

Version  
as at 6 October 2023



# Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986

(SR 1986/216)

Paul Reeves, Governor-General

## Order in Council

At Wellington this 2nd day of September 1986

Present:

The Right Hon G W R Palmer presiding in Council

Pursuant to section 89 of the Fisheries Act 1983, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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### Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

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**These regulations are administered by the Ministry for Primary Industries.**

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## **Regulations**

### **1 Title and commencement**

- (1) These regulations may be cited as the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986.
- (2) These regulations shall come into force on the 14th day after the date of their notification in the *Gazette*.

### **2 Interpretation**

- (1) In these regulations, unless the context otherwise requires,—

**Act** means the Fisheries Act 1983 or the Fisheries Act 1996

**anchovy** means a fish of the species *Engraulis australis*

**Auckland fisheries area** means any or all of those waters described as such in Schedule 1

**banded wrasse** means a fish of the species *Notolabrus fucicola*

**billfish** means all species of the families *Istiophoridae* and *Xiphiidae*, including the following:

- (a) *Tetrapturus audax* (commonly known as the striped marlin):
- (b) *Makaira nigricans* (commonly known as the blue marlin):
- (c) *Makaira indica* (commonly known as the black marlin):
- (d) *Xiphias gladius* (commonly known as the broadbill swordfish):
- (e) *Tetrapturus augustirostris* (commonly known as the shortbill spearfish):
- (f) *Istiophorus platypterus* (commonly known as the sailfish):
- (g) any other billfish by whatever name it may be locally known

**black angelfish** means a fish of the species *Parma alboscapularis*

**black flounder** means a fish of the species *Rhombosolea retiaria*

**blue moki** means a fish of the species *Latridopsis ciliaris*

**brill** means a fish of the species *Colistium guntheri*

**butterfly perch** means a fish of the species *Caesioperca lepidoptera*

**cockle** means a shellfish of the species *Chione stutchburyi* (formerly known as *Austrovenus stutchburyi*)

**cod-end** means that part of a net which is normally closed during fishing and is capable of holding fish while in the water; and includes, in respect of a net—

- (a) carried on a vessel not exceeding 10 m overall length, not less than the last 3 m of net:
- (b) carried on a vessel 10 m or more but less than 20 m overall length, not less than the last 5 m of net:
- (c) carried on a vessel 20 m or more but less than 30 m overall length, not less than the last 10 m of net:
- (d) carried on a vessel 30 m or more but less than 40 m overall length, not less than the last 15 m of net:
- (e) carried on a vessel 40 m or more overall length, not less than the last 20 m of net

**commercial fisher** means—

- (a) any person who takes any fish, aquatic life, or seaweed for the purposes of sale:
- (b) any person who is engaged in any capacity on a New Zealand fishing vessel:
- (c) any person who has a fishing permit issued under section 91 of the Fisheries Act 1996 entitling the person to take any species or class of fish, aquatic life, or seaweed

**conveyance** means any vehicle, vessel, aircraft, hovercraft, animal, or other thing of whatever size which is capable of being used to carry or transport any fish or fishing gear

**Danish seine net** means any net or part of a net (including any warp, rope, chain, material, or device used in conjunction with or attached to the net) that—

- (a) has a buoyancy system on the top edge; and
- (b) is weighted on the bottom edge; and
- (c) is operated, without the use of any horizontal net opening device, by surrounding any fish and being drawn over the bed of any waters, or through any waters, to 1 or more vessels

**Danish seining** means using a Danish seine net

**drag net** or **beach seine net** means any net or part of a net (including any warp, rope, chain, material, or device used in conjunction with, or attached to, the net) that—

- (a) has a buoyancy system on the top edge; and
- (b) is weighted on the bottom edge; and
- (c) is operated by surrounding any fish and being drawn over the bed of any waters or through any waters to the shore

**dredge** means a device towed on or over or capable of being towed on or over the seabed primarily for the collection of shellfish; and includes a box dredge or ring dredge

**finfish** includes the classes Osteichthyes (boney fishes), Chondrichthyes (cartilaginous fishes), and Agnatha (jawless fishes)

**flatfish** means brill, turbot, lemon sole, New Zealand sole, sand flounder, yellowbelly flounder, black flounder, and greenback flounder

**frostfish** means a fish of the species *Lepidopus caudatus*

**garfish** means a fish of the species *Euleptorhamphus viridis*

**giant boarfish** means a fish of the species *Paristiopterus labiosus*

**green-lipped mussel** means a shellfish of the species *Perna canaliculus*, but excludes green-lipped mussel spat

**green wrasse** means a fish of the species *Notolabrus inscriptus*

**greenback flounder** means a fish of the species *Rhombosolea tapirina*

**grey mullet** means a fish of the species *Mugil cephalus*

**hagfish** means the fish *Eptatretus cirrhatus* (also commonly known as blind eel)

**hapuku/bass** means a fish of the species *Polyprion oxygeneios* or *Polyprion moene*

**harbour** means those waters lying inside the seaward entrance to any harbour

**inner Hauraki Gulf** means all those waters of the inner Hauraki Gulf bounded by a line commencing at a point on the southern side of Whangaparaoa Peninsula (adjacent to Te Haruhi Bay) (at 36°37.196'S and 174°49.783'E); then by a straight line to the northernmost point of Rakino Island (at 36°42.528'S and 174°56.709'E); then by mean high-water mark to a point on the north-east side of Rakino Island (at 36°42.765'S and 174°57.250'E); then in a straight line to Hakaimango Point (Waiheke Island) (at 36°46.127'S and 175°00.879'E); then by mean high-water mark along the northern and eastern side of Waiheke Island to Kauri Point (at 36°45.915'S and 175°12.171'E); then by a straight line to the easternmost point of Pakatoa Island (at 36°47.835'S and 175°11.937'E); then by a straight line to a point on the eastern side of Rotoroa Island (at 36°48.790'S and 175°12.165'E); then by a straight line to the easternmost point on Ponui Island (at 36°50.101'S and 175°12.839'E); then by mean high-water mark to the southernmost point of Ponui Island (at 36°54.097'S and 175°11.679'E); then by a straight line to Haraki Point (Pakihi Island) (at 36°54.204'S and 175°10.129'E); then by mean high-water mark along the eastern side of Pakihi Island to the southernmost point (at 36°55.167'S and 175°09.373'E); then by a straight line to Koherurahi Point (at 36°55.732'S and 175°08.575'E); then following a line along the mean high-water mark to the point of commencement on the southern side of the Whangaparaoa Peninsula (adjacent to Te Haruhi Bay)

**jack mackerel** means the fish that has the scientific name *Trachurus* spp.

**kahawai** means a fish of the species *Arripis trutta*

**kelpfish** means a fish of the species *Chironemus marmoratus* (also known as hiwihwiwi)

**kina** means the shellfish that has the scientific name *Evechinus chloroticus*, also commonly known as the sea egg; and includes the purple urchin that has the scientific name *Centrostephanos rodgersii*

**lampara net** means any net that is operated from a vessel to encircle fish so that when the wings of the net are brought together fish are enclosed in the central bunt of the net; but does not include a net that has purse lines

**lemon sole** means a fish of the species *Pelotretis flavilatus*

**long-finned boarfish** means a fish of the species *Zanclistius elevatus*

**longline** means any line to which a hook or hooks (whether baited or not) are attached

**marblefish** means a fish of the species *Aplodactylus arctidens*

**moray eel** means a fish of the species family *Muraenidae*

**net** includes any net capable of being used to take fish; but does not include a whitebait net

**New Zealand sole** (also known as “common sole” or “European sole”) means a fish of the species *Peltohamphus novaezelandiae*

**notch-headed marblefish** means a fish of the species *Aplodactylus etheridgii*

**octopus** means the shellfish *Octopus maorum*

**overall length** means the length of a vessel measured by a straight middle line from the extreme forward end to the extreme aft end of the hull of the vessel

**paddle crab** means the crab *Ovalipes catharus*

**painted moki** means a fish of the species *Cheliodactylus ephippium*

**parore** means a fish of the species *Girrella tricuspidata*

**pilchard** means a fish of the species *Sardinops neopilchardus*

**piper** means a fish of the species *Hyporhamphus ihi*

**pipi** means the shellfish *Paphies australis*

**purse seine net** means any net that is operated from a vessel to encircle fish and is drawn together at the bottom by means of purse lines to enclose the fish

**quota management area SCACS** means the area defined as quota management area SCACS—Coromandel scallop fishery in Schedule 4 of the Fisheries (Declaration of New Stock Subject to Quota Management System) Notice 2001

**red moki** means a fish of the species *Cheilodactylus specabilis*

**red mullet** means a fish of the species *Upeneichthys lineatus* (also known as goatfish)

**red pigfish** means a fish of the species *Bodianus vulpinus = uninaculatus*

**ribaldo** means a fish of the species *Mora moro*

**ring net** means a net that—

- (a) is operated from a vessel in the following manner:
  - (i) a net is laid to surround (whether fully or partially) a school of fish; and
  - (ii) once the fish are surrounded, a vessel or some other means is used to scare the fish into the net; and
- (b) has a buoyancy system on the top edge and is weighted on the bottom edge

**rock lobster** means the fish that has the scientific name *Jasus edwardsii* (commonly known as the spiny or red rock lobster) or *Jasus verreauxi* (commonly known as the packhorse or green rock lobster)

**rock lobster pot** means any pot, whether baited or not, which is capable of catching or holding rock lobsters; and includes any other device capable of catching, holding, or storing rock lobsters

**rubyfish** means a fish of the species *Plagiogeneion rubiginosus*

**sand flounder** (also known as “dab flounder”, “white flounder”, “diamond flounder”, or “square flounder”) means a fish of the species *Rhombosolea plebeia*

