



Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2015

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 2nd day of June 2015

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.

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Regulations

1 Title

These regulations are the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Amendment Regulations 2015.

2 Commencement

These regulations come into force on 9 July 2015.

3 Principal regulations

These regulations amend the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986 (the **principal regulations**).

4 Regulation 3A amended (Certain fishing methods prohibited in defined areas)

In regulation 3A(1)(b)(xi), replace “46°09.38’S” with “at 46°09.38’S”.

5 New regulation 5AA inserted (Prohibition on taking or possessing rock lobsters from Upokopotete (Potted Head))

After the cross-heading below regulation 4B, insert:

5AA Prohibition on taking or possessing rock lobsters from Upokopotete (Potted Head)

- (1) A commercial fisher must not—
 - (a) take rock lobsters from Upokopotete (Potted Head); or
 - (b) possess rock lobsters taken from Upokopotete (Potted Head).
- (2) In this regulation, **Upokopotete (Potted Head)** means all those waters enclosed by a line—
 - (a) commencing at a point on the mean high-water mark at the northernmost point of Potted Head on Taukihepa (Big South Cape) Island (at 47°13.60’S and 167°24.72’E); then
 - (b) proceeding due north to a point offshore (at 47°13.57’S and 167°24.72’E); then

- (c) proceeding due east to a point on the mean high-water mark on the north-west coast of Taukihepa (Big South Cape) Island (at 47°13.57'S and 167°24.96'E); then
- (d) proceeding in a generally south-westerly then north-westerly direction along the mean high-water mark to the point of commencement.

6 Regulation 6 amended (Closed areas)

Replace the heading to regulation 6 with “**Prohibition on taking oysters from certain areas**”.

7 New regulations 14B and 14C and cross-headings inserted

After regulation 14A, insert:

Kina

14B Prohibition on taking or possessing kina from certain areas

A commercial fisher must not—

- (a) take kina from an area listed in Part 2 of Schedule 2; or
- (b) possess kina taken from an area listed in Part 2 of Schedule 2.

Paua

14C Prohibition on taking or possessing paua from certain areas

A commercial fisher must not—

- (a) take paua from an area listed in Part 3 of Schedule 2; or
- (b) possess paua taken from an area listed in Part 3 of Schedule 2.

8 Regulation 16 amended (Offences)

- (1) In regulation 16(1), replace “15A(2), or 15I” with “or 15A(2)”.
- (2) In regulation 16(2), replace “13A to 15,” with “14, 14B, 14C, 15,”.

9 New Schedule 2 inserted

After the Schedule, insert as Schedule 2 the schedule set out in the Schedule of these regulations.

Schedule
New Schedule 2 inserted

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Schedule 2
Closed areas for kina and paua

rr 14B, 14C

Part 1
Interpretation

In this schedule,—

Betsy Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at the mean high-water mark at the easternmost point of Betsy Island (at 47°07.78'S and 167°32.43'E); then
- (b) proceeding due east to a point 50 metres offshore (at 47°07.78'S and 167°32.48'E); then
- (c) proceeding in a generally south-westerly direction following a line 50 metres offshore from the mean high-water mark of Betsy Island to a point offshore (at 47°07.86'S and 167°32.15'E); then
- (d) proceeding in straight line in a north-easterly direction to a point on the mean high-water mark of the southwest coast of Betsy Island (at 47°07.83'S and 167°32.17'E); then
- (e) proceeding in a generally north-easterly direction along the mean high-water mark to the point of commencement

Bunker Islets means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the east coast of the central island in the Bunker Islets (at 46°51.94'S and 168°15.93'E); then
- (b) proceeding in a straight line in an easterly direction to a point on the mean high-water mark at the northernmost point of the eastern island in the Bunker Islets (at 46°51.93'S and 168°16.07'E); then
- (c) proceeding in a generally southerly direction along the mean high-water mark to a point on the west coast of the easternmost island in the Bunker Islets (at 46°52.09'S and 168°16.02'E); then
- (d) proceeding in a straight line in a north-westerly direction to a point on the mean high-water mark at the southernmost point of the central island in the Bunker Islets (at 46°52.02'S and 168°15.93'E); then
- (e) proceeding in a generally northerly direction along the mean high-water mark of the central island to the point of commencement

