

**Reprint
as at 14 March 2003**



**Fisheries (Declaration of New
Stocks Subject to Quota
Management System) Notice
2003**

(SR 2003/41)

Pursuant to section 18 of the Fisheries Act 1996, the Minister of Fisheries gives the following notice.

Contents

	Page
1 Title	2
2 Commencement	2
3 References to quota management areas, species, and codes	2
4 New stocks to be subject to quota management system	3
5 Fishing years	3
6 How total allowable commercial catch and annual catch entitlements to be expressed	3
Schedule 1	4
New stocks subject to quota management system	

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 notice is administered by the Ministry of Fisheries.

Schedule 2	8
Quota management areas for certain giant spider crab stocks	

Schedule 3	9
Quota management areas for certain sea cucumber stocks	

Notice

- 1 Title**
This notice is the Fisheries (Declaration of New Stocks Subject to Quota Management System) Notice 2003.
- 2 Commencement**
This notice comes into force on the day after the date of its notification in the *Gazette*.
- 3 References to quota management areas, species, and codes**
 - (1) In Schedule 1,—
 - (a) the quota management areas referred to by a reference number are the fishery management areas described by reference to the same number in Part 1 of Schedule 1 of the Fisheries Act 1996, except as provided in paragraphs (c) to (d):
 - (b) where 2 or more quota management areas are shown as combined in respect of any stock, the combined areas together comprise 1 quota management area for that stock:
 - (c) in the case of certain giant spider crab (*Jacquinitia edwardsii*) stocks, the references to quota management areas 6A and 6B are references to the areas set out in Schedule 2:
 - (d) in the case of certain sea cucumber (*Stichopus mollis*) stocks, the references to quota management areas 1A, 1B, 2A, 2B, 5A, 5B, 7A, 7B, and 7D are references to the areas set out in Schedule 3.
 - (2) The references to species of fish in this notice are references to the species set out in the first column of Schedule 1.

- (3) In Schedule 1—
- (a) the references to fishstock codes are, in the case of stocks of horse mussel, sea cucumber, and surf clam, references to the existing reporting codes in Schedule 3 of the Fisheries (Reporting) Regulations 2001; and
 - (b) the fishstock codes for the other species are those set out in the second column of Schedule 1; and
 - (c) the references to QMS fishstock codes in the fourth column of Schedule 1 are references to the codes for the relevant stock once it is introduced to the quota management system.
- 4 New stocks to be subject to quota management system**
The fishstocks specified in the second column of Schedule 1, in the quota management areas specified in the third column of that schedule, are subject to the quota management system established under Part 4 of the Fisheries Act 1996 on and from 1 April 2004.
- 5 Fishing years**
The fishing year for each fishstock specified in Schedule 1 is the 12-month period beginning on 1 April.
- 6 How total allowable commercial catch and annual catch entitlements to be expressed**
The total allowable commercial catch and annual catch entitlements for all fishstocks specified in Schedule 1 are to be expressed as greenweight kilograms.
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Schedule 1 cls 4, 5, 6

New stocks subject to quota management system

Species	Fishstock	Quota management area	QMS fishstock code
Giant spider crab (<i>Jacquinitia edwardsii</i>)	GSC1	1, 2, 7, 8, and 9 (combined)	GSC1
	GSC3	3 and 4 (combined)	GSC3
	GSC5	5	GSC5
	GSC6	6A	GSC6A
	GSC6	6B	GSC6B
	GSC10	10	GSC10
Horse mussel (<i>Atrina zelandica</i>)	HOR1	1	HOR1
	HOR2	2	HOR2
	HOR3	3	HOR3
	HOR4	4	HOR4
	HOR5	5	HOR5
	HOR6	6	HOR6
	HOR7	7	HOR7
	HOR8	8	HOR8
	HOR9	9	HOR9
	HOR10	10	HOR10
King crab (<i>Lithodes murrayi</i> and <i>Neolithodes brodiei</i>)	KIC1	1	KIC1
	KIC2	2	KIC2
	KIC3	3	KIC3
	KIC4	4	KIC4
	KIC5	5	KIC5
	KIC6	6	KIC6
	KIC7	7	KIC7
	KIC8	8	KIC8
	KIC9	9	KIC9
	KIC10	10	KIC10