**Sandager’s wrasse** means a fish of the species *Coris sandageri*

**saury** means a fish of the species *Scomberesox saurus*

**scallop** means the shellfish *Pecten novaezealandiae*

**scarlet wrasse** means a fish of the species *Pseudolabrus miles*

**school shark** means a fish of the species *Galeorhinus australis*

**set net** includes a gill net, ring net, or any other sort of net which acts by enmeshing, entrapping, or entangling any fish; but does not include a fyke net or a hinaki trap

**silver dory** means a fish of the species *Cyttus novaezealandiae*

**silver drummer** means a fish of the species *Kyphosus sydneyanus*

**southern blue whiting** means a fish of the species *Micromesistius australis*

**splendid perch** means a fish of the species *Callanthias australis*

**spotted black groper** means the fish that has the scientific name *Epinephalus daemeli*

**spotted stargazer** means a fish of the species *Genyagnus monopterygius*

**squid** means—

- (a) the shellfish, commonly known as arrow squid, that has the scientific name *Nototodarus* sp.; and
- (b) the shellfish, commonly known as broad squid, that has the scientific name *Sepioteuthis bilineata*

**stalling** means the process whereby a net is set in such a manner that any fish enclosed or entangled by the net is left stranded by the falling tide or is enclosed or entangled in such a manner that at any stage of the tide there is an insufficient depth of water at either end of the net to enable the fish to pass from the waters above the net to the waters below the net

**toadstool groper** means a fish of the species *Trachypoma macracanthus*

**trawl net** means any net or part of a net (including any warp, rope, chain, material, or device used in conjunction with or attached to the net) that—

- (a) has a buoyancy system on the top edge; and
- (b) is weighted on the bottom edge; and
- (c) is operated by being drawn over the bed of any waters or through any waters by 1 or more vessels underway—

but does not include a Danish seine net

**tuatua** means the shellfish *Paphies subtriangulata*

**tuna** means a fish of the family *Scombridae*

**turbot** means a fish of the species *Colistium nudipinnis*

**white warehou** means a fish of the species *Seriolella caerulea*

**whitebait net** means any net, contrivance, instrument, or device used or capable of being used to take the fish commonly known as whitebait

**wrasse** means a fish of the family *Labridae*

**yellow-eyed mullet** means a fish of the species *Aldrichetta forsteri*

**yellowbelly flounder** means a fish of the species *Rhombosolea leporina*.

- (2) In these regulations, a reference to a named quota management area is a reference to the area of that name as declared by or under the Act to be a quota management area.

Regulation 2: substituted, on 26 September 1991, by regulation 2(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 5 (SR 1991/161).

Regulation 2(1) **Act**: amended, on 15 July 1999, by regulation 2 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 1999 (SR 1999/178).

Regulation 2(1) **albacore tuna**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **Auckland fishery management area**: revoked, on 6 October 2023, by regulation 21(1) of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 2(1) **banded wrasse**: inserted, on 30 September 1993, by regulation 2(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).

Regulation 2(1) **bigeye tuna**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **black angelfish**: inserted, on 30 September 1993, by regulation 2(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).

Regulation 2(1) **black flounder**: inserted, on 13 October 1995, by regulation 2 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 11 (SR 1995/214).

Regulation 2(1) **blue mackerel**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **blue maomao**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **blue moki**: inserted, on 30 September 1993, by regulation 2(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).

Regulation 2(1) **blue mussel**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **brill**: inserted, on 13 October 1995, by regulation 2 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 11 (SR 1995/214).

Regulation 2(1) **brown bullhead catfish**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **butterfish or greenbone**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **butterfly perch**: inserted, on 30 September 1993, by regulation 2(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).

Regulation 2(1) **cardinal fish**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **catseye**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **commercial fisher**: inserted, on 1 October 2001, by regulation 3(2) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **commercial fisherman**: revoked, on 1 October 2001, by regulation 3(2) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **conger eel**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **Cooks turban**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **Coromandel scallop fishery**: revoked, on 6 October 2023, by regulation 21(1) of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 2(1) **dog cockle**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **dredge oyster**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **drift net**: revoked, on 1 October 2020, by regulation 18(1) of the Fisheries (Hector's and Māui Dolphin) Amendment Regulations 2020 (LI 2020/199).

Regulation 2(1) **durvillea**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **ecklonia**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **flatfish**: inserted, on 13 October 1995, by regulation 2 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 11 (SR 1995/214).

Regulation 2(1) **flying fish**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **giant boarfish**: inserted, on 30 September 1993, by regulation 2(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).

Regulation 2(1) **gigartina**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **gracilaria**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **grandfather hapuku**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **green-lipped mussel spat**: revoked, on 1 October 2004, by regulation 3 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2004 (SR 2004/280).

Regulation 2(1) **green wrasse**: inserted, on 30 September 1993, by regulation 2(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).

Regulation 2(1) **greenback flounder**: inserted, on 13 October 1995, by regulation 2 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 11 (SR 1995/214).

Regulation 2(1) **grey mullet**: inserted, on 30 September 1993, by regulation 2(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).

Regulation 2(1) **hapuku/bass**: inserted, on 30 September 1993, by regulation 2(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).

Regulation 2(1) **horse mussel**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **inner Hauraki Gulf**: substituted, on 20 November 1997, by regulation 2 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 1997 (SR 1997/305).

Regulation 2(1) **inner Hauraki Gulf**: amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 2(1) **kelpfish**: inserted, on 30 September 1993, by regulation 2(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).

Regulation 2(1) **Kermadec fishery management area**: revoked, on 6 October 2023, by regulation 21(1) of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 2(1) **king clam**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **kingfish**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **koheru**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **koi**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **lamprey**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **leatherjacket**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **lemon sole**: inserted, on 13 October 1995, by regulation 2 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 11 (SR 1995/214).

Regulation 2(1) **lessonia**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **limpet**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **long-finned boarfish**: inserted, on 30 September 1993, by regulation 2(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).

Regulation 2(1) **long-finned eel**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **macrocystis**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **marblefish**: inserted, on 30 September 1993, by regulation 2(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).

Regulation 2(1) **mud snail**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **New Zealand sole**: inserted, on 13 October 1995, by regulation 2 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 11 (SR 1995/214).

Regulation 2(1) **notch-headed marblefish**: inserted, on 30 September 1993, by regulation 2(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).

Regulation 2(1) **Pacific oyster**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **painted moki**: inserted, on 30 September 1993, by regulation 2(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).

Regulation 2(1) **pink maomao**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **porae**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **porphyra**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **prawn**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **pterocladia**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **quota management area SCACS**: inserted, on 6 October 2023, by regulation 21(2) of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 2(1) **Ray's bream**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **red mullet**: inserted, on 30 September 1993, by regulation 2(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).

Regulation 2(1) **red pigfish**: inserted, on 30 September 1993, by regulation 2(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).

Regulation 2(1) **red snapper**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **ring net**: inserted, on 1 October 2020, by regulation 18(2) of the Fisheries (Hector's and Māui Dolphin) Amendment Regulations 2020 (LI 2020/199).

Regulation 2(1) **rock cod**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **rock oyster**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **sand flounder**: inserted, on 13 October 1995, by regulation 2 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 11 (SR 1995/214).

Regulation 2(1) **Sandager's wrasse**: inserted, on 30 September 1993, by regulation 2(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).

Regulation 2(1) **scampi**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **scarlet wrasse**: inserted, on 30 September 1993, by regulation 2(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).

Regulation 2(1) **school shark**: inserted, on 30 September 1993, by regulation 2(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).

Regulation 2(1) **sea cucumber**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **sea hare**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **sea horse**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **sea tulip**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **set net**: substituted, on 30 November 1995, by regulation 2(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 12 (SR 1995/230).

Regulation 2(1) **set net**: amended, on 1 October 2020, by regulation 18(3) of the Fisheries (Hector's and Māui Dolphin) Amendment Regulations 2020 (LI 2020/199).

Regulation 2(1) **short-finned eel**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **skate and ray**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **skipjack tuna**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **slender tuna**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **southern bluefin tuna**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **spiny dogfish**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **splendid perch**: inserted, on 30 September 1993, by regulation 2(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).

Regulation 2(1) **sponge**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **surf clam**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **toadstool groper**: inserted, on 30 September 1993, by regulation 2(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).

Regulation 2(1) **turbot**: inserted, on 13 October 1995, by regulation 2 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 11 (SR 1995/214).

Regulation 2(1) **ulva**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **undaria**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **whelk**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **yellowbelly flounder**: inserted, on 13 October 1995, by regulation 2 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 11 (SR 1995/214).

Regulation 2(1) **yellowfin tuna**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(1) **zostera**: revoked, on 1 October 2001, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2(2): replaced, on 6 October 2023, by regulation 21(3) of the Fisheries Amendment Regulations 2023 (SL 2023/243).

## 2A Trawling by vessels over 46 m long prohibited in certain waters

No commercial fisher shall use any New Zealand fishing vessel over 46 m in overall length for trawling at any time—

- (a) in those waters of fishery management areas 1 and 9 lying east of a line commencing at North Cape at a point 34°24.741'S and 173°02.833'E; then proceeding due north to a point on the outer limits of the exclusive economic zone at 30°52.439'S and 173°02.833'E:
- (b) in those waters enclosed by a line commencing at a point 36°24.1'S and 173°46.995'E; then proceeding directly in a westerly direction to a point 36°24.1'S and 173°37.018'E; then proceeding in a southerly direction along a line every point of which is 8 nautical miles seawards of the outer limits of the territorial sea to the boundary of fishery management areas 1 and 9; then proceeding in a generally easterly direction to the boundary of the territorial sea; then proceeding in a north-easterly direction along the outer limits of the territorial sea to the point of commencement:
- (c) in those waters enclosed by a line commencing at a point 35°18.262'S and 172°51.026'E; then proceeding directly in a north-westerly direction to a point 34°20.944'S and 171°53.335'E; then proceeding in a south-easterly direction along the outer limits of the territorial sea to a point 34°16.205'S and 172°21.709'E; then proceeding directly in a south-easterly direction to a point 34°19.347'S and 172°27.895'E; then proceeding in a south-westerly direction along the outer limits of the territorial sea to the point of commencement.