Eastern Putauhinu Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the northeast coast of Putauhinu Island (at 47°12.82'S and 167°23.79'E); then
- (b) proceeding in a straight line in a south-easterly direction across the mouth of an unnamed bay to a point on the mean high-water mark on the north-east coast of Putauhinu Island (at 47°12.88'S and 167°23.90'E); then
- (c) proceeding in a generally southerly and then north-westerly direction along the mean high-water mark to the point of commencement

Herekopare (Te Marama) Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the west coast of Herekopare (Te Marama) Island (at 46°52.00'S and 168°13.43'E); then
- (b) proceeding due west to a point offshore (at 46°52.00'S and 168°13.37'E); then
- (c) proceeding in a straight line in a north-easterly direction to a point offshore (at 46°51.90'S and 168°13.49'E); then
- (d) proceeding in a straight line in a north-easterly direction to a point on the mean high-water mark on the west coast of Herekopare (Te Marama) Island (at 46°51.89'S and 168°13.52'E); then
- (e) proceeding in a generally southerly direction along the mean high-water mark to the point of commencement

Hinekuha means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the east coast of Taukihepa (Big South Cape) Island (at 47°15.36'S and 167°24.08'E); then
- (b) proceeding due east to a point offshore (at 47°15.36'S and 167°24.11'E); then
- (c) proceeding in a straight line in a southerly direction to a point offshore (at 47°15.50'S and 167°24.07'E); then
- (d) proceeding due west to a point on the mean high-water mark on the east coast of Taukihepa (Big South Cape) Island (at 47°15.50'S and 167°24.04'E); then
- (e) proceeding in a generally northerly direction along the mean high-water mark to the point of commencement

Horomanu Patu means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the east coast of Taukihepa (Big South Cape) Island (at 47°14.60'S and 167°25.64'E); then
- (b) proceeding in a straight line in a south-westerly direction across the mouth of Murderers Cove to a point on the mean high-water mark of the unnamed island directly to the south of Boat Harbour (at 47°14.99'S and 167°25.18'E); then

- (c) proceeding in a generally westerly and then south-easterly direction along the mean high-water mark to a point on the south coast of the unnamed island (at 47°15.02'S and 167°25.12'E); then
- (d) proceeding in a straight line in a south-westerly direction to a point on the mean high-water mark on the east coast of Taukihepa (Big South Cape) Island (at 47°15.09'S and 167°24.37'E); then
- (e) proceeding in a generally north-easterly direction along the mean high-water mark to the point of commencement

Kaimohu Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the south-east coast of Kaimohu Island (at 47°12.18'S and 167°27.34'E); then
- (b) proceeding in a straight line in a south-easterly direction to a point offshore (at 47°12.19'S and 167°27.35'E); then
- (c) proceeding in a straight line in a south-westerly direction to a point offshore (at 47°12.26'S and 167°27.25'E); then
- (d) proceeding in a straight line in a north-westerly direction to a point on the mean high-water mark of the south-east coast of Kaimohu Island (at 47°12.25'S and 167°27.24'E); then
- (e) proceeding in a generally north-easterly direction along the mean high-water mark to the point of commencement

Kundy Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the south-east coast of Kundy Island (at 47°07.26'S and 167°33.28'E); then
- (b) proceeding in straight line in a south-westerly direction across the mouth of an unnamed bay to a point on the mean high-water mark on the south-east coast of Kundy Island (at 47°07.34'S and 167°33.22'E); then
- (c) proceeding in a generally north-westerly and then north-easterly direction along the mean high-water mark to the point of commencement

