

**Reprint
as at 19 December 2003**



**Marine Reserve (Auckland Islands—Motu Maha) Order 2003
(SR 2003/389)**

Dame Sian Elias, Administrator of the Government

Order in Council

At Wellington this 15th day of December 2003

Present:
in Council

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

This order is administered by the Department of Conservation.

Pursuant to section 4(1) of the Marine Reserves Act 1971, Her Excellency the Administrator of the Government, acting on the advice and with the consent of the Executive Council, makes the following order.

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Order

1 Title

- This order is the Marine Reserve (Auckland Islands—Motu Maha) Order 2003.

2 Commencement

- This order comes into force on the 28th day after the date of its notification in the *Gazette*.

3 Auckland Islands—Motu Maha Marine Reserve created

- The area described in the Schedule is declared to be a marine reserve to be known as the Auckland Islands—Motu Maha Marine Reserve.

4 Condition relating to salvage or recovery of shipwrecks

- (1) Clause 3 is subject to the condition that a person may under take the salvage or recovery operation of a shipwreck (including the *General Grant*) in the marine reserve if the Director General of Conservation has given his or her prior approval to the person doing so.
(2) The Director-General may give his or her approval even though a salvage or recovery operation may involve—
 - (a) damaging the seabed or foreshore; or
 - (b) any other activity prohibited by the Marine Reserves Act 1971.
(3) In deciding whether to give his or her approval, the Director-General must have regard to the extent of any adverse effects that a salvage or recovery operation would have on the natural and physical resources and historic heritage in the marine reserve.
(4) The Director-General may give his or her approval subject to conditions for the purpose of avoiding, remedying, or mitigating any adverse effects specified in subclause 3.

Schedule

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Auckland Islands—Motu Maha Marine Reserve

That area (within the meaning of the Marine Reserves Act 1971) comprising 498 000 hectares shown marked “A” on SO Plan 320969.

Diane Morcom,
Clerk of the Executive Council.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 18 December 2003.

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Notes

1 General

- This is a reprint of the Marine Reserve (Auckland Islands—Motu Maha) Order 2003. The reprint incorporates all the amendments to the order as at 19 December 2003, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that have yet to come into force or that contain relevant transitional or savings provisions are also included, after the principal enactment, in chronological order.

2 Status of reprints

- Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 How reprints are prepared

- A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, *see* <http://www.pco.parliament.govt.nz/legislation/reprints.shtml> or Part 8 of the *Tables of Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

- Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted.

A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- •omission of unnecessary referential words (such as “of this section” and “of this Act”)
- •typeface and type size (Times Roman, generally in 11.5 point)
- •layout of provisions, including:
 - •indentation
 - •position of section headings (eg, the number and heading now appear above the section)
- •format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- •format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)
- •position of the date of assent (it now appears on the front page of each Act)
- •punctuation (eg, colons are not used after definitions)
- •Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- •case and appearance of letters and words, including:

- •format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
- •small capital letters in section and subsection references are now capital letters
- •schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- •running heads (the information that appears at the top of each page)
- •format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 List of amendments incorporated in this reprint (most recent first)

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