Species	Fishstock	Quota management area	QMS fishstock code
Red crab (<i>Chaceon bicolor</i>)	CHC1	1	CHC1
	CHC2	2	CHC2
	CHC3	3	CHC3
	CHC4	4	CHC4
	CHC5	5	CHC5
	CHC6	6	CHC6
	CHC7	7	CHC7
	CHC8	8	CHC8
	CHC9	9	CHC9
	CHC10	10	CHC10
Sea cucumber (<i>Stichopus mollis</i>)	SCC1	1A	SCC1A
	SCC1	1B	SCC1B
	SCC2	2A	SCC2A
	SCC2	2B	SCC2B
	SCC3	3	SCC3
	SCC4	4	SCC4
	SCC5	5A	SCC5A
	SCC5	5B	SCC5B
	SCC6	6	SCC6
	SCC7	7A	SCC7A
	SCC7	7B	SCC7B
	SCC7	7D	SCC7D
	SCC8	8	SCC8
	SCC9	9	SCC9
	SCC10	10	SCC10
Surf clam—deepwater tuatua (<i>Paphies donacina</i>)	PDO1	1	PDO1
	PDO2	2	PDO2
	PDO3	3	PDO3
	PDO4	4	PDO4
	PDO5	5	PDO5
	PDO7	7	PDO7
	PDO8	8	PDO8
	PDO9	9	PDO9

Species	Fishstock	Quota management area	QMS fishstock code
Surf clam—frilled venus shell (<i>Bassina yatei</i>)	BYA1	1	BYA1
	BYA2	2	BYA2
	BYA3	3	BYA3
	BYA4	4	BYA4
	BYA5	5	BYA5
	BYA7	7	BYA7
	BYA8	8	BYA8
	BYA9	9	BYA9
Surf clam—ringed dosinia (<i>Dosinia anus</i>)	DAN1	1	DAN1
	DAN2	2	DAN2
	DAN3	3	DAN3
	DAN4	4	DAN4
	DAN5	5	DAN5
	DAN7	7	DAN7
	DAN8	8	DAN8
	DAN9	9	DAN9
Surf clam—silky dosinia (<i>Dosinia subrosea</i>)	DSU1	1	DSU1
	DSU2	2	DSU2
	DSU3	3	DSU3
	DSU4	4	DSU4
	DSU5	5	DSU5
	DSU7	7	DSU7
	DSU8	8	DSU8
	DSU9	9	DSU9
Surf clam—triangle shell (<i>Spisula aequilatera</i>)	SAE1	1	SAE1
	SAE2	2	SAE2
	SAE3	3	SAE3
	SAE4	4	SAE4
	SAE5	5	SAE5
	SAE7	7	SAE7
	SAE8	8	SAE8
	SAE9	9	SAE9

Species	Fishstock	Quota management area	QMS fishstock code
Surf clam—trough shell (<i>Mactra discors</i>)	MDI1	1	MDI1
	MDI2	2	MDI2
	MDI3	3	MDI3
	MDI4	4	MDI4
	MDI5	5	MDI5
	MDI7	7	MDI7
	MDI8	8	MDI8
	MDI9	9	MDI9
Surf clam—large trough shell (<i>Mactra murchisoni</i>)	MMI1	1	MMI1
	MMI2	2	MMI2
	MMI3	3	MMI3
	MMI4	4	MMI4
	MMI5	5	MMI5
	MMI7	7	MMI7
	MMI8	8	MMI8
	MMI9	9	MMI9

Schedule 2

cl 3(1)(c)

**Quota management areas for certain
giant spider crab stocks***Quota management area GSC6A—Southern Islands*

All those areas of New Zealand fisheries waters within fisheries management area 6 enclosed within either of the following areas:

- (a) an area enclosed by a line commencing at a point 49°30.0'S and 165°00.0'E, then—
 - (i) proceeding east along the 49°30.0'S line of latitude to longitude 168°00.0'E; then
 - (ii) proceeding south along the 168°00.0'E line of longitude to latitude 51°30.0'S; then
 - (iii) proceeding west along the 51°30.0'S line of latitude to longitude 165°00.0'E; then
 - (iv) proceeding north along the 165°00.0'E line of longitude to the point of commencement;
- (b) an area enclosed by a line commencing at a point 51°30.0'S line of latitude to longitude 168°00.0'E, then—
 - (i) proceeding east along the 51°30.0'S line of latitude to longitude 171°00.0'E; then
 - (ii) proceeding south along the 171°00.0'E line of longitude to latitude 53°30.0'S; then
 - (iii) proceeding west along the 53°30.0'S line of latitude to longitude 168°00.0'E; then
 - (iv) proceeding north along the 168°00.0'E line of longitude to the point of commencement.

Quota management area GSC6B—Sub-Antarctic

All those areas of New Zealand fisheries waters within fisheries management area 6 other than those lying within quota management area GSC6A.

Schedule 3

cl 3(1)(d)

Quota management areas for certain sea cucumber stocks

Quota management area SCC1A—East Northland

All that area of New Zealand fisheries waters enclosed by a line—

- (a) commencing on the mean high-water mark of the North Island at the north-easternmost point of Te Arai Point (approximately 36°09.5'S and 174°39.1'E); then
- (b) proceeding in a generally northerly direction along the mean high-water mark of the North Island to the easternmost point of North Cape (approximately 34°24.8'S and 173°02.8'E); then
- (c) proceeding north along this line of longitude from the easternmost point of North Cape to the exclusive economic zone boundary (approximately 30°53.1'S and 173°02.8'E); then
- (d) proceeding in a generally south-easterly direction along the exclusive economic zone boundary to latitude 33°20.0'S off the north-east coast of the North Island (longitude approximately 177°51.0'E); then
- (e) proceeding in a generally south-westerly direction directly to the point of commencement.

Quota management area SCC1B—Hauraki Gulf and Bay of Plenty

All that area of New Zealand fisheries waters enclosed by a line—

- (a) commencing on the mean high-water mark of the North Island at the north-easternmost point of Te Arai Point (approximately 36°09.5'S and 174°39.1'E); then
- (b) proceeding in a generally south-easterly direction along the mean high-water mark of the North Island to the northernmost point of Cape Runaway (approximately 37°32.3'S and 177°59.0'E); then
- (c) proceeding north along this line of longitude to the exclusive economic zone boundary (at approximately 33°27.7'S and 177°59.0'E); then
- (d) proceeding in a generally north-westerly direction along the exclusive economic zone boundary to latitude 33°20.0'S off the north-east coast of the North Island (longitude approximately 177°51.0'E); then

- (e) proceeding in a generally south-westerly direction directly to the point of commencement.

Quota management area SCC2A—East Coast and Gisborne

All that area of New Zealand fisheries waters enclosed by a line—

- (a) commencing on the mean high-water mark of the North Island at the northernmost point of Cape Runaway (approximately 37°32.3'S and 177°59.0'E); then
- (b) proceeding north along this line of longitude to the exclusive economic zone boundary (at approximately 33°27.7'S and 177°59.0'E); then
- (c) proceeding in a generally south-easterly direction along the exclusive economic zone boundary to the easternmost point of the exclusive economic zone boundary nearest 34°22.1'S and 179°29.6'E; then
- (d) proceeding in a generally easterly direction directly to the westernmost point of the exclusive economic zone boundary nearest 34°34.2'S and 179°51.2'W; then
- (e) proceeding in a generally south-easterly direction along the exclusive economic zone boundary to latitude 39°29.0'S (longitude approximately 177°35.0'W); then
- (f) proceeding west along the 39°29.0'S line of latitude directly to the mean high-water mark of the North Island adjacent to Bluff Hill, Napier (longitude approximately 176°55.3'E); then
- (g) proceeding in a generally north-easterly direction along the mean high-water mark of the eastern coast of the North Island to the point of commencement.

