

Fisheries (Challenger Area Amateur Fishing) Amendment Regulations (No 2) 2008

Anand Satyanand, Governor-General

Order in Council

At Wellington this 20th day of October 2008

Present:

The Right Hon Helen Clark presiding in Council

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

Contents

- 1 Title
- 2 Commencement
- 3 Principal regulations amended
- 4 Interpretation
- 5 Set net fishing prohibited in certain area from Clarence Point to Cape Jackson
- 6 Exemption from prohibition in regulation 4AB
- 7 Set net fishing prohibited in certain area from Farewell Spit Lighthouse to Awarua Point
- 8 Offences and penalties

Regulations

1 Title

These regulations are the Fisheries (Challenger Area Amateur Fishing) Amendment Regulations (No 2) 2008.

2 Commencement

These regulations come into force on the 28th day after the date of their notification in the *Gazette*.

3 Principal regulations amended

These regulations amend the Fisheries (Challenger Area Amateur Fishing) Regulations 1986.

4 Interpretation

Paragraph (a)(ii) of the definition of **Challenger (East) Area** in regulation 2A is amended by omitting “Fisheries Management Area 7 (at 39°38.00’S and 173°00.60’E)” and substituting “Fishery Management Area 7 (at 39°38.00’S and 173°00.50’E)”.

5 Set net fishing prohibited in certain area from Clarence Point to Cape Jackson

(1) Regulation 4AB(1) is amended by revoking paragraph (b) and substituting the following paragraph:

“(b) then proceeds due east 4 nautical miles to a point on the Challenger Fisheries Management Area boundary (at 42°10.00’S and 174°01.74’E); and”.

(2) Regulation 4AB(1) is amended by revoking paragraph (e) and substituting the following paragraph:

“(e) then proceeds 4 nautical miles from the mean high-water mark to a point 4 nautical miles due north of Cape Jackson light (at 40°55.62’S and 174°18.80’E); and”.

6 Exemption from prohibition in regulation 4AB

(1) Regulation 4AC(1) is amended by inserting “(both days inclusive)” after “30 September in that year”.

(2) Regulation 4AC(2) is amended by omitting “Sounds” in each place where it appears and substituting in each case “Sound”.

7 Set net fishing prohibited in certain area from Farewell Spit Lighthouse to Awarua Point

(1) Regulation 4AD(1) is amended by omitting “2 nautical miles from the mean high-water mark to the sea in” and substituting “an area bounded by”.

(2) Regulation 4AD(1) is amended by revoking paragraphs (j) to (m) and substituting the following paragraphs:

“(j) then follows a line in a generally southerly direction by the mean high-water mark to the Buller River east bank (at 41°43.93’S and 171°35.62’E); and

“(k) then proceeds in a straight line to the Buller River west bank (at 41°43.93’S and 171°35.17’E); and

“(l) then follows a line in a generally southerly direction by the mean high-water mark to the east bank of the Waitakere/Nile River (at 41°53.81’S and 171°26.71’E); and

“(m) then proceeds in a straight line to the Waitakere/Nile River west bank (at 41°53.81’S and 171°26.62’E); and”.

(3) Regulation 4AD(1) is amended by revoking paragraph (p) and substituting the following paragraph:

“(p) then follows a line in a generally southerly direction by the mean high-water mark to the southernmost point of the north bank of the Hokitika River (at 42°43.22’S and 170°57.10’E); and”.

(4) Regulation 4AD(1)(q) is amended by omitting “entrance” and substituting “bank”.

(5) Regulation 4AD(1) is amended by revoking paragraph (t) and substituting the following paragraphs:

“(t) then follows a line in a generally southerly direction by the mean high-water mark to the westernmost point of Awarua Point (at 44°15.60’S and 168°03.10’E); and

“(u) then proceeds due west 2 nautical miles to a point on the Challenger Fisheries Management Area boundary (at 44°15.60’S and 168°00.26’E); and

“(v) then proceeds in a northerly direction in a line 2 nautical miles from the mean high-water mark to a point 2 nautical miles north of Farewell Spit Lighthouse (at 40°30.26’S and 173°00.50’E); and

“(w) then proceeds due south to Farewell Spit Lighthouse to the point of commencement (at 40°32.70’S and 173°00.50’E).”

8 Offences and penalties

Regulation 5(1) is amended by omitting “4AC,”.

Rebecca Kitteridge,
Clerk of the Executive Council.

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

Date of notification in *Gazette*: 23 October 2008.

These regulations are administered by the Ministry of Fisheries.