Mokoiti (Little Moggy) Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the south-west coast of Mokoiti (Little Moggy) Island (at 47°08.52'S and 167°24.93'E); then
- (b) proceeding in a straight line in a south-westerly direction to a point offshore (at 47°08.54'S and 167°24.90'E); then
- (c) proceeding in a straight line in a north-westerly direction to a point offshore (at 47°08.44'S and 167°24.82'E); then
- (d) proceeding in a straight line in a north-easterly direction to a point on the mean high-water mark on the south-west coast of Mokoiti (Little Moggy) Island (at 47°08.43'S and 167°24.85'E); then

- (e) proceeding in a generally south-easterly direction along the mean high-water mark to the point of commencement

North-eastern Putauhinu Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the north-east coast of Putauhinu Island (at 47°12.65'S and 167°23.62'E); then
- (b) proceeding in a straight line in a north-easterly direction to a point offshore (at 47°12.64'S and 167°23.63'E); then
- (c) proceeding in a straight line in a south-easterly direction to a point offshore (at 47°12.72'S and 167°23.71'E); then
- (d) proceeding in a straight line in a south-westerly direction to a point on the mean high-water mark of the north-east coast of the Putauhinu Island (at 47°12.73'S and 167°23.69'E); then
- (e) proceeding in a generally north-westerly direction along the mean high-water mark to the point of commencement

North-western Putauhinu Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the north coast of Putauhinu Island (at 47°12.72'S and 167°23.01'E); then
- (b) proceeding in a straight line in a northerly direction to a point offshore (at 47°12.54'S and 167°23.10'E); then
- (c) proceeding in a straight line in a south-easterly direction to a point on the mean high-water mark of the north coast of Putauhinu Island (at 47°12.57'S and 167°23.14'E); then
- (d) proceeding in a generally south-westerly direction along the mean high-water mark to the point of commencement

Patupahe Bay means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the north-east coast of Taukihepa (Big South Cape) Island (at 47°14.07'S and 167°26.15'E); then
- (b) proceeding in a straight line in a south-westerly direction across the mouth of Patupahe Bay to a point on the mean high-water mark on the north-east coast of Taukihepa (Big South Cape) Island (at 47°14.15'S and 167°25.85'E); then
- (c) proceeding in a generally north-easterly direction along the mean high-water mark to the point of commencement

Paua Bay means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the north-east coast of Mokonui (Big Moggy) Island (at 47°08.63'S and 167°24.58'E); then
- (b) proceeding in a straight line in a north-easterly direction to a point offshore (at 47°08.62'S and 167°24.61'E); then

- (c) proceeding in a straight line in a southerly direction to a point on the mean high-water mark of a small unnamed island to the east of Mokonui (Big Moggy) Island (at 47°08.73'S and 167°24.59'E); then
- (d) proceeding in a straight line in a south-westerly direction to a point on the mean high-water mark of the north-east coast of Mokonui (Big Moggy) Island (at 47°08.74'S and 167°24.56'E); then
- (e) proceeding in a generally south-westerly and then north-easterly direction along the mean high-water mark to the point of commencement

Pikomamakau-iti (North Island) means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the south-east coast of North Island (at 46°49.07'S and 168°14.45'E); then
- (b) proceeding due east to a point offshore (at 46°49.07'S and 168°14.47'E); then
- (c) proceeding in a straight line in a south-easterly direction to a point offshore (at 46°49.14'S and 168°14.53'E); then
- (d) proceeding in a straight line in a south-westerly direction to a point offshore (at 46°49.16'S and 168°14.48'E); then
- (e) proceeding in a straight line in a north-westerly direction to a point offshore (at 46°49.10'S and 168°14.41'E); then
- (f) proceeding in a straight line in a northerly direction to a point on the mean high-water mark on the south-west coast of North Island (at 46°49.09'S and 168°14.41'E); then
- (g) proceeding in a south-easterly and then north-westerly direction along the mean high-water mark to the point of commencement

Poho a Tairea (Big Island) means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the east coast of Big Island (at 47°08.20'S and 167°31.89'E); then
- (b) proceeding in a straight line in a south-easterly direction to a point offshore (at 47°08.22'S and 167°31.90'E); then
- (c) proceeding in a straight line in a south-westerly direction to a point offshore (at 47°08.31'S and 167°31.65'E); then
- (d) proceeding in a north-westerly direction to a point on the mean high-water mark of the south-east coast of Big Island (at 47°08.30'S and 167°31.64'E); then
- (e) proceeding in a generally north-easterly direction along the mean high-water mark to the point of commencement