Quota management area SCC2B—Wairarapa and Wellington

All that area of New Zealand fisheries waters enclosed by a line—

- (a) commencing on the mean high-water mark of the North Island adjacent to Bluff Hill, Napier (approximately 39°29'S and 176°55.3'E); then
- (b) proceeding east along the 39°29'E line of latitude directly to the exclusive economic zone boundary (longitude approximately 177°35'W); then
- (c) proceeding in a generally south-easterly direction along the exclusive economic zone boundary to latitude 42°10.0'S (longitude approximately 171°59.1'W); then

- (d) proceeding west along the 42°10.0'S line of latitude to longitude 174°42.0'E; then
- (e) proceeding in a generally north-westerly direction directly to the Brothers Island light (approximately 41°06.2'S and 174°26.5'E); then
- (f) proceeding in a generally easterly direction directly to the mean high-water mark of the North Island at the westernmost point of Te Paokapo at the northern end of Titahi Bay (approximately 41°06.0'S and 174°50.0'E); then
- (g) proceeding in generally southerly, easterly, and north-easterly directions along the mean high-water mark along the western, southern, and eastern coasts of the North Island to the point of commencement.

Quota management area SCC5A—Fiordland

All that area of New Zealand fisheries waters enclosed by a line—

- (a) commencing on the mean high-water mark of the South Island at the westernmost point of Awarua Point (approximately 44°15.6'S and 168°03.1'E); then
- (b) proceeding west along the line of this latitude to the exclusive economic zone boundary (approximately 44°15.6'S and 162°12.9'E); then
- (c) proceeding in a generally southerly direction along the exclusive economic zone boundary to latitude 49°00.0'S (longitude approximately 161°26.2'E); then
- (d) proceeding east along the 49°00.0'S line of latitude to longitude 166°05.0'E; then
- (e) proceeding in a generally north-easterly direction directly to the mean high-water mark of the South Island at the southernmost point of the western bank of the Waiau River mouth (approximately 46°11.6'S and 167°36.9'E); then
- (f) proceeding in generally westerly and north-easterly directions along the mean high-water mark of the South Island to the point of commencement.

Quota management area SCC5B—Southland and Stewart Island

All that area of New Zealand Fisheries waters enclosed by a line—

- (a) commencing at a point at the mean high-water mark of the South Island at the southernmost point of the western bank

- of the Waiau River mouth (approximately 46°11.6'S and 167°36.9'E); then
- (b) proceeding in a generally south-westerly direction directly to a point at 49°00.0'S and 166°05.0'E; then
 - (c) proceeding east along the 49°00.0'S line of latitude to a point at 49°00.0'S and 169°00.0'E; then
 - (d) proceeding in a generally north-easterly direction directly to a point at 48°19.0'S and 170°31.0'E; then
 - (e) proceeding in a generally north-westerly direction directly to the mean high-water mark of the South Island at the southernmost point of Slope Point (approximately 46°40.5'S and 169°00.0'E); then
 - (f) proceeding along the mean high-water mark of the South Island in a generally westerly direction to the point of commencement.

Quota management area SCC7A—Challenger (Marlborough Sounds)

All that area of New Zealand fisheries waters enclosed by a line—

- (a) commencing at the northernmost point of Stephens Island (at approximately 40°39.0'S and 173°59.3'E); then
- (b) proceeding north along this line of longitude to the northern boundary of fishery management area 7 (as defined in Schedule 1 of the Fisheries Act 1996) at approximately 40°16.0'S and 173°59.3'E; then
- (c) proceeding in a generally south-easterly direction directly to a point at 40°32.0'S and 173°59.3'E; then
- (d) proceeding in a generally southerly direction directly to the Brothers Island light (approximately 41°06.2'S and 174°26.5'E); then
- (e) proceeding in a generally southerly direction directly to a point at 42°10.0'S and 174°42.0'E; then
- (f) proceeding west along the 42°10.0'S line of latitude to the mean high-water mark of the South Island near Clarence Point (approximate longitude 173°56.5'E); then
- (g) proceeding along the mean high-water mark of the South Island in generally northerly and westerly directions to the Channel Point light (at 40°55.50'S and 173°50.10'E); then

- (h) proceeding in a straight line to Reef Point at French Pass (at 40°55.18'S and 173°50.04'E); then
- (i) proceeding in a generally northerly direction along the mean high-water mark along the eastern side of D'Urville Island to Cape Stephens (at approximately 40°41.55'S and 173°57.37'E); then
- (j) proceeding in a straight line to the southernmost point of Stephens Island (at approximately 40°40.66'S and 173°59.21'E); then
- (k) proceeding along the eastern side of Stephens Island in a north-easterly direction along the mean high-water mark to the point of commencement.

