



Submarine Cables and Pipelines Protection Order 2009 Amendment Order 2016

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 11th day of July 2016

Present:

His Excellency the Governor-General in Council

This order is made under section 12(1) of the Submarine Cables and Pipelines Protection Act 1996—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister of Transport made in accordance with section 12(2) of that Act.

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Order

1 Title

This order is the Submarine Cables and Pipelines Protection Order 2009 Amendment Order 2016.

2 Commencement

This order comes into force on 11 August 2016.

3 Principal order

This order amends the Submarine Cables and Pipelines Protection Order 2009 (the **principal order**).

4 Clause 4 amended (Protected areas)

Replace clause 4(3) with:

- (3) In the area described in the Schedule under the heading “Area 7—Cook Strait”, subclause (1) does not apply to fishing vessels that are being used for setting or lifting nets, finfish pots, or rock lobster pots, or for paua, kina, or rock lobster fishing, as long as those activities are carried out—
- (a) during the hours of daylight; and
 - (b) without directly or indirectly attaching any of the vessels involved to the seabed, whether by anchoring or by any other means; and
 - (c) either—
 - (i) within 200 metres of the low-water mark of the North Island, other than the line of low-water mark between the noticeboard placed at a position in latitude 41°17.7471’S, longitude 174°37.1280’E and the noticeboard placed at a position in latitude 41°18.2168’S, longitude 174°37.7936’E; or
 - (ii) within 200 metres of the low-water mark of the South Island, other than the line of low-water mark between the noticeboard placed at a position in latitude 41°19.5058’S, longitude 174°12.8337’E and the noticeboard placed at a position in latitude 41°19.8388’S, longitude 174°11.8496’E.

Rachel Hayward,
for Clerk of the Executive Council.

Explanatory note

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

This order, which comes into force on 11 August 2016, amends the Submarine Cables and Pipelines Protection Order 2009 (the **principal order**).

There is an area in the Cook Strait that is a protected area for the purposes of the Submarine Cables and Pipelines Protection Act 1996 in respect of all ships except fishing vessels that are being used in the way described in clause 4(3) of the principal order.

Clause 4 of this order replaces clause 4(3) of the principal order. It expands the exception so that it includes fishing vessels that are being used for setting or lifting fin-fish pots or for rock lobster fishing.

It also alters the co-ordinates to accurately reflect the position of the noticeboards mentioned in *new clause 4(3)* of the principal order.

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 14 July 2016.

This order is administered by the Ministry of Transport.