Poho a Tairea 2 (Big Island) means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark at the northernmost point of Big Island (at 47°08.10'S and 167°31.48'E); then
- (b) proceeding in a straight line in a north-easterly direction to a point offshore (at 47°08.08'S and 167°31.76'E); then
- (c) proceeding in a straight line in a south-easterly direction to a point on the mean high-water mark of the north-east coast of Big Island (at 47°08.12'S and 167°31.80'E); then
- (d) proceeding in a generally westerly direction along the mean high-water mark to the point of commencement

Poutama Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the north-east coast of Poutama Island (at 47°15.88'S and 167°23.90'E); then
- (b) proceeding in a straight line in a north-easterly direction to a point offshore (at 47°15.86'S and 167°23.96'E); then
- (c) proceeding in a straight line in a south-easterly direction to a point offshore (at 47°15.99'S and 167°24.03'E); then
- (d) proceeding in a straight line in a south-westerly direction to a point on the mean high-water mark on the east coast of Poutama Island (at 47°16.01'S and 167°23.95'E); then
- (e) proceeding in a generally northerly direction along the mean high-water mark to the point of commencement

Pukeotakohe means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the north-east coast of Taukihepa (Big South Cape) Island (at 47°13.95'S and 167°26.38'E); then
- (b) proceeding in a straight line in a south-easterly direction to a point offshore (at 47°14.13'S and 167°26.50'E); then
- (c) proceeding in a straight line in a south-westerly direction to a point on the mean high-water mark on the east coast of an unnamed island to the east of Patupahe Bay (at 47°14.18'S and 167°26.34'E); then
- (d) proceeding along the mean high-water mark in a generally north-westerly and then southerly direction to a point on the west coast of the unnamed island (at 47°14.20'S and 167°26.27'E); then
- (e) proceeding in a straight line in a north-westerly direction to a point on the mean high-water mark on the east coast of Taukihepa (Big South Cape) Island (at 47°14.07'S and 167°26.18'E); then
- (f) proceeding in a generally easterly and then northerly direction along the mean high-water mark of Taukihepa (Big South Cape) Island to the point of commencement

Pukeweka Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the north coast of Taukihepa (Big South Cape) Island (at 47°13.44'S and 167°25.70'E); then
- (b) proceeding in a straight line in a northerly direction to a point on the mean high-water mark of Rerewhakaupoko (Solomon) Island (at 47°13.28'S and 167°25.74'E); then
- (c) proceeding along the mean high-water mark in a generally easterly direction to a point on the south-east coast of Rerewhakaupoko (Solomon) Island (at 47°13.36'S and 167°26.31'E); then
- (d) proceeding in a straight line in a south-easterly direction to a point on the mean high-water mark of the north-east coast of Pukeweka Island (at 47°13.50'S and 167°26.36'E); then
- (e) proceeding in a generally westerly and then easterly direction along the mean high-water mark to a point on the south-east coast of Pukeweka Island (at 47°13.51'S and 167°26.35'E); then
- (f) proceeding in a straight line in a south-westerly direction to a point on the mean high-water mark of Taukihepa (Big South Cape) Island (at 47°13.63'S and 167°26.25'E); then
- (g) proceeding in a generally north-westerly direction along the mean high-water mark of Taukihepa (Big South Cape) Island to the point of commencement

Putauhinu Nuggets means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the east coast of the southernmost island in the Putauhinu Nuggets group (at 47°13.91'S and 167°20.95'E); then
- (b) proceeding due east to a point offshore (at 47°13.91'S and 167°21.01'E); then
- (c) proceeding in straight line in a southerly direction to a point offshore (at 47°14.07'S and 167°20.99'E); then
- (d) proceeding due west to a point offshore (at 47°14.07'S and 167°20.85'E); then
- (e) proceeding in a northerly direction to a point on the mean high-water mark of the south coast of the southernmost island (at 47°14.01'S and 167°20.86'E); then
- (f) proceeding in a generally north-easterly direction along the mean high-water mark to the point of commencement