Regulation 2A: inserted, on 1 October 1986, by regulation 3 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 1 (SR 1986/251).

Regulation 2A heading: amended, on 5 November 1998, by regulation 2 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 1998 (SR 1998/297).

Regulation 2A: amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 2A: amended, on 5 November 1998, by regulation 2 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 1998 (SR 1998/297).

Regulation 2A(a): amended, on 6 October 2023, by regulation 22 of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 2A(a): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 2A(a): amended, on 26 September 1991, by regulation 3(a) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 5 (SR 1991/161).

Regulation 2A(b): amended, on 6 October 2023, by regulation 22 of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 2A(b): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 2A(c): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

**2B Trawling prohibited in certain seamount areas**

- (1) No person may use a trawl net for fishing in any closed seamount area.
- (2) In this regulation, **closed seamount area** means all waters within the following areas:
  - (a) the area located in fishery management area 1 that is bounded by—
    - (i) the latitudes 31°50'S and 32°08'S; and
    - (ii) the longitudes 174°05'E and 174°30'E:
  - (b) the area located in fishery management area 1 that is bounded by—
    - (i) the latitudes 33°55'S and 34°20'S; and
    - (ii) the longitudes 173°50'E and 174°15'E:
  - (c) the area located in fishery management area 9 that is bounded by—
    - (i) the latitudes 31°35'S and 32°00'S; and
    - (ii) the longitudes 170°45'E and 171°10'E:
  - (d) the area located in fishery management area 9 that is bounded by—
    - (i) the latitudes 37°20'S and 37°45'S; and
    - (ii) the longitudes 171°50'E and 172°35'E:
  - (e) the area located in fishery management area 9 that is bounded by—
    - (i) the latitudes 36°52'S and 37°02'S; and
    - (ii) the longitudes 170°33'E and 170°46'E:
  - (f) the area located in fishery management area 9 that is bounded by—
    - (i) the latitudes 34°44'S and 34°54'S; and
    - (ii) the longitudes 169°12'E and 169°30'E.

Regulation 2B: inserted, on 10 May 2001, by regulation 3 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2001 (SR 2001/65).

Regulation 2B(2)(a): substituted, on 15 November 2007, by regulation 4(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2007 (SR 2007/311).

Regulation 2B(2)(a): amended, on 6 October 2023, by regulation 23 of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 2B(2)(b): amended, on 6 October 2023, by regulation 23 of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 2B(2)(c): amended, on 6 October 2023, by regulation 23 of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 2B(2)(d): amended, on 6 October 2023, by regulation 23 of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 2B(2)(e): substituted, on 15 November 2007, by regulation 4(2) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2007 (SR 2007/311).

Regulation 2B(2)(e): amended, on 6 October 2023, by regulation 23 of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 2B(2)(f): amended, on 6 October 2023, by regulation 23 of the Fisheries Amendment Regulations 2023 (SL 2023/243).

### 3 Danish seining prohibited within 1 mile of west Auckland coast

No commercial fisher shall use any Danish seine net within 1 nautical mile to the seaward of a baseline commencing at Scott Point (at 34°31.38'S and 172°42.239'E); then by the mean high-water mark to the north head of Herekino Harbour (at 35°17.524'S and 173°09.685'E); then by a straight line to the south head of Herekino Harbour (at 35°17.680'S and 173°09.518'E); then by the mean high-water mark to the north head of Whangape Harbour (at 35°22.706'S and 173°12.899'E); then by a straight line to the south head of Whangape Harbour (at 35°22.917'S and 173°13.131'E); then by the mean high-water mark to the north head of Hokianga Harbour (at 35°31.392'S and 173°21.395'E); then by a straight line to the south head of Hokianga Harbour (at 35°32.008'S and 173°22.045'E); then by the mean high-water mark to the southernmost extremity of the north head of Kaipara Harbour (at 36°23.468'S and 174°03.165'E); then by a straight line to Pukitu on the south head of Kaipara Harbour (at 36°28.917'S and 174°09.716'E); then by the mean high-water mark to a point on the easternmost extremity of Paratutai Island (at 37°02.827'S and 174°30.730'E); then by a straight line to the signal staff on the south head of Manukau Harbour (at 37°03.060'S and 174°32.700'E); then by the mean high-water mark to a point north of the Waikato River mouth (at 37°20.996'S and 174°41.207'E); then by a straight line to the south head of the Waikato River mouth (at 37°22.667'S and 174°42.171'E); then by the mean high-water mark to Rangitoto Point (at 37°47.843'S and 174°50.528'E); then by a straight line to the south head of Raglan Harbour (at 37°48.268'S and 174°50.568'E); then by the mean high-water mark to Potahi Point (at 38°00.431'S and 174°47.762'E); then by a straight line to Kahua Point (at 38°02.229'S and 174°47.070'E); then by the mean high-water mark to Tauratahi Point (at 38°04.985'S and 174°47.043'E); then by a straight line to Urawitiki Point (at 38°05.37'S and 174°46.22'E); then by the mean high-water mark to Tirua Point (at 38°23.222'S and 174°38.048'E).

Regulation 3 heading: amended, on 1 October 2008, by regulation 5(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 2008 (SR 2008/267).

Regulation 3: amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 3: amended, on 1 October 2008, by regulation 5(2) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 2008 (SR 2008/267).

Regulation 3: amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 3: amended, on 30 September 1993, by regulation 3 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).

### 4 Trawling and Danish seining prohibited in defined areas

No commercial fisher shall use for taking fish a trawl net or a Danish seine net within the following waters:

- (a) *Parengarenga Harbour*: the waters of Parengarenga Harbour lying inside a straight line drawn from the north-easternmost extremity of the

- Kokota Peninsula (at 34°32.101'S and 172°59.366'E) in a north-easterly direction to the easternmost extremity of Ohao Point (otherwise known as Coal Point) (at 34°30.549'S and 173°00.524'E):
- (b) *Rangaunu Bay*: the waters of Rangaunu Bay lying inside a straight line drawn from the easternmost extremity of Grenville Point (at 34°46.313'S and 173°09.378'E) to the northernmost end of the northern island of the Mutoroa Islands (at 34°46.051'S and 173°20.701'E); then to the northernmost extremity of Cape Karikari (at 34°46.898'S and 173°23.771'E):
  - (c) *Doubtless Bay*: the waters of Doubtless Bay lying inside a straight line drawn from the easternmost extremity of Knuckle Point (at 34°50.951'S and 173°28.186'E) to the northernmost extremity of Flat Head (otherwise known as Bergan Point) (at 34°54.762'S and 173°33.516'E):
  - (d) *Whangaroa Harbour*: the waters of Whangaroa Harbour and Whangaroa Bay lying inside a straight line commencing at Karau Point (at 34°57.295'S and 173°42.318'E) and extending to the north-westernmost point of Stephenson Island (at 34°57.325'S and 173°46.163'E); then along the mean high-water mark of the southern shore of Stephenson Island in a generally south-easterly direction to the easternmost point of Stephenson Island (at 34°58.092'S and 173°47.290'E); then in a straight line to Frenchman Rock (at 34°59.242'S and 173°49.040'E); then in a straight line due south to the point of intersection with the shore at the north-eastern entrance of Whangaihe Bay (at 34°59.540'S and 173°49.040'E):
  - (e) *Bay of Islands*: the waters of the Bay of Islands lying inside a line commencing at the easternmost point of Cape Wiwiki (at 35°09.403'S and 174°07.584'E); then in a straight line to the northern extremity of Red Head (at 35°11.750'S and 174°12.483'E); then in a straight line in a north-easterly direction to the northern extremity of Cape Brett (at 35°10.311'S and 174°19.783'E):
  - (f) *Whangaruru Harbour*: the waters of Whangaruru Harbour lying inside a line commencing at the westernmost extremity of Cape Home (at 35°22.556'S and 174°22.653'E) on the northern side of the entrance of the harbour; then in a straight line in a south-westerly direction to the easternmost extremity of Henry Island (at 35°23.129'S and 174°22.372'E); then through the easternmost extremity of Nops Island (at 35°24.265'S and 174°21.849'E), then in a straight line to the shore on the southern side of the harbour (at 35°24.4'S and 174°21.3'E):
  - (g) *Tutukaka Harbour*: the waters of Tutukaka Harbour lying inside a straight line drawn from the southern extremity of Tutukaka Head (at 35°36.798'S and 174°32.683'E) in a south-westerly direction through the Rocky Islets to the headland on the southern side of the entrance (at 35°37.075'S and 174°32.463'E) to the harbour:

