

Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 1999

PURSUANT to section 89 of the Fisheries Act 1983 and section 297 of the Fisheries Act 1996, Her Excellency the Administrator of the Government, acting by and with the advice and consent of the Executive Council, makes the following regulations.

Contents

| | Page |
|--|----------|
| 1 Title and commencement | 1 |
| 2 Interpretation | 2 |
| 3 Restricted drag netting | 2 |
| 4 New Schedule 2 added | 3 |
| Schedule | 3 |
| New Schedule 2 added to principal regulations | |

1 Title and commencement

(1) These regulations may be cited as the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 1999, and are part of the Fisheries (Auckland

and Kermadec Areas Commercial Fishing) Regulations 1986¹ (“the principal regulations”).

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

2 Interpretation

Regulation 2(1) of the principal regulations is amended by adding to the definition of the term **Act** the words “or the Fisheries Act 1996”.

3 Restricted drag netting

Regulation 12 of the principal regulations is amended by adding the following subclauses:

“(3) *Tauranga Harbour*: Subject to subclauses (4) and (5), no commercial fisher may use a drag net to take fish from the waters

¹ SR 1986/216

Amendment No 1: SR 1986/251

Amendment No 2: SR 1988/5

Amendment No 3: SR 1989/291

Amendment No 4: (*Revoked by SR 1995/33*)

Amendment No 5: SR 1991/161

Amendment No 6: SR 1992/210

Amendment No 7: SR 1993/279

Amendment No 8: SR 1994/181

Amendment No 9: SR 1995/33

Amendment No 10: SR 1995/158

Amendment No 11: SR 1995/214

Amendment No 12: SR 1995/230

Amendment No 13: SR 1996/279

Amendment 1997: SR 1997/28

Amendment (No 2) 1997: SR 1997/305

Amendment 1998: SR 1998/24

Amendment (No 2) 1998: SR 1998/297

of Tauranga Harbour lying inside a straight line drawn from Panepane Point, being the easternmost point of Matakana Island (at 37° 38.32'S and 176° 09.67'E) to Stony Point, being the southernmost point of Mount Maunganui (at 37° 38.27'S and 176° 10.14'E), and those waters lying inside a straight line drawn from Papatu Point (at 37° 28.25'S and 175° 59.15'E) to the northernmost point of Matakana Island (at 37° 28.46'S and 175° 59.12'E).

- “(4) The permit holders named in Part 1 of Schedule 2 may use a drag net to take fish from Tauranga Harbour, but a permit holder may use only 1 fishing vessel at any 1 time to take those fish.
- “(5) The permit holders named in Part 2 of Schedule 2 may use a drag net to take from Tauranga Harbour fish specified in that Part as their target species, but a permit holder may use only 1 fishing vessel at any 1 time to take those fish.”

4 New Schedule 2 added

The principal regulations are amended by adding the Schedule 2 set out in the Schedule of these regulations.

Schedule
**New Schedule 2 added to principal
regulations**

Schedule 2 Reg 12(4), (5)

1

Permit holders allowed to take fish
commercially using drag net in Tauranga
Harbour

Permit Holder

Client
Number

Lockett, Roderick Owen

8431437

Schedule 2—*continued*
1—*continued*

| | |
|--|---------|
| Mikaere, Ken | 8431664 |
| Parrott, William Harry Boyd | 8431877 |
| Wall, Murray John | 8432543 |
| Churcher, Perry James | 8432998 |
| Gread, Stephen Scott & Gread, Susan Ann | 8730112 |
| Kiddie, Brian George | 9130059 |
| Murray, David & Jacobs, Christopher & Nathan, Ross & Johnson, Ted | 9330009 |
| Mikaere, Leon Phillip & Mikaere, Kevin Leo & Mikaere, Joyce Rena | 9430022 |
| Stephens, Isaac William and van Eyk, Tony Gerard | 9430013 |

2

| Permit Holder | Target Species | Client Number |
|----------------------|----------------|---------------|
| Clark, Michael David | Garfish | 8410438. |

MARIE SHROFF,
Clerk of the Executive Council

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force 28 days after the date of their notification in the *Gazette*, amend the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986.

**Fisheries (Auckland and Kermadec
Areas Commercial Fishing) Amendment
Regulations 1999**

Regulation 2 updates the definition of the term **Act** to include the Fisheries Act 1996.

Regulation 3 amends regulation 12 of the principal regulations by restricting commercial drag netting in the Tauranga Harbour to those permit holders who have operated in the harbour over the last 5 years.

Regulation 4 adds a schedule to the principal regulations, which lists those permit holders allowed to use a drag net to take fish commercially in Tauranga Harbour.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 17 June 1999.
