

**Reprint
as at 23 December 2005**



**Fisheries (Declaration of New
Stocks Subject to Quota
Management System) Notice
(No 2) 2005**

(SR 2005/347)

Pursuant to sections 18 and 19 of the Fisheries Act 1996, the Minister of Fisheries gives the following notice.

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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

This notice is administered by the Ministry of Fisheries.

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Notice

- 1 Title**
This notice is the Fisheries (Declaration of New Stocks Subject to Quota Management System) Notice (No 2) 2005.
- 2 Commencement**
This notice comes into force on the day after the date of its notification in the *Gazette*, except as provided in clause 7(2).
- 3 References to quota management areas, species, and codes**
In Schedule 1,—

 - (a) the quota management areas referred to by a reference number are the fishery management areas described by reference to the same number in Part 1 of Schedule 1 of the Fisheries Act 1996, except as provided in paragraphs (b) and (c):
 - (b) where 2 or more quota management areas are shown as combined in respect of any stock, the combined areas together comprise 1 quota management area for that stock:
 - (c) in the case of certain knobbed whelk stocks, the references to quota management areas 7A and 7B are references to the areas set out in Schedule 2:
 - (d) the references to QMS fishstock codes in the third column of Schedule 1 are references to the codes for the relevant stock once it is introduced into the quota management system.
- 4 New stocks to be subject to quota management system**
The stocks specified in the first column of Schedule 1, in the quota management areas specified in the second column of

that schedule, are to be subject on and from 1 October 2006 to the quota management system established under Part 4 of the Fisheries Act 1996.

5 Fishing year

The fishing year for each stock specified in Schedule 1 is the 12-month period beginning on 1 October.

6 How total allowable commercial catch and annual catch entitlements to be expressed

The total allowable commercial catch and annual catch entitlements for all fishstocks specified in Schedule 1 are to be expressed as greenweight kilograms.

7 Consequential amendments to Schedule 4C of Fisheries Act 1996

- (1) *Amendment(s) incorporated in the Act(s).*
- (2) Subclause (1) comes into force on 1 October 2006.

Schedule 1 cls 3, 4, 5, 6
New stocks subject to quota management system

Species	Quota management	
	area	QMS fishstock code
Deepwater (king) clam <i>(Panopea zelandica)</i>	1	PZL1
	2	PZL2
	3	PZL3
	4	PZL4
	5 and 6 (combined)	PZL5
	7	PZL7
	8	PZL8
	9	PZL9
	Knobbed whelk <i>(Austrofuscus glans)</i>	1
2		KWH2
3		KWH3

Species	Quota management area	QMS fishstock code
	4	KWH4
	5	KWH5
	6	KWH6
	7A	KWH7A
	7B	KWH7B
	8	KWH8
	9	KWH9

Schedule 2
**Quota management areas for certain
knobbed whelk stocks**

cl 3(c)

Quota management area 7A—Nelson/Marlborough

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

- (a) commencing at the mean high-water mark of the South Island at the northernmost point of Cape Farewell (approximately 40°29.9'S and 172°41.05'E); then
- (b) proceeding west along this line of latitude from the northernmost point of Cape Farewell to the exclusive economic zone boundary; then
- (c) proceeding in a generally north-easterly direction along the exclusive economic zone boundary to the easternmost point of the exclusive economic zone boundary nearest 37°35.6'S and 170°05.7'E; then
- (d) proceeding in a generally south-easterly direction directly to a point at 40°32.0'S and 174°20.0'E; then
- (e) proceeding in a generally southerly direction directly to the Brothers Island light (approximately 41°06.2'S and approximately 174°26.5'E); then
- (f) proceeding in a generally southerly direction directly to a point at 42°10.0'S and 174°42.0'E; then
- (g) proceeding west along the 42°10.0'S line of latitude to the mean high-water mark of the South Island near Clarence Point (approximate longitude 173°56.5'E); then

- (h) proceeding along the mean high-water mark of the South Island in generally northerly and westerly directions to the point of commencement.

Quota management area 7B—West Coast

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

- (a) commencing at the mean high-water mark of the South Island at the northernmost point of Cape Farewell (approximately 40°29.9'S and 172°41.05'E); then
- (b) proceeding in a generally southerly direction along the mean high-water mark of the South Island to the westernmost point of Awarua Point (approximately 44°15.6'S and 168°03.1'E); then
- (c) proceeding west along the line of this latitude to the exclusive economic zone boundary (approximate longitude 162°12.9'E); then
- (d) proceeding in a generally north-easterly direction along the exclusive economic zone boundary to the same latitude as the point of commencement (40°29.9'S); then
- (e) proceeding east along the line of this latitude to the point of commencement.

Dated at Wellington this 20th day of December 2005.

Jim Anderton,
Minister of Fisheries.

Explanatory note

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

This notice, which comes into force on the day after its notification in the *Gazette*, introduces new stocks from 2 species to the quota management system established under Part 4 of the Fisheries Act

**Fisheries (Declaration of New Stocks
Subject to Quota Management System)
Notice (No 2) 2005**

Reprinted as at
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1996, with effect on and from 1 October 2006. The species affected are deepwater clam (also known as king clam) and knobbed whelk.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 22 December 2005.

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 - 2 Status of reprints
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Notes

1 *General*

This is a reprint of the Fisheries (Declaration of New Stocks Subject to Quota Management System) Notice (No 2) 2005. The reprint incorporates all the amendments to the notice as at 23 December 2005, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that have yet to come into force or that contain relevant transitional or savings provisions are also included, after the principal enactment, in chronological order.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked

are omitted. For a detailed list of the editorial conventions, *see* <http://www.pco.parliament.govt.nz/legislation/reprints.shtml> or Part 8 of the *Tables of Acts and Ordinances and Statutory Regulations, and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*