- (h) *Whangarei–Bream Bay*: the waters of the sea lying inside a straight line drawn from the southernmost extremity of Busby Head (at 35°51.719'S and 174°31.873'E) to the shore on the southern end of Bream Bay (at 36°02.721'S and 174°33.341'E):
- (i) *North Rodney*: the waters of the sea lying within 1 nautical mile from the mean high-water mark of the shore that extends from Sentinel Rock (at 36°04.897'S and 174°35.938'E) to the easternmost extremity of Cape Rodney (at 36°16.674'S and 174°49.328'E)—  
at any time between 1 October in any year and 1 April in the following year (both days inclusive):
- (j) *Hauraki Gulf (including the Firth of Thames)*: area 007 of the Auckland fisheries area, and that part of area 006 of the Auckland fisheries area inside a straight line drawn from the easternmost point of Tawharanui Peninsula (at 36°21.955'S and 174°52.076'E); then by a straight line to Slater Point on Kawau Island (at 36°24.457'S and 174°52.193'E); then by the mean high-water mark around the eastern side of Kawau Island to Kawau Point (at 36°26.865'S and 174°52.728'E); then by a straight line to the western extremity of Motukahaua Island (at 36°39.560'S and 175°22.162'E); then by a straight line to an unnamed point on the western shore of the Coromandel Peninsula (at 36°31.507'S and 175°19.615'E)—  
except that this prohibition shall not apply to the use of a Danish seine net drawn or hauled by not more than 1 vessel in all that part of area 006 of the Auckland fisheries area lying westward of a straight line drawn from the western extremity of Motukahaua Island (at 36°39.560'S and 175°22.162'E) to an unnamed point on the western shore of the Coromandel Peninsula (at 36°31.507'S and 175°19.615'E):
- (k) *areas 005 and 006 of the Auckland fisheries area*, where the vessel is of 20 m or more overall length:
- (l) *Port Abercrombie and Port Fitzroy*: the waters of and adjacent to Port Abercrombie and Port Fitzroy in Great Barrier Island lying inside a line drawn from Wellington Head (at 36°09.655'S and 175°16.915'E) to the north-westernmost point of Okokewa Island (at 36°08.499'S and 175°18.425'E) (Green Isle); then by a straight line to the nearest point of the mainland of Great Barrier Island (at 36°08.400'S and 175°18.574'E); and lying inside a line drawn from the north-easternmost point of Motuhaku Island (at 36°09.807'S and 175°17.631'E) to the north-westernmost point of Nelson Island (at 36°09.899'S and 175°17.790'E); then from the south-easternmost point of Nelson Island (at 36°10.026'S and 175°18.084'E) to the north-westernmost point of Kaikoura Island (at 36°10.026'S and 175°18.161'E); and lying inside a straight line drawn across Man 'O' War Passage at its narrowest point (from 36°11.261'S and 175°19.514'E to 36°11.304'S and 175°19.516'E):

- (m) *Tryphena Harbour*: the waters of Tryphena Harbour on Great Barrier Island lying inside a straight line drawn from Tryphena Point (at 36°19.132'S and 175°28.770'E) and passing through Bird Islet (at 36°18.597'S and 175°28.202'E) to the nearest point of the mainland of Great Barrier Island:
- (n) *Kennedy Bay, Whangapoua Harbour, Opito Bay, and adjacent waters*: the waters of Kennedy Bay, Whangapoua Harbour, Opito Bay, and the part of the sea adjacent thereto lying inside straight lines drawn from Te Anaputa Point (at 36°32.432'S and 175°32.009'E) generally in a south-easterly direction to Tokarahu Point (at 36°41.538'S and 175°47.534'E), then generally in a south-easterly direction to Opito Point (at 36°42.999'S and 175°49.079'E):
- (o) *Mercury Bay*: the waters of Mercury Bay lying inside a line commencing at the easternmost headland of Humbug Bay (at 36°44.379'S and 175°49.633'E); then by a straight line to the easternmost extremity of Te Tui Island (otherwise known as Mahurangi Island) (at 36°49.613'S and 175°49.487'E); then by the mean high-water mark to the southernmost extremity of Te Tui Island (at 36°50.065'S and 175°49.048'E); then to the easternmost extremity of Herehere-Taura Point (at 36°50.486'S and 175°49.194'E); as shown on Chart NZ:5318:
- (p) *Whangamata Harbour and Whangamata River, Bay of Plenty*: the waters of Whangamata Harbour and the Whangamata River and the part of the adjacent sea lying within a radius of 3 nautical miles from the southernmost extremity of the northern head at the mouth of the Whangamata Harbour (at 37°12.216'S and 175°53.007'E):
- (q) *Homunga Bay to Cape Runaway*: the waters lying within the area defined by a line beginning at the mean high-water mark at the northernmost extremity of Homunga Bay (at 37°21.470'S and 175°56.507'E); then proceeding along a straight line in an easterly direction to a position 2 nautical miles from the point of commencement; then following a line every point of which is 2 nautical miles from the mean high-water mark of the shoreline extending generally south-eastward to a point 2 nautical miles to the north of Cape Runaway; then proceeding in a straight line southwards to the mean high-water mark at Cape Runaway (at 37°32.3'S and 177°59'E); and then proceeding along the mean high-water mark to the point of commencement at Homunga Bay:
- (r) *[Revoked]*
- (s) *Kawhia Harbour*: the waters of Kawhia Harbour and the adjacent sea lying within a radius of 2 nautical miles from Urawitiki Point (at 38°05.37'S and 174°46.22'E):

- (t) *Aotea Harbour*: the waters of Aotea Harbour and the adjacent sea lying within a radius of 2 nautical miles from Potahi Point (at 38°00.431'S and 174°47.762'E):
- (u) *Raglan Harbour*: the waters of Raglan Harbour and the adjacent sea lying within a radius of 2 nautical miles from Rangitoto Point (at 37°47.843'S and 174°50.528'E):
- (v) *Manukau Harbour*: the waters of Manukau Harbour and the adjacent sea lying within a radius of 2 nautical miles from the Ninepin Rock (at 37°03.023'S and 174°30.205'E):
- (w) *Kaipara Harbour*: the waters of the Kaipara Harbour and the adjacent sea lying within a radius of 2 nautical miles of a baseline commencing at the south-westernmost extremity of the north head of the Kaipara Harbour (at 36°23.468'S and 174°03.165'E), then in a generally south-eastern direction by a straight line to the westernmost extremity of the south head of the Kaipara Harbour (at 36°28.917'S and 174°09.716'E):
- (x) *Herekino Harbour*: the waters of Herekino Harbour lying inside a straight line drawn from the north head of the harbour (at 35°17.524'S and 173°09.685'E) to the south head of the harbour (at 35°17.680'S and 173°09.518'E):
- (y) *Whangape Harbour*: the waters of Whangape Harbour lying inside a straight line drawn from the north head of the harbour (at 35°22.706'S and 173°12.899'E) to the south head of the harbour (at 35°22.917'S and 173°13.131'E):
- (z) *Hokianga Harbour*: the waters of Hokianga Harbour and the adjacent sea lying within a radius of 2 nautical miles from the south head of the Hokianga Harbour (at 35°32.008'S and 173°22.045'E):
- (za) *Waikato River mouth*: the waters within 2 nautical miles to the seaward of a baseline commencing at Maioro Gap (at 37°20.132'S and 174°40.781'E); then by the mean high-water mark to a point north of the Waikato River mouth (at 37°20.996'S and 174°41.207'E); then by a straight line to the south head of the Waikato River mouth (at 37°22.667'S and 174°42.171'E); then by the mean high-water mark to a point south of the Waikato River mouth (at 37°24.202'S and 174°42.171'E):
- (zb) *Tairua/Pauanui*: the waters inside an area defined by a line beginning at the mean high-water mark at the northernmost point of Storm Beach (at 37°02.690'S and 175°53.186'E); then in a straight line in a generally easterly direction to a position at the southernmost point of Home Bay (at 37°02.977'S and 175°56.082'E); then in a straight line in a generally northerly direction to Big King Rock (at 36°59.809'S and 175°55.367'E); then by a straight line in a generally north-westerly direction to the mean high-water mark at the northern end of Te Karo

Bay (at 36°57.646'S and 175°50.647'E); then following the mean high-water mark in a southerly direction to the southernmost point of land near Te Huruhuru Point (at 37°00.298'S and 175°52.073'E); then continuing to follow the mean high-water mark within the waters of the harbour itself until this reaches the northernmost point of land of the southern harbour headland (at 37°00.341'S and 175°51.769'E); then following the mean high-water mark in a generally southerly direction to the point of commencement:

- (zc) *Cape Runaway*: the waters within the area defined by a line beginning at the mean high-water mark at Cape Runaway (at approximately 37°32.3'S and 177°59'E); then proceeding in a straight line in a northerly direction to a position 2 nautical miles from the point of commencement at approximately 37°30.212'S and 177°59'E; then in a generally westerly direction by a line every point of which is 2 nautical miles from the mean high-water mark of Cape Runaway to a point at 37°31.084'S and 177°56.820'E; then in a straight line in a southerly direction to the mean high-water mark of a position (at 37°37.080'S and 177°56.820'E) adjacent to, or on, a stream tributary on Oruiti Beach; and then proceeding along the line of the mean high-water mark in a generally easterly and northerly direction to the point of commencement at Cape Runaway:
- (zd) *Spirits Bay–Tom Bowling Bay*: the waters within the area defined by a line commencing at the point at 34°22.0'S and 172°40.0'E; then proceeding by a straight line in a northerly direction to the point at 34°18.5'S and 172°40.0'E; then proceeding by a straight line in an easterly direction to the point at intersection with the 100-metre depth contour line (as shown on Chart NZ41) at 34°18.5'S and 172°53.962'E; then proceeding in a generally south-easterly direction along the 100-metre depth contour line (as shown on Chart NZ41) to the point at 34°22.123'S and 173°2.7'E; then proceeding by a straight line in a southerly direction to the point at intersection with the 50-metre depth contour line (as shown on Chart NZ41) at 34°23.463'S and 173°2.7'E; then proceeding in a generally westerly direction along the 50-metre depth contour line (as shown on Chart NZ41) to the point at 34°22.858'S and 172°53.6'E; then proceeding by a straight line in a northerly direction to the point at 34°22.7'S and 172°53.6'E; then proceeding by a straight line in a westerly direction to the point at 34°22.7'S and 172°45.3'E; then proceeding by a straight line in a northerly direction to the point at 34°22.0'S and 172°45.3'E; then proceeding by a straight line in a westerly direction to the point of commencement.

Regulation 4: amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 4(a): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

- Regulation 4(b): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).
- Regulation 4(c): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).
- Regulation 4(d): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).
- Regulation 4(e): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).
- Regulation 4(f): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).
- Regulation 4(g): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).
- Regulation 4(h): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).
- Regulation 4(i): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).
- Regulation 4(j): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).
- Regulation 4(l): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).
- Regulation 4(m): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).
- Regulation 4(n): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).
- Regulation 4(o): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).
- Regulation 4(p): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).
- Regulation 4(q): substituted, on 10 May 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2001 (SR 2001/65).
- Regulation 4(q): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).
- Regulation 4(r): revoked, on 10 May 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2001 (SR 2001/65).
- Regulation 4(s): substituted, on 30 September 1993, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).
- Regulation 4(t): substituted, on 30 September 1993, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).
- Regulation 4(t): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).
- Regulation 4(u): substituted, on 30 September 1993, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).
- Regulation 4(u): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).
- Regulation 4(v): substituted, on 30 September 1993, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).
- Regulation 4(v): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 4(w): substituted, on 30 September 1993, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).

