



Fisheries (Alteration of Quota Management Area—Paua Kaikōura Coast) Order 2021

Patsy Reddy, Governor-General

Order in Council

At Wellington this 14th day of June 2021

Present:

Her Excellency the Governor-General in Council

This order is made under sections 25, 74, 77, and 297 of the Fisheries Act 1996—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister for Oceans and Fisheries made after complying with sections 25, 25A, 74, and 77 of that Act.

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Order

1 Title

This order is the Fisheries (Alteration of Quota Management Area—Paua Kaikōura Coast) Order 2021.

2 Commencement

This order comes into force on 1 October 2021.

3 Application

This order applies on and from the first day of the fishing year starting on 1 October 2021.

Part 1

Amendments to Fisheries Act 1996

4 Principal Act

This Part amends the Fisheries Act 1996.

5 Schedule 1 amended

In Schedule 1, Part 3, replace the item relating to quota management area PAU3—South-East (Kaikōura Coast) with:

Quota management area PAU3A—Kaikōura

All that area of New Zealand fisheries waters enclosed by a line—

- (a) commencing on the mean high-water mark of the east coast of the South Island at a point south of the Conway River mouth at 42°37.061'S and 173°27.937'E; then

- (b) proceeding by a straight line in a south-easterly direction to the point of intersection with the 176°00.000'E line of longitude; then
- (c) proceeding north along the 176°00.000'E line of longitude to latitude 42°10.000'S; then
- (d) proceeding west along the 42°10.000'S line of latitude to a point on the mean high-water mark of the east coast of the South Island near Clarence Point at 42°10.000'S and 173°56.225'E; then
- (e) proceeding in a generally south-westerly direction along the mean high-water mark of the South Island until reaching the point of commencement.

Quota management area PAU3B—Canterbury

All that area of New Zealand fisheries waters enclosed by a line—

- (a) commencing on the mean high-water mark of the east coast of the South Island at a point south of the Conway River mouth at 42°37.061'S and 173°27.937'E; then
- (b) proceeding by a straight line in a south-easterly direction to the point of intersection with the 176°00.000'E line of longitude; then
- (c) proceeding south along the 176°00.000'E line of longitude to latitude 46°00.000'S; then
- (d) proceeding by a straight line in a generally south-westerly direction to a point at 46°55.100'S and 173°57.000'E; then
- (e) proceeding by a straight line in a generally north-westerly direction to the mean high-water mark of the east coast of the South Island at the latitude of the Waitaki River South Head Aero Beacon at approximately 44°57.300'S and 171°07.800'E; then
- (f) proceeding in a generally north-easterly direction along the mean high-water mark of the South Island until reaching the point of commencement.

6 Schedule 8 amended

In Schedule 8, Part 1, replace the item relating to PAU3 with:

PAU3A	1
PAU3B	1

Part 2

Amendment to Fisheries (Quota Management Areas, Total Allowable Catches, and Catch Histories) Notice 1986

7 Principal regulations

This Part amends the Fisheries (Quota Management Areas, Total Allowable Catches, and Catch Histories) Notice 1986.

8 Schedule 1 amended

In Schedule 1, item relating to paua, replace the item relating to South-East (Kaikōura Coast) with:

CA	Kaikōura	PAU3A
CB	Canterbury	PAU3B

Part 3

Amendments to Fisheries (Amateur Fishing) Regulations 2013

9 Principal regulations

This Part amends the Fisheries (Amateur Fishing) Regulations 2013.

10 Regulation 7A amended (Interpretation: quota management areas)

In regulation 7A, replace the definition of PAU3 with:

PAU3A means the area defined as quota management area PAU3A—Kaikōura in Part 3 of Schedule 1 of the Act

PAU3B means the area defined as quota management area PAU3B—Canterbury in Part 3 of Schedule 1 of the Act

11 Regulation 16 amended (Accumulation limit for paua)

In regulation 16(2)(c), replace “PAU3 or” with “PAU3A, PAU3B, or”.

12 Schedule 1 amended

- (1) In Schedule 1, items relating to ordinary paua, replace “PAU3 or” with “PAU3A, PAU3B, or”.
- (2) In Schedule 1, items relating to yellowfoot paua, replace “PAU3 or” with “PAU3A, PAU3B, or”.

Part 4

Amendment to Fisheries (Over-Fishing Thresholds for Quota Management Stocks) Order 2001

13 Principal regulations

This Part amends the Fisheries (Over-Fishing Thresholds for Quota Management Stocks) Order 2001.

14 Schedule amended

In the Schedule, item relating to paua, replace the item relating to PAU3 with:

PAU3A	5	25
PAU3B	5	25

Michael Webster,
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 is made under the Fisheries Act 1996 (the **Act**), comes into force on 1 October 2021. It applies on and from the first day of the fishing year starting on 1 October 2021.

Part 3 of Schedule 1 of the Act sets out the quota management areas for specified stocks. This order amends Part 3 of Schedule 1 by dividing the quota management area for paua in the Kaikōura Coast (PAU3—South-East (Kaikōura Coast)) into 2 quota management areas as follows:

- PAU3A—Kaikōura Coast:
- PAU3B—Canterbury.

This order also amends the following enactments to reflect the division of the quota management area for paua in the Kaikōura Coast:

- Schedule 8 of the Act (minimum annual holdings of annual catch entitlement for specified stocks):
- Fisheries (Quota Management Areas, Total Allowable Catches, and Catch Histories) Notice 1986:
- Fisheries (Amateur Fishing) Regulations 2013:
- Fisheries (Over-Fishing Thresholds for Quota Management Stocks) Order 2001.

This order is a confirmable instrument under section 47B of the Legislation Act 2012. It is revoked at the close of 30 June 2022, unless earlier confirmed by an Act of Parliament. That stated time is the applicable deadline under section 47C(1)(a) of that Act.

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 17 June 2021.

This order is administered by the Ministry for Primary Industries.