schedule 6.
-

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

Date of notification in *Gazette*: 2 September 2010.

This order is administered by the Ministry of Fisheries.



Fisheries (Schedules 5, 5A, and 6) Amendment Order 2010

Anand Satyanand, Governor-General

Order in Council

At Wellington this 20th day of September 2010

Present:

His Excellency the Governor-General in Council

Pursuant to section 67B of the Fisheries Act 1996, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council and on the recommendation of the Minister of Fisheries and Aquaculture, makes the following order.

Contents

	Page
1 Title	2
2 Commencement	2
3 Principal order amended	2
4 New clause 2 substituted	2
2 Commencement	2

Order

1 Title

This order is the Fisheries (Schedules 5, 5A, and 6) Amendment Order 2010.

2 Commencement

This order comes into force on 30 September 2010.

3 Principal order amended

This order amends the Fisheries (Schedules 5, 5A, and 6) Order 2010.

4 New clause 2 substituted

Clause 2 is revoked and the following clause substituted:

“2 Commencement

“(1) Clause 4 of this order comes into force on 1 October 2011.

“(2) The rest of this order comes into force on 1 October 2010.”

Rebecca Kitteridge,
Clerk of the Executive Council.

Explanatory note

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

This order, which comes into force on 30 September 2010, amends the Fisheries (Schedules 5, 5A, and 6) Order 2010 (**principal order**). The amendment replaces the commencement clause to clarify that clause 4 of the principal order comes into force on 1 October 2011. Clause 4 inserts a reference to southern bluefin tuna into Schedule 5A of the Fisheries Act 1996.

2010/332

**Fisheries (Schedules 5, 5A, and 6)
Amendment Order 2010**

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

Date of notification in *Gazette*: 23 September 2010.

This order is administered by the Ministry of Fisheries.