Regulation 4(w): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 4(x): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 4(y): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 4(z): substituted, on 30 September 1993, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).

Regulation 4(z): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 4(za): added, on 30 September 1993, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).

Regulation 4(za): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 4(zb): substituted, on 30 November 1995, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 12 (SR 1995/230).

Regulation 4(zb): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 4(zc): added, on 24 October 1996, by regulation 2 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 13 (SR 1996/279).

Regulation 4(zc): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 4(zd): added, on 11 November 1999, by regulation 2 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 1999 (SR 1999/343).

Regulation 4(zd): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

#### **4A Taking of tuatua prohibited in certain areas**

- (1) No commercial fisher may take any tuatua or be in possession of any tuatua taken from any waters in any of quota management areas TUA1A, TUA1B, and TUA9, except as provided in subclause (3).
- (2) *[Revoked]*
- (3) It shall be lawful for a commercial fisher to take tuatua by dredging (and to possess tuatua so taken) in the area within quota management area 9 being that area at the seaward entrance to the Kaipara Harbour bounded by a straight line between Poutu Point (at 36°21.760'S and 174°10.870'E) and South Head (at 36°25.675'S and 174°14.116'E) then in a straight line to the westernmost head of the Waionui Inlet (at 36°25.997'S and 174°12.442'E) then by mean high-water mark to the westernmost extremity of the south head of the harbour (at 36°28.917'S and 174°09.716'E) then by straight line to the southernmost extremity of the north head of the harbour (at 36°23.468'S and 174°03.165'E) then by mean high-water mark back to Poutu Point.

Regulation 4A: inserted, on 1 November 1989, by regulation 3 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 3 (SR 1989/291).

Regulation 4A(1): substituted, on 5 January 2006, by regulation 3(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 2005 (SR 2005/313).

Regulation 4A(2): revoked, on 5 January 2006, by regulation 3(2) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 2005 (SR 2005/313).

Regulation 4A(3): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 4A(3): amended, on 5 January 2006, by regulation 3(3) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 2005 (SR 2005/313).

Regulation 4A(3): amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

#### **4B Taking of green-lipped mussels prohibited in certain areas**

*[Revoked]*

Regulation 4B: revoked, on 1 October 2004, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2004 (SR 2004/280).

#### **4C Taking of cockle prohibited in certain areas**

- (1) No commercial fisher may take any cockle or be in possession of any cockle taken from any waters in any of quota management areas COC1A, COC1B, COC1C, and COC9, except as provided in subclause (2).
- (2) A commercial fisher may take cockle by means of hand-gathering (and may possess cockle so taken) in the following waters:
  - (a) the area known as Snake Bank lying within Whangarei Harbour, being the area enclosed by a straight line commencing at One Tree Point (at 35°49.200'S and 174°27.230'E) to Reserve Point (at 35°47.713'S and 174°27.585'E) then along a straight line to Darch Point (at 35°49.208'S and 174°29.559'E) then along the mean high-water mark to Lort Point (at 35°49.861'S and 174°30.140'E) then along a straight line to the point of commencement at One Tree Point:
  - (b) the waters of Ohiwa Harbour lying inside a straight line drawn between the western entrance of the harbour (at 37°59.399'S and 177°08.724'E) and the eastern area of the harbour (at 37°59.463'S and 177°09.208'E).

Regulation 4C: substituted, on 5 January 2006, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 2005 (SR 2005/313).

Regulation 4C(2)(a): substituted, on 1 April 2008, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2008 (SR 2008/25).

Regulation 4C(2)(a): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 4C(2)(b): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

**4D Taking of pipi prohibited in certain areas**

- (1) No commercial fisher may take any pipi or be in possession of any pipi taken from any waters in any of quota management areas PPI1A, PPI1B, PPI1C, and PPI9, except as provided in subclause (2).
- (2) A commercial fisher may take pipi by means of hand-gathering (and may possess pipi so taken) in the following waters:
  - (a) the waters of quota management area PPI1A:
  - (b) the waters of Ohiwa Harbour lying inside a straight line drawn between the western entrance of the harbour (at 37°59.399'S and 177°08.724'E) and the eastern area of the harbour (at 37°59.463'S and 177°09.208'E).

Regulation 4D: substituted, on 5 January 2006, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 2005 (SR 2005/313).

Regulation 4D(2)(b): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

**4E Taking of kina prohibited in certain areas**

No commercial fisher shall take any kina or be in possession of any kina taken from those waters inside fishery management area 1 between Pokahinu Point, Omaio (at 37°48.474'S and 177°37.162'E) and Cape Runaway (at 37°32.300'S and 177°59.000'E).

Regulation 4E: inserted, on 1 November 1989, by regulation 3 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 3 (SR 1989/291).

Regulation 4E: amended, on 6 October 2023, by regulation 24 of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 4E: amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 4E: amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 4E: amended, on 26 September 1991, by regulation 6 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 5 (SR 1991/161).

**4F Seasonal closure of inner Hauraki Gulf**

- (1) Subject to subclauses (2) and (3), no commercial fisher shall—
  - (a) at any time during the period beginning with 1 October in any year and ending with the close of 31 March in the following year, take by any method any finfish from the inner Hauraki Gulf; or
  - (b) possess any finfish taken in contravention of subclause (1).
- (2) Subclause (1) shall not prevent the taking or being in possession of—
  - (a) grey mullet or yellow-eyed mullet taken by a set net:
  - (b) flatfish taken by a set net with a total height not exceeding 1 metre and whose entire bottom length, when set, is in direct contact with the sea bed:
  - (c) long-finned eels or short-finned eels taken by a fyke net:

- (d) pilchards or anchovy taken by a purse seine or lampara net:
  - (e) garfish or piper taken by a purse seine or lampara net.
- (3) *[Revoked]*

Regulation 4F: inserted, on 13 October 1995, by regulation 3 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 11 (SR 1995/214).

Regulation 4F(1): amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 4F(3): revoked, on 12 May 2011, by clause 3 of the Fisheries Regulations Revocation Order 2011 (SR 2011/96).

#### **4G Restriction on taking shellfish from Karekare Beach**

No person may take from, or be in possession of any shellfish taken from, that area of New Zealand fishery waters lying within an area bounded by a line commencing at the southern end of Karekau Point (at 36°59.671'S and 174°28.425'E), then proceeding generally in a westerly direction to the southern end of Paratahi Island (at 36°59.703'S and 174°28.230'E), then generally in a northern direction to Farley Point (at 36°59.132'S and 174°28.113'E), then generally in a southerly direction along the mean high-water mark to the point of commencement.

Regulation 4G: inserted, on 1 April 1998, by regulation 2 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 1998 (SR 1998/24).

Regulation 4G: amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

#### **5 Restriction on mesh size of trawl nets**

- (1) Notwithstanding regulation 71 of the Fisheries (Commercial Fishing) Regulations 2001 or any other regulations made pursuant to the Act relating to trawl net mesh sizes, no commercial fisher shall, at any time, use for the taking of fish within those waters of fishery management areas 1 and 9 specified in subclause (1A) a trawl net with a mesh size of less than 125 mm in the cod end, unless authorised to do so by a current fishing permit.
- (1AA) However, subclause (1) does not prohibit a commercial fisher from using a trawl net that has been approved for use under regulation 71A of the Fisheries (Commercial Fishing) Regulations 2001.
- (1A) Subclause (1) applies to those waters within fishery management areas 1 and 9 that are enclosed by a line commencing at Tirua Point on the west coast of the North Island (at 38°23.222'S and 174°38.048'E); then proceeding along a straight line to the 100-metre contour line (at 38°16.812'S and 174°01.358'E); then proceeding in a generally northerly direction along the 100-metre contour line (as shown on Chart NZ23) to a point (at 34°03.195'S and 172°40.779'E) due north of Cape Reinga; then proceeding in a generally southerly direction along the the 100-metre contour line (as shown on Chart NZ23) to a point (at 37°31.144'S and 177°59.000'E); then proceeding due south to Cape Runaway on the east coast of the North Island (at 37°32.300'S and 177°59.000'E); then

proceeding in a generally north-westerly and south-easterly direction along the line of the mean high-water mark of the coast of the North Island to the point of commencement.

- (2) Nothing in subclause (1) shall apply in respect of any trawl net that is on board any vessel but stowed in such a manner that is not readily available for fishing.
- (3) *[Revoked]*
- (4) *[Revoked]*

Regulation 5(1): substituted, on 13 October 1995, by regulation 4(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 11 (SR 1995/214).

Regulation 5(1): amended, on 6 October 2023, by regulation 25 of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 5(1): amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 5(1): amended, on 1 October 2001, by regulation 9 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 5(1AA): inserted, on 1 October 2017, by regulation 10 of the Fisheries (Trawling) Amendment Regulations 2017 (LI 2017/157).

Regulation 5(1A): inserted, on 13 October 1995, by regulation 4(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 11 (SR 1995/214).

Regulation 5(1A): amended, on 6 October 2023, by regulation 25 of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 5(1A): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 5(3): revoked, on 12 May 2011, by clause 3 of the Fisheries Regulations Revocation Order 2011 (SR 2011/96).

Regulation 5(4): revoked, on 13 October 1995, by regulation 4(2) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 11 (SR 1995/214).

## **5A Restrictions on use of nets and dredges**

*[Revoked]*

Regulation 5A: revoked, on 12 May 2011, by clause 3 of the Fisheries Regulations Revocation Order 2011 (SR 2011/96).

