

## **Fisheries (Auckland and Kermadec Areas Amateur Fishing) Amendment Regulations 2004**

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 Amateur Fishing) Amendment Regulations 2004.
- (2) In these regulations, the Fisheries (Auckland and Kermadec Areas Amateur Fishing) Regulations 1986<sup>1</sup> are called “the principal regulations”.

#### **2 Commencement**

These regulations come into force on 1 October 2004.

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<sup>1</sup> SR 1986/222

### **3 Interpretation**

Regulation 3 of the principal regulations is amended by inserting, in their appropriate alphabetical order, the following definitions:

“**parore** means the fish that has the scientific name *Girella tricuspidata*

“**porae** means the fish that has the scientific name *Nemadactylus douglasii*

“**red snapper** means the fish that has the scientific name *Centroberyx affinis*”.

### **4 Maximum daily number of fish**

Regulation 3A(1) of the principal regulations is amended by inserting, in their appropriate alphabetical order, the items “Parore”, “Porae”, and “Red snapper”.

### **5 Person and vessel limits on number of rock lobster pots in Bay of Plenty area**

Regulation 3D of the principal regulations is revoked.

### **6 Restrictions on taking fish in the vicinity of Mimiwhangata Peninsula**

Regulation 5 of the principal regulations is amended by adding the following subclause:

- “(5) A person contravenes subclause (2)(e) if the person uses, in person or from a vessel,—
- “(a) 2 rock lobster pots; or
  - “(b) 3 rock lobster pots; or
  - “(c) more than 3 rock lobster pots.”

### **7 Offences and penalties**

- (1) Regulation 11(1) of the principal regulations is amended—
  - (a) by omitting the expression “3D(2)(a) or (3)(a),”;
  - (b) by inserting, after the words “other than regulation”, the expression “5(5)(c),”.
- (2) Regulation 11(2) of the principal regulations is amended by omitting the expression “3D(2)(b) or (3)(b)”, and substituting the expression “5(5)(c)”.

Diane Morcom,  
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 2004, amend the Fisheries (Auckland and Kermadec Areas Amateur Fishing) Regulations 1986 to—

- set maximum daily limits for parore, porae, and red snapper:
- revoke regulation 3D, which sets rock lobster pot limits for the Bay of Plenty area, in light of the setting of national limits covering all areas in amendments to the Fisheries (Amateur Fishing) Regulations 1986:
- amend the offence provisions in relation to the 1-pot limit in the vicinity of the Mimiwhangata Peninsula to provide for different levels of offending and, consequently, different penalties.

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