Puwai Bay means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at point on the mean high-water mark on the south coast of Taukihepa (Big South Cape) Island (at 47°15.32'S and 167°23.24'E); then
- (b) proceeding in a straight line in a north-westerly direction across the mouth of Puwai Bay to a point on the mean high-water mark on the south coast of Taukihepa (Big South Cape) Island (at 47°15.26'S and 167°22.99'E); then
- (c) proceeding in a generally north-easterly then south-westerly direction along the mean high-water mark to the point of commencement

Rerewhakaupoko (Solomon) Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the north coast of Rerewhakaupoko (Solomon) Island (at 47°13.22'S and 167°25.85'E); then
- (b) proceeding in a straight line in a northerly direction to a point offshore (at 47°12.93'S and 167°25.78'E); then
- (c) proceeding in a straight line in a north-easterly direction to a point offshore (at 47°12.84'S and 167°26.41'E); then
- (d) proceeding in a straight line in a southerly direction to a point on the mean high-water mark on the north coast of Rerewhakaupoko (Solomon) Island (at 47°13.18'S and 167°26.38'E); then
- (e) proceeding in a generally westerly direction along the mean high-water mark to the point of commencement

Rukawahakura Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the east coast of Rukawahakura Island (at 47°06.27'S and 168°12.31'E); then
- (b) proceeding in a straight line in a south-easterly direction to a point offshore (at 47°06.30'S and 168°12.32'E); then
- (c) proceeding in a straight line in a south-westerly direction to a point on the mean high-water mark on the south east coast of Rukawahakura Island (at 47°06.37'S and 168°12.19'E); then
- (d) proceeding in a generally northerly and then easterly direction along the mean high water mark to the point of commencement

South Eastern Putauhinu Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the east coast of Putauhinu Island (at 47°13.12'S and 167°23.63'E); then
- (b) proceeding in straight line in a south-westerly direction across the mouth of an unnamed bay to a point on the mean high-water mark on the east coast of Putauhinu Island (at 47°13.20'S and 167°23.45'E); then
- (c) proceeding in a generally north westerly and then south easterly direction along the mean high-water mark to the point of commencement

Southern Putauhinu Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the south coast of Putauhinu Island (at 47°13.29'S and 167°22.98'E); then
- (b) proceeding in a straight line in a south-westerly direction to a point on the mean high-water mark of the easternmost island of a small group to the south of Putauhinu Island (at 47°13.38'S and 167°22.74'E); then

- (c) proceeding in a generally north-westerly then southerly direction along the mean high-water mark to a point on the west coast of the easternmost island (at 47°13.36'S and 167°22.71'E); then
- (d) proceeding due west to a point on the mean high-water mark on the east coast of the central island of the group (at 47°13.36'S and 167°22.68'E); then
- (e) proceeding in a generally north-westerly direction along the mean high-water mark to a point on the north coast of the central island (at 47°13.30'S and 167°22.58'E); then
- (f) proceeding in a straight line in a northerly direction to a point on the mean high-water mark on the south coast of Putauhinu Island (at 47°13.17'S and 167°22.63'E); then
- (g) proceeding in a generally easterly direction along the mean high-water mark of Putauhinu Island to the point of commencement

Tamaitemioka and Pohowaitai Islands means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the southeast coast of Tamaitemioka Island (at 47°13.29'S and 167°19.84'E); then
- (b) proceeding in a straight line in a south-easterly direction to a point 10 metres offshore from the unnamed island to the south-east of Tamaitemioka Island (at 47°13.31'S and 167°19.90'E); then
- (c) proceeding in a generally south-easterly direction following a line 10 metres offshore from the mean high-water mark of the unnamed island to a point offshore (at 47°13.34'S and 167°19.91'E); then
- (d) proceeding in a straight line in a south-westerly direction to a point on the mean high-water mark on the east coast of Pohowaitai Island (at 47°13.38'S and 167°19.80'E); then
- (e) proceeding in a generally north-westerly direction along the mean high-water mark to a point on the north-east coast of Pohowaitai Island (at 47°13.30'S and 167°19.72'E); then
- (f) proceeding in a straight line in a northerly direction to a point on the mean high-water mark on the south coast of Tamaitemioka Island (at 47°13.27'S and 167°19.74'E); then
- (g) proceeding in a generally easterly and then northerly direction along the mean high-water mark of Tamaitemioka Island to the point of commencement