## **5B Restrictions on taking of paddle crabs, octopus, and hagfish**

*[Revoked]*

Regulation 5B: revoked, on 13 January 2005, by regulation 3 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2004 (SR 2004/455).

## **5C Certain species may be taken by use of nets**

Despite regulation 31(1) of the Fisheries (Commercial Fishing) Regulations 2001, a commercial fisher may take anchovy, pilchard, or saury from the waters of fishery management area 1 or fishery management area 9 by means of a net (not being a purse seine or lampara net) no mesh of which is less than 25 mm.

Regulation 5C: substituted, on 5 November 1998, by regulation 3 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 1998 (SR 1998/297).

Regulation 5C: amended, on 6 October 2023, by regulation 26 of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 5C: amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 5C: amended, on 1 October 2001, by regulation 9 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

## **5D Taking of certain fish prohibited**

*[Revoked]*

Regulation 5D: revoked, on 26 September 1991, by regulation 9 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 5 (SR 1991/161).

## **5E Taking of green-lipped mussel spat prohibited in certain areas**

*[Revoked]*

Regulation 5E: revoked, on 1 October 2004, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2004 (SR 2004/280).

## **5F Minimum set net mesh size**

- 1 Notwithstanding regulation 31(1) of the Fisheries (Commercial Fishing) Regulations 2001, the mesh size of any set net used or possessed by any commercial fisher in fishery management areas 1 and 9 shall not be less than the appropriate size specified in the following table:

<b>Species of fish</b>	<b>Minimum set net mesh size (mm)</b>
Blue moki	114
Bluenose	160
Flatfish	114
Hapuku/bass	160
Kahawai	90
Grey mullet	90
Parore	114
Rig	125
School shark	125
Snapper	125
Trevally	125

- (2) The minimum set net mesh size in the table in subclause (1) applies only when the relevant species of fish is the target species.

Regulation 5F: inserted, on 30 September 1993, by regulation 6 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).

Regulation 5F(1): amended, on 6 October 2023, by regulation 27(1) of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 5F(1): amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 5F(1): amended, on 1 October 2001, by regulation 9 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 5F(2): inserted, on 6 October 2023, by regulation 27(2) of the Fisheries Amendment Regulations 2023 (SL 2023/243).

## 6 Pair trawling and pair Danish seining prohibitions

- (1) *Bay of Plenty*: no commercial fisher shall use any trawl net or Danish seine net that is drawn or hauled by more than 1 fishing vessel in the waters of the Bay of Plenty enclosed by a line commencing at Tokarahu Point (at 36°41.573'S and 175°47.528'E); then due east to a point 36°41.573'S and 177°59'E, then due south to Cape Runaway (at 37°32.300'S and 177°59'E); then generally westward along the mean high-water mark to the point of commencement.
- (2) *Auckland fisheries area*: no commercial fisher shall use any trawl net or Danish seine net that is drawn or hauled by more than 1 fishing vessel in areas 005, 006, or 007 of the Auckland fisheries area, except within those waters of area 005 which lie north of a line drawn between Cape Rodney (at 36°16.674'S and 174°49.328'E) and Cape Barrier on Great Barrier Island (at 36°20.939'S and 175°31.426'E) where the fisherman's fishing permit has been endorsed with a condition authorising the commercial fisher to do so.

Regulation 6(1): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 6(1): amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 6(2): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 6(2): amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

## 7 Fishing from vessels transporting Danish seine nets prohibited

*[Revoked]*

Regulation 7: revoked, on 12 May 2011, by clause 3 of the Fisheries Regulations Revocation Order 2011 (SR 2011/96).

## 8 Danish seine gear restrictions in Auckland fisheries area

No commercial fisher shall use any Danish seine net, including any warp, rope, or chain used in conjunction with or attached to the net, in area 006 of the Auckland fisheries area at any time between 1 October in any year and 31 March in the following year (both days inclusive), the dimensions of which exceed—

- (a) 76.5 m in circumference at the place where the square or apron of the net is joined to the lower belly of the bag of the net; or
- (b) 48 m in length measured from the centre of the bolsh-line to the front or leading edge of the cod-end; or
- (c) 2 400 m in length of warp, rope, or chain on either side of the net.

Regulation 8: amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

## 9 Provisions as to Danish seining

*[Revoked]*

Regulation 9: revoked, on 12 May 2011, by clause 3 of the Fisheries Regulations Revocation Order 2011 (SR 2011/96).

## 10 Provisions as to trawling

*[Revoked]*

Regulation 10: revoked, on 12 May 2011, by clause 3 of the Fisheries Regulations Revocation Order 2011 (SR 2011/96).

## 10A Certain fishing methods prohibited in defined areas

- (1) No commercial fisher shall use for taking fish a box or teichi net, purse seine net, Danish seine net, trawl net, or lampara net, or set nets of a total length exceeding 1 000 metres, in the following waters:
  - (a) *Kawhia Harbour*: the waters of Kawhia Harbour lying inside a straight line drawn from the northernmost extremity of Urawitiki Point (at 38°05.370'S and 174°46.220'E) to Tauratahi Point (at 38°04.985'S and 174°47.043'E):
  - (b) *Aotea Harbour*: the waters of Aotea Harbour lying inside a straight line drawn from Potahi Point (at 38°00.431'S and 174°47.762'E) to the westernmost extremity of Kahua Point (at 38°02.229'S and 174°47.070'E):
  - (c) *Raglan Harbour*: the waters of Raglan Harbour lying inside a straight line drawn from Rangitoto Point (at 37°47.843'S and 174°50.528'E) to the south head of Raglan Harbour Entrance (at 37°48.268'S and 174°50.568'E):
  - (d) *Waikato River mouth*: the waters of the Waikato River mouth lying inside a straight line drawn from the northern point (at 37°20.996'S and 174°41.207'E) to the southern point (at 37°22.667'S and 174°42.171'E):
  - (e) *Manukau Harbour*: the waters of the Manukau Harbour lying inside a straight line drawn from the signal staff on the south head (at 37°03.060'S and 174°32.70'E) to the easternmost extremity of Paratutai Island (at 37°02.827'S and 174°30.730'E):
  - (f) *Kaipara Harbour*: the waters of Kaipara Harbour lying inside a straight line drawn from the southernmost extremity of north head (at 36°23.468'S and 174°03.165'E) to the south head of the harbour (at 36°28.917'S and 174°09.716'E):
  - (g) *Hokianga Harbour*: the waters of Hokianga Harbour lying inside a straight line drawn from the north head of the harbour (at 35°31.392'S and 173°21.395'E) to the south head of the harbour (at 35°32.008'S and 173°22.045'E):

- (h) *Whangape Harbour*: the waters of Whangape Harbour lying inside a straight line drawn from the north head of the harbour (at 35°22.706'S and 173°12.899'E) to the south head of the harbour (at 35°22.917'S and 173°13.131'E):
- (i) *Herekino Harbour*: the waters of Herekino Harbour lying inside a straight line drawn from the north head of the harbour (at 35°17.524'S and 173°09.685'E) to the south head of the harbour (at 35°17.680'S and 173°09.518'E):
- (j) *Parengarenga Harbour*: the waters of Parengarenga Harbour lying inside a straight line drawn from the north-easternmost extremity of the Kokota Peninsula (at 34°32.101'S and 172°59.366'E) in a north-easterly direction to the easternmost extremity of Ohao Point (otherwise known as Coal Point) (at 34°30.549'S and 173°00.524'E):
- (k) *Houhora Harbour*: the waters of Houhora Harbour lying inside a straight line drawn from Perpendicular Point (at 34°49.579'S and 173°09.981'E) to the southern headland (at 34°49.654'S and 173°09.332'E):
- (l) *Rangaunu Harbour*: the waters of Rangaunu Harbour lying inside a straight line drawn from Blackney Point (at 34°51.744'S and 173°17.158'E) to Otiara Point (at 34°53.591'S and 173°16.838'E):
- (m) *Mangonui Harbour*: the waters of Mangonui Harbour lying inside a straight line drawn from Rangitoto Point (at 34°58.689'S and 173°31.691'E) and to Rangikapiti Head (at 34°58.828'S and 173°31.465'E):
- (n) *Whangaroa Harbour*: the waters of Whangaroa Harbour lying inside a straight line drawn from North Head (at 35°00.018'S and 173°45.428'E) and to South Head (at 35°00.303'S and 173°46.022'E):
- (o) *Bay of Islands*: the waters of the Bay of Islands lying inside straight lines drawn between Tapeka Point (at 35°14.476'S and 174°07.192'E) to the northern point of Motuarohia (at 35°13.718'S and 174°09.384'E); then to Red Head (at 35°11.824'S and 174°12.376'E); then by mean high-water mark along the northern side of Okahu Island to the eastern extremity of Okahu Island (at 35°11.803'S and 174°12.873'E); then by a straight line to Kohangaatara Point (at 35°13.036'S and 174°15.865'E):
- (p) *Port Russell*: the waters of Port Russell lying inside a straight line drawn between the western point (at 35°15.282'S and 174°04.834'E) and the eastern point (at 35°15.034'S and 174°06.721'E):
- (q) *Whangaruru Harbour*: the waters of Whangaruru Harbour lying inside a line commencing at the easternmost extremity of Cape Home (at 35°22.556'S and 174°22.653'E) on the northern side of the entrance of the harbour; then in a straight line in a south-westerly direction to the easternmost extremity of Henry Island (at 35°23.129'S and 174°22.372'E); then through the easternmost extremity of Nops Island

