

Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2003

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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1 Title

- (1) These regulations are the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2003.
- (2) In these regulations, the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986¹ are called “the principal regulations”.

¹ SR 1986/216

2 Commencement

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

3 Set netting prohibited in defined areas

Regulation 15A(1) of the principal regulations is amended by revoking subparagraph (iii), and substituting the following subparagraphs:

- “(iii) *Maunganui Bluff-Tirua Point*: The waters lying within 4 nautical miles from the mean high-water mark that extends from Maunganui Bluff (at approximately 35°45.70’S and 173°33.6’E); then in a generally southerly direction by the mean high-water mark to the southernmost extremity of the north head of Kaipara Harbour (at approximately 36°24.2’S and 174°03’E); then by a straight line to Pukitu on the south head of Kaipara Harbour (at approximately 36°30’S and 174°12.65’E); then by the mean high-water mark to a point on the easternmost extremity of Paratutae Island (at approximately 37°02.92’S and 174°30.50’E); then by a straight line to the signal staff on the south head of Manukau Harbour (at approximately 37°03.17’S and 174°32.65’E); then by the mean high-water mark to a point north of the Waikato River mouth (at 37°21.45’S and 174°41.51’E); then by a straight line to the south head of the Waikato River mouth (at 37°21.85’S and 174°41.70’E); then by the mean high-water mark to Rangitoto Point (at approximately 37°48.08’S and 174°50.56’E); then by a straight line to the south head of Raglan Harbour (at approximately 37°48.33’S and 174°50.74’E); then by the mean high-water mark to Potahi Point (at approximately 38°00.50’S and 174°47.70’E); then by a straight line to Kahua Point (at approximately 38°02.10’S and 174°47.00’E); then by the mean high-water mark to Tauratahi Point (at approximately 38°05.10’S and 174°46.60’E); then by a straight line to Urawitiki Point (at approximately 38°05.37’S and 174°46.22’E); then by the mean high-water mark to Tirua Point (at approximately 38°23.40’S and 174°38.00’E);
- “(iv) *Manukau Harbour entrance to Kauri Point*: The waters lying within that part of the Manukau Harbour commencing at the mean high-water mark of the eastern extremity of Paratutae

Island (at approximately 37°02.92'S and 174°30.50'E); then proceeding to a point on the mean high water mark at South Head that intersects with a transect line from Paratutae Island to the Signal Station on South Head (at approximately 37°03.17'S and 174°32.65'E); then proceeding along the mean high-water mark of Awhitu Peninsula in an easterly direction to Kauri Point (at approximately 37°02.65'S and 174°39.42'E); then proceeding by a straight line due north for a half nautical mile to a point in the main harbour channel; then proceeding by a straight line in a north-westerly direction to Puponga Point (at approximately 37°01.28'S and 174°36.74'E); then proceeding along the mean high-water mark of the northern Manukau Harbour to the point of commencement."

4 Restrictions on the taking of shellfish

Regulation 22A(1) of the principal regulations is amended by omitting from the table the item relating to kina.

5 New regulation 22C inserted

The principal regulations are amended by inserting, after regulation 22B, the following regulation:

"22C Restriction on taking kina other than by hand-gathering

No commercial fisher may take any kina from the waters of SUR1A, SUR1B, or SUR9, for the purpose of sale, by any means other than hand-gathering."

6 Offences

Regulation 24(1) of the principal regulations is amended by omitting the expression "or 22A", and substituting the expression "22A, or 22C".

7 Revocation

The Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 4) 2001 (SR 2001/276) are revoked.

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 on the 28th day after the date of their notification in the *Gazette*, amend the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986.

The amendments—

- re-insert the prohibition on set netting in the waters from Maunganui Bluff to Tirua Point:
- prohibit set netting in the waters of the Manukau Harbour entrance to Kauri Point:
- remove the maximum daily weight restriction on taking kina by hand-gathering.

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