Quota management area SCC7B—Challenger (Nelson)

All that area of New Zealand fisheries waters enclosed by a line—

- (a) commencing on the mean high-water mark of the west coast of the South Island at the westernmost point of Kahurangi Point (at approximately 40°47.0'S and 172°13.0'E); then
- (b) proceeding west along this line of latitude to the easternmost point of the exclusive economic zone boundary (at longitude approximately 167°04.2'E); then
- (c) proceeding in a generally north-easterly direction along the exclusive economic zone boundary to the easternmost point of the exclusive economic zone boundary nearest 37°35.6'S and 170°05.7'E; then
- (d) proceeding in a generally south-easterly direction directly along the northern boundary of fisheries management area 7 (as defined in Schedule 1 of the Fisheries Act 1996) to a point at approximately 40°16.0'S and 173°59.3'E; then
- (e) proceeding south along this line of longitude to the northernmost point of Stephens Island (at approximately 40°39.0'S and 173°59.3'E); then
- (f) proceeding along the western side of Stephens Island in a south-westerly direction along the mean high-water mark until reaching the southernmost point of Stephens Island (at approximately 40°40.66'S and 173°59.21'E); then
- (g) proceeding in a straight line to Cape Stephens (at approximately 40°41.55'S and 173°57.37'E); then

- (h) proceeding in a generally southerly direction along the mean high-water mark along the western side of D'Urville Island to Reef Point at French Pass (at 40°55.18'S and 173°50.04'E); then
- (i) proceeding in a straight line to Channel Point light (at approximately 40°55.44'S and 173°50.09'E); then
- (j) proceeding along the mean high-water mark of the South Island in generally south-westerly, north-easterly, and south-westerly directions to the point of commencement.

Quota management area SCC7D—Challenger (Westland)

All that area of New Zealand fisheries waters enclosed by a line—

- (a) commencing on the mean high-water mark of the west coast of the South Island at the westernmost point of Kahurangi Point (at approximately 40°47.0'S and 172°13.0'E); then
- (b) proceeding west along this line of latitude to the easternmost point of the exclusive economic zone boundary (at longitude approximately 167°04.2'E); then
- (c) proceeding in a generally south-westerly direction along the exclusive economic zone boundary to a point on the latitude of the westernmost point of Awarua Point (approximately 44°15.6'S and 162°12.9'E); then
- (d) proceeding east along this line of latitude to the mean high-water mark of the west coast of the South Island at the westernmost point of Awarua Point (approximately 44°15.6'S and 168°03.1'E); then
- (e) proceeding along the mean high-water mark of the South Island in a generally north-easterly direction to the point of commencement.

Dated at Wellington this 11th day of March 2003.

Pete Hodgson,
Minister of Fisheries.

Explanatory note

This note is not part of the notice, but is intended to indicate its general effect.

This notice adds stocks from 12 species to the quota management system established under Part 4 of the Fisheries Act 1996 with effect on and from 1 April 2004.

The stocks concerned are certain species of giant spider crab, horse mussel, king crab, red crab, sea cucumber, and surf clam.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 13 March 2003.

Contents

- 1 General
 - 2 Status of reprints
 - 3 How reprints are prepared
 - 4 Changes made under section 17C of the Acts and Regulations Publication Act 1989
 - 5 List of amendments incorporated in this reprint (most recent first)
-

Notes

1 *General*

This is a reprint of the Fisheries (Declaration of New Stocks Subject to Quota Management System) Notice 2003. The reprint incorporates all the amendments to the notice as at 14 March 2003, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application 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/editorial-conventions/>
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)***
