

Reprint
as at 1 August 2019



Fisheries (Electronic Monitoring on Vessels) Amendment Regulations 2019

(LI 2019/8)

Fisheries (Electronic Monitoring on Vessels) Amendment Regulations 2019: revoked, on 1 August 2019, by regulation 5 of the Fisheries (Electronic Monitoring on Vessels) Amendment Regulations (No 2) 2019 (LI 2019/152).

Patsy Reddy, Governor-General

Order in Council

At Wellington this 29th day of January 2019

Present:

The Right Hon Jacinda Ardern presiding in Council

These regulations are made under sections 297 and 304 of the Fisheries Act 1996 on the advice and with the consent of the Executive Council.

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Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

These regulations are administered by the Ministry for Primary Industries.

Regulations

1 Title

These regulations are the Fisheries (Electronic Monitoring on Vessels) Amendment Regulations 2019.

2 Commencement

These regulations come into force on 31 January 2019.

3 Principal regulations

These regulations amend the Fisheries (Electronic Monitoring on Vessels) Regulations 2017 (the **principal regulations**).

4 Schedule 1 amended

(1) In Schedule 1, before clause 1(1), insert:

(1AAA) These regulations apply in relation to vessels as follows:

Regulations apply for the period	if the vessel is used for this fishing method	and the overall length of the vessel is
Starting on 1 October 2018 and ending on 31 January 2019	Surface longlining Trawling	Any length <28 m

(2) In Schedule 1, clause 1(1),—

- (a) replace “1 October 2018” with “1 August 2019”;
- (b) replace “1 February 2019” with “1 August 2019”;
- (c) replace “1 July 2019” with “1 August 2019”.

(3) In Schedule 1, clause 1(2), revoke the example.

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.

The Fisheries (Electronic Monitoring on Vessels) Regulations 2017 (the **principal regulations**) came into force on 1 October 2018. Those regulations provide for the electronic monitoring of vessels used to fish under permits issued under section 91 or 113H of the Fisheries Act 1996. When a vessel is on a fishing trip under one of those permits,—

- the fishing and fish taken must be filmed; and
- the transportation of fish on the vessel (whether taken under the permit or not) must be filmed; and

- associated information must be recorded.

The dates on which the principal regulations start to apply to vessels are staggered (*see* clause 1 of Schedule 1 of the principal regulations). The principal regulations applied to the first categories of vessels on and from 1 October 2018. However, the chief executive of the Ministry for Primary Industries exempted those vessels from the requirements of Part 1 of the principal regulations from 1 October 2018 to 31 January 2019 by issuing—

- the Exemption from compliance with Part 1 of the Fisheries (Electronic Monitoring on Vessels) Regulations 2017 on 1 October 2018; and
- the Exemption from compliance with Part 1 of the Fisheries (Electronic Monitoring on Vessels) Regulations 2017 on 24 October 2018 (*see* <https://www.fisheries.govt.nz/protection-and-response/sustainable-fisheries/strengthening-fisheries-management/fisheries-change-programme/digital-monitoring-resources/#exemptions>).

These regulations come into force on 31 January 2019 and amend the principal regulations as follows:

- *new clause 1(IAAA)* of Schedule 1 is inserted with the effect that the principal regulations will cease to apply to the first categories of vessels after 31 January 2019:
- clause 1(1) of Schedule 1 is amended by changing the dates on which the principal regulations apply to the first 3 categories of vessels from 1 October 2018, 1 February 2019, and 1 July 2019 to, in each case, 1 August 2019:
- the example in clause 1(2) of Schedule 1 is removed because it outlines a scenario that no longer applies.

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 30 January 2019.

These regulations are administered by the Ministry for Primary Industries.

Reprints notes

1 *General*

This is a reprint of the Fisheries (Electronic Monitoring on Vessels) Amendment Regulations 2019 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Fisheries (Electronic Monitoring on Vessels) Amendment Regulations (No 2) 2019 (LI 2019/152): regulation 5