Tia (Entrance) Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the west coast of Tia (Entrance) Island (at 47°04.40'S and 168°12.98'E); then
- (b) proceeding due west to a point 100 metres offshore (at 47°04.40'S and 168°12.88'E); then

- (c) proceeding in a generally north-easterly direction following a line 100 metres offshore from the mean high-water mark of Tia (Entrance) Island to a point offshore (at 47°04.25'S and 168°13.22'E); then
- (d) proceeding in a straight line in a south-westerly direction to a point on the mean high-water mark on the north coast of Tia (Entrance) Island (at 47°04.31'S and 168°13.19'E); then
- (e) proceeding along the mean high-water mark in a generally north-westerly and then south-westerly direction to the point of commencement

Timore (Chimneys) Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the south-west coast of Big Island (at 47°08.33'S and 167°31.26'E); then
- (b) proceeding in a straight line in a south-westerly direction to a point on the mean high-water mark on the south-east coast of Timore (Chimneys) Island (at 47°08.38'S and 167°31.07'E); then
- (c) proceeding in a northerly and then westerly direction along the mean high-water mark to a point on the north coast of the Timore (Chimneys) Island (at 47°08.28'S and 167°31.05'E); then
- (d) proceeding in a straight line in a northerly direction to a point on the mean high-water mark on the south coast of the unnamed island to the north of Timore (Chimneys) Island (at 47°08.24'S and 167°31.04'E); then
- (e) proceeding in a north-easterly and then north-westerly direction along the mean high-water mark to a point on the north coast of the unnamed island (at 47°08.20'S and 167°31.03'E); then
- (f) proceeding in a straight line in a northerly direction to a point offshore (at 47°08.17'S and 167°31.04'E); then
- (g) proceeding in a straight line in a north-easterly direction to a point on the mean high-water mark of the most north-westerly point of Big Island (at 47°08.12'S and 167°31.31'E); then
- (h) proceeding in a generally southerly direction along the mean high-water mark to the point of commencement

Upokopotete (Potted Head) means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark at the northernmost point of Potted Head on Taukihepa (Big South Cape) Island (at 47°13.60'S and 167°24.72'E); then
- (b) proceeding due north to a point offshore (at 47°13.57'S and 167°24.72'E); then
- (c) proceeding due east to a point on the mean high-water mark on the north-west coast of Taukihepa (Big South Cape) Island (at 47°13.57'S and 167°24.96'E); then

- (d) proceeding in a generally south-westerly then north-westerly direction along the mean high-water mark to the point of commencement

West Taukihepa means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the west coast of Taukihepa (Big South Cape) Island (at 47°14.60'S and 167°23.07'E); then
- (b) proceeding in a straight line in a north-westerly direction to a point offshore (at 47°14.52'S and 167°23.00'E); then
- (c) proceeding in a straight line in a north-easterly direction to a point offshore (at 47°14.28'S and 167°23.42'E); then
- (d) proceeding in a straight line in a southerly direction to a point on the mean high-water mark on the north coast of Taukihepa (Big South Cape) Island (at 47°14.34'S and 167°23.50'E); then
- (e) proceeding in a generally south-westerly direction along the mean high-water mark to the point of commencement

Wharepuaitaha Island means all New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark on the north west coast of Wharepuaitaha Island (at 47°06.88'S and 168°12.28'E); then
- (b) proceeding in a straight line in a northerly direction to a point offshore (at 47°06.83'S and 168°12.27'E); then
- (c) proceeding in a straight line in a north-easterly direction to a point offshore (at 47°06.82'S and 168°12.46'E); then
- (d) proceeding in a straight line in a south-easterly direction to a point on the mean high-water mark on the north coast of Wharepuaitaha Island (at 47°06.87'S and 168°12.47'E); then
- (e) proceeding in a generally westerly direction along the mean high-water mark to the point of commencement.