- (at 35°24.265'S and 174°21.849'E); then in a straight line to the shore on the southern side of the harbour (at 35°24.40'S and 174°21.300'E):
- (r) *Tutukaka Harbour*: the waters of Tutukaka Harbour lying inside a straight line drawn from the southern extremity of Tutukaka Head (South Gable) (at 35°36.798'S and 174°32.683'E) to the southern side of the entrance (at 35°37.075'S and 174°32.463'E) of the harbour:
  - (s) *Whangarei Harbour*: the waters of Whangarei Harbour lying inside a straight line drawn from the south-western extremity of Busby Head (at 35°51.595'S and 174°31.733'E) to the northern chimney of the Marsden Point power station (at 35°50.460'S and 174°29.640'E):
  - (t) *Mangawhai Harbour*: the waters of Mangawhai Harbour lying inside a straight line drawn from the northern point (at 36°04.897'S and 174°35.938'E) to the southern point (at 36°05.155'S and 174°35.974'E):
  - (u) *Whangateau Harbour*: the waters of Whangateau Harbour lying inside a straight line drawn from the westernmost extremity of Ti Point (at 36°19.176'S and 174°47.023'E) to Omaha Spit (at 36°19.36'S and 174°46.70'E):
  - (v) *Bon Accord Harbour*: the waters of Bon Accord Harbour lying inside a straight line drawn from Accord Point (at 36°25.090'S and 174°49.123'E) to Momoma Point (at 36°25.692'S and 174°48.954'E):
  - (w) *Mahurangi Harbour*: the waters of Mahurangi Harbour lying inside a straight line drawn from the northern point (at 36°30.263'S and 174°44.165'E) to the southern point known as Cudlip Point (at 36°31.032'S and 174°43.765'E):
  - (x) *Port Fitzroy*: the waters of Port Fitzroy and Port Abercrombie lying inside a line drawn from Wellington Head (at 36°09.655'S and 175°16.915'E) to the north-westernmost point of Okokewa Island (at 36°08.499'S and 175°18.425'E); then by a straight line to the nearest point of the mainland of Great Barrier Island (at 36°08.400'S and 175°18.574'E); then to the north-easternmost point of Motuhaku Island (at 36°09.807'S and 175°17.631'E) to the north-easternmost point of Nelson Island (at 36°09.899'S and 175°17.790'E); then from the south-easternmost point of Nelson Island to the north-westernmost point of Kaikoura Island (at 36°10.026'S and 175°18.161'E) and lying inside a straight line drawn across Man 'O' War Passage at its narrowest point (from 36°11.261'S and 175°19.514'E to 36°11.304'S and 175°19.516'E):
  - (y) *Whangaparapara Harbour*: the waters of Whangaparapara Harbour lying inside a straight line drawn from Lighthouse Point (at 36°15.181'S and 175°23.618'E) and to Beacon Point (at 36°15.707'S and 175°23.849'E):
  - (z) *Tryphena Harbour*: the waters of Tryphena Harbour on Great Barrier Island lying inside a straight line drawn from Tryphena Point (at

36°19.132'S and 175°28.770'E) and passing through Bird Islet (at 36°18.597'S and 175°28.202'E) and passing through to the nearest point of the mainland of Great Barrier Island:

- (za) *Auckland Harbour*: the waters of Auckland Harbour lying inside a straight line drawn from Cook Point (at 36°49.663'S and 174°48.831'E) to Bastion Point (at 36°50.634'S and 174°49.450'E):
- (zb) *Tamaki Estuary*: the waters of the Tamaki Estuary lying inside a straight line drawn from West Tamaki Head (at 36°50.796'S and 174°52.512'E) and to Musick Point (at 36°50.772'S and 174°54.059'E):
- (zc) *Manaia Harbour*: the waters of Manaia Harbour lying inside a straight line drawn from the northern point (at 36°50.613'S and 175°26.033'E) and to the southern point (at 36°50.958'S and 175°25.187'E):
- (zd) *Te Kouma Harbour*: the waters of Te Kouma Harbour lying inside a straight line drawn from the northern point (at 36°49.507'S and 175°25.438'E) to the southern point (at 36°49.699'S and 175°25.720'E):
- (ze) *Coromandel Harbour*: the waters of Coromandel Harbour lying inside a straight line drawn from the northern point of Whanganui Island (at 36°46.090'S and 175°27.156'E) and the mainland (at 36°45.828'S and 175°27.420'E) and lying inside a straight line drawn from the western point of Whanganui Island (at 36°47.630'S and 175°25.692'E) to Esk Point (at 36°48.442'S and 175°26.437'E):
- (zf) *Whangapoua Harbour*: the waters of Whangapoua Harbour lying inside a straight line drawn from the north-western point (at 36°43.356'S and 175°37.671'E) and to Owaro Spit (at 36°43.661'S and 175°37.934'E):
- (zg) *Whitianga Harbour*: the waters of Whitianga Harbour lying inside a straight line drawn from the eastern point (at 36°49.638'S and 175°42.763'E) and to the western point (at 36°49.847'S and 175°42.463'E):
- (zh) *Tairua Harbour*: the waters of Tairua Harbour lying inside a straight line drawn from Te Huruhuru Point (at 37°00.298'S and 175°52.073'E) to Royal Billy Point (at 37°00.341'S and 175°51.769'E):
- (zi) *Whangamata Harbour*: the waters of Whangamata Harbour lying inside a straight line drawn from Te Karaka Point (at 37°12.216'S and 175°53.007'E) to the western point (at 37°12.103'S and 175°52.735'E):
- (zj) *Tauranga Harbour*: the waters of Tauranga Harbour lying inside a straight line drawn from the easternmost point of Matakana Island (at 37°38.215'S and 176°09.718'E) to the southernmost point of Mount Maunganui (at 37°38.157'S and 176°10.230'E) and those waters lying inside a straight line drawn from Papatu Point (at 37°28.144'S and 175°59.143'E) to the northernmost point of Matakana Island (at 37°28.476'S and 175°59.175'E):

- (zk) *Whakatane Harbour*: the waters of Whakatane Harbour lying inside a straight line drawn from the eastern point (at 37°56.596'S and 177°00.648'E) to the western point (at 37°56.626'S and 177°00.483'E):
- (zl) *Ohiwa Harbour*: the waters of the Ohiwa Harbour lying inside a straight line drawn from the eastern point (at 37°59.463'S and 177°09.208'E) to the western point (at 37°59.399'S and 177°08.724'E).
- (2) No commercial fisher shall set any net within 60 metres of any other net in the waters described in subclause (1).

Regulation 10A: inserted, on 30 September 1993, by regulation 7 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).

Regulation 10A(1): amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 10A(1)(a): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 10A(1)(a): amended, on 1 October 2008, by regulation 6(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 2008 (SR 2008/267).

Regulation 10A(1)(b): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 10A(1)(b): amended, on 1 October 2008, by regulation 6(2) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 2008 (SR 2008/267).

Regulation 10A(1)(c): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 10A(1)(c): amended, on 1 October 2008, by regulation 6(3) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 2008 (SR 2008/267).

Regulation 10A(1)(d): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 10A(1)(d): amended, on 1 October 2008, by regulation 6(4) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 2008 (SR 2008/267).

Regulation 10A(1)(e): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 10A(1)(e): amended, on 1 October 2008, by regulation 6(5) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 2008 (SR 2008/267).

Regulation 10A(1)(f): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 10A(1)(f): amended, on 20 November 2008, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2008 (SR 2008/401).

Regulation 10A(1)(g): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 10A(1)(g): amended, on 1 October 2008, by regulation 6(7) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 2008 (SR 2008/267).

Regulation 10A(1)(h): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 10A(1)(h): amended, on 1 October 2008, by regulation 6(8) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 2008 (SR 2008/267).

Regulation 10A(1)(i): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).



Regulation 10A(1)(zg): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 10A(1)(zh): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 10A(1)(zi): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 10A(1)(zj): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 10A(1)(zk): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 10A(1)(zl): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 10A(2): amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

## **10B Trawl fishing prohibited in defined areas**

- (1) A commercial fisher must not use a trawl net for fishing within the following waters:
  - (a) *Scott Point to Maunganui Bluff*: the waters lying within 1 nautical mile to the seaward due west of a baseline that—
    - (i) starts at Scott Point (at 34°31.380'S and 172°42.239'E), by the mean high-water mark to the north head of Herekino Harbour (at 35°17.524'S and 173°09.685'E); and
    - (ii) then proceeds in a straight line to the south head of Herekino Harbour (at 35°17.680'S and 173°09.518'E); and
    - (iii) then proceeds by the mean high-water mark to the north head of Whangape Harbour (at 35°22.706'S and 173°12.899'E); and
    - (iv) then proceeds in a straight line to the south head of Whangape Harbour (at 35°22.917'S and 173°13.131'E); and
    - (v) then proceeds by the mean high-water mark to the north head of Hokianga Harbour (at 35°31.392'S and 173°21.395'E); and
    - (vi) then proceeds in a straight line to the south head of Hokianga Harbour (at 35°32.008'S and 173°22.045'E); and
    - (vii) then proceeds in a southerly direction along the mean high-water mark to Maunganui Bluff (at 35°45.54'S and 173°33.304'E):
  - (b) *Maunganui Bluff to Tirua Point*: the waters lying within an area bounded by a line that—
    - (i) starts at Maunganui Bluff (at 35°45.540'S and 173°33.304'E); and
    - (ii) then proceeds in a southerly direction by the mean high-water mark to the southernmost extremity of the north head of Kaipara Harbour (at 36°23.468'S and 174°03.165'E); and

