

Reprint
as at 1 February 2014

**Fisheries (South-East Area
Amateur Fishing) Amendment
Regulations (No 2) 2001**

(SR 2001/274)

Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2)
2001: revoked, on 1 February 2014, pursuant to regulation 161(1)(e) of the
Fisheries (Amateur Fishing) Regulations 2013 (SR 2013/482).

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.

Contents

	Page
1 Title	2
2 Commencement	2
3 Maximum daily number of fish	2
4 Use of nets restricted at and near Lake Ellesmere	2
5 Seasonal restriction on taking rock lobster from Chatham Islands	2
6 New regulation 8 substituted	3
8 Offences and penalties	3

Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made
in this eprint. See the notes at the end of this eprint for further details.

These regulations are administered in the Ministry of Fisheries.

1 Title

- (1) These regulations are the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 2001.
- (2) In these regulations, the Fisheries (South-East Area Amateur Fishing) Regulations 1986¹ are called “the principal regulations”.

2 Commencement

These regulations come into force on 1 October 2001.

3 Maximum daily number of fish

Regulation 3A of the principal regulations is amended by adding the following subclauses:

- “(6) A person contravenes this subclause if the person, on any day, takes or possesses more than the daily limit of fish (as specified in this regulation), but not more than 3 times the daily limit.
- “(7) A person contravenes this subclause if the person, on any day, takes or possesses more than 3 times the daily limit of fish (as specified in this regulation).”

4 Use of nets restricted at and near Lake Ellesmere

Regulation 6(1)(a) of the principal regulations is amended by omitting the words “Part V of the Fisheries Act 1983,”.

5 Seasonal restriction on taking rock lobster from Chatham Islands

Regulation 7B of the principal regulations is amended by adding the following subclauses:

- “(2) A person contravenes this subclause if the person, in taking or being in possession of rock lobsters in breach of subclause (1), takes or is in possession of not more than 6 rock lobsters.
- “(3) A person contravenes this subclause if the person, in taking or being in possession of rock lobsters in breach of subclause (1), takes or is in possession of more than 6 rock lobsters.”

¹ SR 1986/225

6 New regulation 8 substituted

The principal regulations are amended by revoking regulation 8, and substituting the following regulation:

“8 Offences and penalties

- “(1) A person commits an offence and is liable on summary conviction to a fine not exceeding \$10,000 if the person contravenes, or fails to comply with, any of regulations 3A(6), 3B to 6B, 6E to 7A, or 7B(1)(b) or (2).
- “(2) A person commits a serious non-commercial offence and is liable on summary conviction to a fine not exceeding \$20,000 if the person contravenes, or fails to comply with regulation 3A(7) or regulation 7B(3).
- “(3) It is a defence to a charge of possessing more than the specified maximum daily number of any fish in contravention of these regulations if the defendant satisfies the court that the number of fish possessed in excess of the relevant specified daily number were not taken in breach of the regulations.”

Martin Bell,
Acting for 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 1 October 2001, amend the Fisheries (South-East Area Amateur Fishing) Regulations 1986 by restructuring certain prohibitions and offences to reflect appropriate penalty levels.

Eprint notes**1 *General***

This is an eprint of the Fisheries (South-East Area Amateur Fishing) Amendment Regulations (No 2) 2001 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

2 *About this eprint*

This eprint is not an official version of the legislation under section 18 of the Legislation Act 2012.

3 *Amendments incorporated in this eprint*

Fisheries (Amateur Fishing) Regulations 2013 (SR 2013/482): regulation 161(1)(e)