Part 2

Closed areas for kina

The following areas are closed for kina:

- (1) Pikomamakau-iti (North Island):
- (2) Bunker Islets:
- (3) Herekopare (Te Marama) Island:
- (4) Tia (Entrance) Island:
- (5) Rukawahakura Island:
- (6) Wharepuaitaha Island:
- (7) Poutama Island:
- (8) Puwai Bay:

- (9) Hinekuha:
- (10) Horomanu Patu:
- (11) Patupahe Bay:
- (12) Pukeotakohe:
- (13) Pukeweka Island:
- (14) Rerewhakaupoko (Solomon) Island:
- (15) Upokopotete (Potted Head):
- (16) West Taukihepa:
- (17) Southern Putauhinu Island:
- (18) South Eastern Putauhinu Island:
- (19) Eastern Putauhinu Island:
- (20) North-eastern Putauhinu Island:
- (21) North-western Putauhinu Island:
- (22) Putauhinu Nuggets:
- (23) Kaimohu Island:
- (24) Tamaitemioka and Pohowaitai Islands:
- (25) Poho a Tairea (Big Island):
- (26) Poho a Tairea 2 (Big Island):
- (27) Timore (Chimneys) Island:
- (28) Betsy Island:
- (29) Kundy Island:
- (30) Paua Bay:
- (31) Mokoiti (Little Moggy) Island.

Part 3

Closed areas for paua

The following areas are closed for paua:

- (1) Pikomamakau-iti (North Island):
- (2) Herekopare (Te Marama) Island:
- (3) Tia (Entrance) Island:
- (4) Rukawahakura Island:
- (5) Wharepuaitaha Island:
- (6) Poutama Island:
- (7) Puwai Bay:
- (8) Hinekuha:

- (9) Horomanu Patu:
- (10) Patupahe Bay:
- (11) Pukeotakohe:
- (12) Pukeweka Island:
- (13) Upokopotete (Potted Head):
- (14) Southern Putauhinu Island:
- (15) South Eastern Putauhinu Island:
- (16) Eastern Putauhinu Island:
- (17) North-eastern Putauhinu Island:
- (18) North-western Putauhinu Island:
- (19) Putauhinu Nuggets:
- (20) Kaimohu Island:
- (21) Tamaitemioka and Pohowaitai Islands:
- (22) Timore (Chimneys) Island:
- (23) Betsy Island:
- (24) Kundy Island:
- (25) Paua Bay:
- (26) Mokoiti (Little Moggy) Island.

Michael Webster,
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 9 July 2015, amend the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986 (the **principal regulations**). These regulations—

- prohibit commercial fishers from taking or possessing rock lobsters from Upokopotete (Potted Head); and
- prohibit commercial fishers from taking or possessing kina from 31 areas; and
- prohibit commercial fishers from taking or possessing paua from 26 areas; and
- make the breach of any of the prohibitions made by these regulations an offence under regulation 16(2) of the principal regulations (and therefore punishable by a fine not exceeding \$100,000).

The purpose of the amendments made by these regulations is to protect the customary, non-commercial food gathering of paua, kina, and rock lobster by the Titi Islands birding community.

Regulatory impact statement

The Ministry for Primary Industries produced a regulatory impact statement on 18 March 2015 to help inform the decisions taken by the Government relating to the contents of this instrument.

A copy of this regulatory impact statement can be found at—

- <http://www.mpi.govt.nz/law-and-policy/legal-overviews/regulatory-impact-statements/>
- <http://www.treasury.govt.nz/publications/informationreleases/ris>

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 4 June 2015.

These regulations are administered by the Ministry for Primary Industries.