

Fisheries (Schedules 5A and 6) Order 2003

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 1st day of September 2003

Present:

Her Excellency the Governor-General in Council

Pursuant to sections 67B and 72(7) of the Fisheries Act 1996, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following order.

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Order

- 1 Title**
This order is the Fisheries (Schedules 5A and 6) Order 2003.

2 Commencement

This order comes into force on 1 October 2003.

3 Long-finned freshwater eel and short-finned freshwater eel added to Schedule 5A of Fisheries Act 1996

Schedule 5A of the Fisheries Act 1996 is amended by—

- (a) inserting, after the item “CRA10”, the item “LFE17” ;
and
- (b) adding the item “SFE17”.

4 Rough skate and smooth skate added to Schedule 6 of Fisheries Act 1996

Schedule 6 of the Fisheries Act 1996 is amended by adding the following items:

| | | |
|-----------------------------------------------------|-------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Rough skate (<i>Dipturus nasutus</i>) | All New Zealand fisheries waters | A commercial fisher may return any rough skate to the waters from which it was taken if— (a) that rough skate is likely to survive on return; and (b) the return takes place as soon as practicable after the rough skate is taken. |
| Smooth skate (<i>Dipturus innominatus</i>) | All New Zealand fisheries waters | A commercial fisher may return any smooth skate to the waters from which it was taken if— (a) that smooth skate is likely to survive on return; and (b) the return takes place as soon as practicable after the smooth skate is taken |

Marie Shroff,
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 takes effect on 1 October 2003, adds long-finned freshwater eel and short-finned freshwater eel in the Chatham Islands to Schedule 5A of the Fisheries Act 1996 (which lists stocks for which no additional annual catch entitlement may be allocated where underfishing occurs). The order also adds rough skate and smooth skate to Schedule 6 of that Act as stocks that may be returned to the sea in accordance with certain requirements.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 4 September 2003.

This order is administered by the Ministry of Fisheries.
