

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

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 30th day of May 2005

Present:

The Hon Dr Michael Cullen presiding in Council

Pursuant to section 297 of the Fisheries Act 1996, Her Excellency the
Governor-General, acting on the advice and with the consent of the Executive
Council, makes the following regulations.

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Schedule
New Schedule added

Regulations

1 Title

(1) These regulations are the Fisheries (Southland and Sub-Antarctic Areas
Commercial Fishing) Amendment Regulations 2005.

(2) In these regulations, the Fisheries (Southland and Sub-Antarctic Areas
Commercial Fishing) Regulations 1986
SR 1986/220
are called "the principal regulations".

2 Commencement

These regulations come into force on 30 June 2005.

3 Interpretation

Regulation 2 of the principal regulations is amended by inserting, in their appropriate alphabetical order, the following definitions:

"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

"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

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

4 Total prohibitions

(1) Regulation 3 of the principal regulations is amended by omitting paragraph (a), and substituting the following paragraph:

"(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°34.30'S and 167°46.98'E) to Stripe Point (at 44°33.06'S and 167°49.32'E):"

(2) Regulation 3 of the principal regulations is amended by adding the following paragraph:

"(c) the internal waters of Fiordland."

(3) Regulation 3 of the principal regulations is amended by adding, as subclauses (2), (3), (4), and (5), the following subclauses:

"(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."

5 Certain fishing methods prohibited in defined areas

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

"(b) the Fiords:

"(i) Bligh Sound: all those waters of Bligh Sound to the east of a line drawn from Tommy Point (at 44o45.21'S and 167o29.61'E) to Chasland Head (at 44o46.38'S and 167o28.27'E):

"(ii) George Sound: all those waters of George Sound to the east of a line drawn from a point on the coast (at 44o49.42'S and 167o21.34'E) to a point on the southern entrance to the sound (at 44o50.62'S and 167o19.54'E):

"(iii) Caswell Sound: all those waters of Caswell Sound to the east of a line drawn from a point on the coast (at 44o59.43'S and 167o08.15'E) to McKerr Point (at 45o00.33'S and 167o07.65'E):

"(iv) Charles Sound: all those waters of Charles Sound to the east of a line drawn from Islet Point (at 45o01.51'S and 167o05.53'E) to Hawes Head (at 45o03.21'S and 167o04.43'E):

"(v) Nancy Sound: all those waters of Nancy Sound to the east of a line drawn from Burnett Point (at 45o06.16'S and 167o01.60'E) to Anxiety Point (at 45o06.37'S and 167o00.84'E):

"(vi) Thompson Sound: all those waters of Thompson and Bradshaw Sounds to the east of a line drawn from Shanks Head (at 45o08.31'S and 166o58.45'E) to Colonial Head on Secretary Island (at 45o08.67'S and 166o57.65'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 45o14.49'S and 166o52.08'E) to Febrero Point (at 45o16.59'S and 166o50.52'E):

"(viii) Dagg Sound: all those waters of Dagg Sound to the east of a line drawn from Cast-Off Point (at 45o22.72'S and 166o46.32'E) to Towing Head (at

45o23.93'S and 166o45.41'E):

"(ix) Breaksea Sound: all those waters of Breaksea Sound to the east of a line drawn from Oliver Point (at 45o34.49'S and 166o40.31'E) to a point on Resolution Island (at 45o36.17'S and 166o36.35'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 45o44.67'S and 166o26.70'E) to South Point (at 45o48.79'S and 166o27.40'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 46o00.78'S and 166o28.37'E) to Puysegur Point (46o9.45'S and 166o36.34'E):".

6 New Schedule added

The principal regulations are amended by adding the Schedule set out in the Schedule of these regulations.

Schedule r 6
New Schedule added

Schedule r 2
Description of internal waters of Fiordland

1 Those waters of Long Sound lying to the east of a line drawn from 46o05.16'S and 166o42.67'E to 46o03.67'S and 166o41.41'E.

2 Those waters of Chalky Inlet lying to the east of a line drawn from 45o58.22'S and 166o35.74'E to 45o58.99'S and 166o37.69'E.

3 Those waters of Dusky Sound lying to the east of lines drawn---

(a) from 45o45.06'S and 166o36.83'E to 45o46.38'S and 166o36.45'E; and

(b) from 45o46.38'S and 166o36.45'E to 45o47.72'S and 166o35.77'E.

4 Those waters of Acheron Passage lying to the east and to the south of a line drawn from 45o36.76'S and 166o42.40'E to 45o36.15'S and 166o43.38'E.

5 Those waters of Breaksea Sound lying to the east of a line drawn from 45o35.85'S and 166o43.74'E to 45o34.91'S and 166o42.73'E.

6 Those waters of Dagg Sound lying to the east of a line drawn from 45o23.81'S and 166o48.44'E to 45o23.44'S and 166o48.52'E.

7 Those waters of Doubtful Sound lying---

(a) to the east of a line drawn from 45o17.15'S and 166o53.01'E to 45o17.56'S and 166o52.68'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°11.33'S and 166°58.32'E to 45°10.60'S and 166°57.90'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.

Martin Bell,
Acting for Clerk of the Executive Council.

Issued under the authority of the Acts and Regulations Publication Act 1989.
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These regulations are administered in the Ministry of Fisheries.