



Fisheries (Central Area Commercial Fishing) Amendment Regulations 2013

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 26th day of August 2013

Present:

His Excellency the Governor-General in Council

Pursuant to section 297 of the Fisheries Act 1996, His 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	Principal regulations	2
4	Regulation 2 amended (Interpretation)	2
5	Regulation 14J revoked (Closed season for rock lobster)	2
6	Regulation 14K amended (Concession relating to male spiny rock lobster)	2
7	Regulation 14M amended (Processing and sale of quota management area 3 male spiny rock lobster)	3
8	Regulation 16 amended (Offences)	3

Regulations

1 Title

These regulations are the Fisheries (Central Area Commercial Fishing) Amendment Regulations 2013.

2 Commencement

These regulations come into force on 1 October 2013.

3 Principal regulations

These regulations amend the Fisheries (Central Area Commercial Fishing) Regulations 1986 (the **principal regulations**).

4 Regulation 2 amended (Interpretation)

- (1) In regulation 2(1), replace the definition of **licensed fish receiver** with:

“**licensed fish receiver** means a holder of a fish receiver licence granted under the Fisheries (Licensed Fish Receivers) Regulations 1997”.

- (2) In regulation 2(1), replace the definition of **quota management area 3** with:

“**quota management area CRA3** means the quota management area CRA3—Gisborne as defined in Part 3 of Schedule 1 of the Fisheries Act 1996”.

5 Regulation 14J revoked (Closed season for rock lobster)

Revoke regulation 14J.

6 Regulation 14K amended (Concession relating to male spiny rock lobster)

- (1) Replace the heading to regulation 14K with “**Special provisions relating to male spiny rock lobster**”.
- (2) In regulation 14K(1), replace “quota management area 3” with “quota management area CRA3” in each place.
- (3) In regulation 14K(1)(a), delete “, or during the month of September in the year 2000”.

- 7 Regulation 14M amended (Processing and sale of quota management area 3 male spiny rock lobster)**
- (1) In the heading to regulation 14M, replace “3” with “CRA3”.
 - (2) In regulation 14M(1), replace “shall” with “must”.
 - (3) Replace regulation 14M(1)(b) with:
 - “(b) male spiny rock lobsters, or male spiny rock lobster tails, intended for sale in New Zealand are held in a container clearly and legibly marked ‘CRA3 rock lobsters’; and
 - “(c) male spiny rock lobsters, or male spiny rock lobster tails, intended for export are—
 - “(i) exported directly from a licensed fish receiver; or
 - “(ii) delivered to an export transshipment point approved by the chief executive under subclause (2) and in accordance with the relevant conditions of any approval.”
 - (4) Replace regulation 14M(2) with:
 - “(2) The chief executive may, subject to any conditions the chief executive thinks fit, approve in writing any premises or point within New Zealand as an export transshipment point to which male spiny rock lobsters, or male spiny rock lobster tails, taken in accordance with regulation 14K may be sent by a licensed fish receiver.
 - “(3) Despite subclause (1), a person must not sell or transfer to any person within New Zealand between 1 October and 31 May in any year male spiny rock lobster with a tail, or male spiny rock lobster tails, measuring less than 54 mm.”
- 8 Regulation 16 amended (Offences)**
- In regulation 16(2), delete “14J,”.

Rebecca Kitteridge,
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 2013, amend the Fisheries (Central Area Commercial Fishing) Regulations 1986. The amendments—

- revoke the annual May closure period for commercial rock lobster fishing:
- allow licensed fish receivers to sell or transfer undersize male spiny rock lobster to any person within New Zealand:
- require that undersize male spiny rock lobster intended for sale in New Zealand be held in containers marked “CRA3 rock lobsters”:
- allow undersize male spiny rock lobster intended for export to be exported directly from a licensed fish receiver or delivered to an export transshipment point:
- give the chief executive the power to approve any premises or point within New Zealand as an export transshipment point for undersize male spiny rock lobster:
- prohibit any person from selling or transferring within New Zealand undersize male spiny rock lobster between 1 October and 31 May in any year.

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 29 August 2013.

These regulations are administered by the Ministry for Primary Industries.