- (iii) then proceeds in a straight line to the south head of Kaipara Harbour (at 36°28.917'S and 174°09.716'E); and
- (iv) then proceeds in a southerly direction by the mean high-water mark to a point on Paratutai Island (at 37°02.827'S and 174°30.730'E); and
- (v) then proceeds in a straight line to the signal staff on the south head of Manukau Harbour (at 37°03.060'S and 174°32.70'E); and
- (vi) then proceeds in a southerly direction by the mean high-water mark to the north head of the Waikato River mouth (at 37°20.996'S and 174°41.207'E); and
- (vii) then proceeds by a straight line to the south head of the Waikato River mouth (at 37°22.667'S and 174°42.171'E); and
- (viii) then proceeds in a southerly direction by the mean high-water mark to Rangitoto Point (at 37°47.843'S and 174°50.528'E); and
- (ix) then proceeds in a straight line to the south head of Raglan Harbour (at 37°48.268'S and 174°50.568'E); and
- (x) then proceeds in a southerly direction by the mean high-water mark to Potahi Point (at 38°00.431'S and 174°47.762'E); and
- (xi) then proceeds in a straight line to Kahua Point (at 38°02.229'S and 174°47.070'E); and
- (xii) then proceeds in a southerly direction by the mean high-water mark to Tauratahi Point (at 38°04.985'S and 174°47.043'E); and
- (xiii) then proceeds in a straight line to Urawitiki Point (at 38°05.370'S and 174°46.220'E); and
- (xiv) then proceeds in a southerly direction by the mean high-water mark to Tirua Point (at 38°23.222'S and 174°38.048'E); and
- (xv) then proceeds in a north-westerly direction along the fishery management area 9 boundary to a point (at 38°22.354'S and 174°33.078'E); and
- (xvi) then proceeds in a generally northerly direction at a distance of 4 nautical miles from the mean high-water mark to a point (at 36°31.230'S and 174°05.578'E); and
- (xvii) then proceeds in a straight line to a point (at 36°27.300'S and 174°00.857'E); and
- (xviii) then proceeds in a generally northerly direction at a distance of 4 nautical miles from the mean high-water mark to a point (at 35°45.540'S and 173°27.572'E); and
- (xix) then proceeds due east to the starting point at Maunganui Bluff (at 35°45.540'S and 173°33.304'E).

- (2) For the purposes of the areas defined in subclause (1), a straight line joining the mean high-water marks at each side of a harbour entrance or, as the case may be, the natural entrance points of a river mouth must be treated as the inner boundary of those areas if they extend seawards or as the outer boundary of those areas if they extend landwards, except in the case of any harbours and rivers where specific co-ordinates are provided.

Regulation 10B: replaced, on 1 October 2020, by regulation 19 of the Fisheries (Hector's and Māui Dolphin) Amendment Regulations 2020 (LI 2020/199).

Regulation 10B(1)(b)(xv): amended, on 6 October 2023, by regulation 28 of the Fisheries Amendment Regulations 2023 (SL 2023/243).

### 10C Drift net fishing prohibited in Port Waikato

*[Revoked]*

Regulation 10C: revoked, on 1 October 2020, by regulation 20 of the Fisheries (Hector's and Māui Dolphin) Amendment Regulations 2020 (LI 2020/199).

### 11 Drag netting prohibited in defined areas

No commercial fisher shall use a drag net at any time in the following waters:

- (a) *Whangarei Harbour*: the waters of the Whangarei Harbour lying inside a straight line drawn from Marsden Point (at 35°50.226'S and 174°29.840'E) to Lort Point (at 35°49.861'S and 174°30.140'E); except that area specified in regulation 12:
- (b) *Kawhia Harbour*: the waters of Kawhia Harbour lying inside a straight line drawn from the northernmost extremity of Urawitiki Point (at 38°05.370'S and 174°46.220'E) on the southern head of Kawhia Harbour to North Head or Tau-ra-tahi (at 38°04.985'S and 174°47.043'E):
- (c) *Aotea Harbour*: the waters of Aotea Harbour lying inside a straight line drawn from the northernmost extremity of Kahua Point (at 38°02.229'S and 174°47.070'E) to Potahi, the northern head (at 38°00.431'S and 174°47.762'E):
- (d) *Raglan Harbour*: the waters of Raglan Harbour lying inside a straight line drawn from the northernmost extremity of South Head (at 37°48.268'S and 174°50.568'E) to the westernmost extremity of Rangitoto Point (at 37°47.843'S and 174°50.528'E) on the northern head at the entrance of Raglan Harbour:
- (e) *Manukau Harbour*: those waters of the Manukau Harbour lying inside a straight line drawn from the signal staff at South Head (at 37°03.060'S and 174°32.700'E) to Paratutai Island (at 37°02.827'S and 174°30.730'E):
- (f) *Kaipara Harbour*: the waters of Kaipara Harbour lying inside a straight line drawn from the southernmost extremity of North Head (at 36°23.468'S and 174°03.165'E) to Pukitu on the south head of the harbour (at 36°28.917'S and 174°09.716'E):

- (g) *Tauranga Harbour*:
- (i) those waters lying east of a straight line drawn from the southernmost point of Matakana Island (at 37°38.644'S and 176°09.014'E) to Tilby Point (at 37°39.578'S and 176°07.459'E):
  - (ii) those waters enclosed by a line commencing at Matakana Point (also known as Flax Point) (at 37°36.064'S and 176°02.092'E) on Matakana Island to Ngakautuakina Point (also known as Pahoia Point) on the mainland (at 37°37.460'S and 176°00.969'E); then along the mean high-water mark to a point east of Tahawai Stream (at 37°31.900'S and 175°56.798'E); then by a straight line in an easterly direction to Tirohanga Point at the southern headland of the entrance to Blue Gum Bay on Matakana Island (at 37°34.33'S and 176°01.8'E); then along the mean high-water mark to the point of commencement:
  - (iii) at any time during the period commencing on 14 December in any year and ending with the close of the last day of February in the following year, in those waters lying inside a line drawn from Papatu Point (at 37°28.144'S and 175°59.143'E); then in a straight line to the north-westernmost point of Matakana Island (at 37°28.476'S and 175°59.175'E); then along the mean high-water mark to the easternmost point of Matakana Island (at 37°38.215'S and 176°09.718'E); then in a straight line to the southernmost extremity of Mount Maunganui Island (at 37°38.157'S and 176°10.230'E):
- (h) *Mangawhai Harbour*: those waters of Mangawhai Harbour lying inside a line commencing at 36°04.897'S and 174°35.938'E; then in a southerly direction along the mean high-water mark to the point at 36°06.50'S and 174°36.60'E. The line shall cross any entrance or breach leading into the harbour wherever it may occur by the most direct route at the seaward entrance between the point at 36°04.897'S and 174°35.938'E, and the point at 36°06.50'S and 174°36.00'E.

Regulation 11: amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 11(a): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 11(b): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 11(c): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 11(d): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 11(e): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 11(f): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 11(g)(i): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 11(g)(ii): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 11(g)(iii): substituted, on 22 June 2000, by regulation 3 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2000 (SR 2000/78).

Regulation 11(g)(iii): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 11(h): added, on 1 April 1995, by regulation 3(2) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 9 (SR 1995/33).

Regulation 11(h): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

## **12 Restricted drag netting**

- (1) *Snake Bank*: notwithstanding regulation 11(a), but subject to subclause (2), any commercial fisher may use a drag net that has no pocket or cod-end in the waters surrounding Snake Bank in the Whangarei Harbour bounded by a line commencing at Marsden Point (at 35°50.45'S and 174°29.96'E); then along the mean high-water mark to One Tree Point (at 35°49.20'S and 174°27.23'E) then along a straight line to Manganese Point (at 35°47.677'S and 174°26.752'E), then along a straight line to Reserve Point (at 35°47.713'S and 174°27.585'E), then along the mean high-water mark to a point approximately one-half nautical mile due south of Munro Bay (at 35°47.71'S and 174°28.88'E), then along a straight line to Darch Point (at 35°49.208'S and 174°29.559'E), then along the mean high-water mark to Lort Point (at 35°49.861'S and 174°30.14'E), then along a straight line to the point of commencement at Marsden Point.
- (2) *Whangarei Harbour and Snake Bank*: no commercial fisher shall use a dragnet between the hours of sunset and sunrise during the period commencing on 1 December in any year and finishing on 31 March in the following year (both days inclusive) in the waters of the outer Whangarei Harbour and surrounding Snake Bank bounded by a line commencing at Home Point (at 35°51.099'S and 174°31.525'E), then along a straight line to Marsden Point (at 35°50.45'S and 174°29.96'E), then along the mean high-water mark to One Tree Point (at 35°49.20'S and 174°27.23'E), then along a straight line to Manganese Point (at 35°47.677'S and 174°26.752'E), then along a straight line to Reserve Point (at 35°47.713'S and 174°27.585'E), then along the mean high-water mark to a point approximately one-half nautical mile due south of Munro Bay (at 35°47.71'S and 174°28.88'E), then along a straight line to Darch Point (at 35°49.208'S and 174°29.559'E), then along the mean high-water mark to the point of commencement at Home Point.
- (3) *Tauranga Harbour*: subject to subclauses (4) and (5), no commercial fisher may use a drag net to take fish from the waters of Tauranga Harbour lying inside a straight line drawn from Panepane Point, being the easternmost point

of Matakana Island (at 37°38.215'S and 176°09.718'E) to Stony Point, being the southernmost point of Mount Maunganui (at 37°38.157'S and 176°10.230'E), and those waters lying inside a straight line drawn from Papatu Point (at 37°28.144'S and 175°59.143'E) to the northernmost point of Matakana Island (at 37°28.476'S and 175°59.175'E).

- (4) The permit holders named in Part 1 of Schedule 2 may use a drag net to take fish from Tauranga Harbour, but a permit holder may use only 1 fishing vessel at any one time to take those fish.
- (5) The permit holders named in Part 2 of Schedule 2 may use a drag net to take from Tauranga Harbour fish specified in that Part as their target species, but a permit holder may use only 1 fishing vessel at any one time to take those fish.
- (6) The permit holders named in Schedule 2 are exempt from regulation 38 of the Fisheries (Commercial Fishing) Regulations 1986 when using a drag net to take fish from Tauranga Harbour, but permit holders must not—
  - (a) use a drag net to take fish in the time commencing 30 minutes after sunset on any day and ending 30 minutes before sunrise the following day; or
  - (b) use a drag net to take fish on any weekend day or on any statutory holiday; or
  - (c) use a drag net to take fish, if the net has a net mesh size less than 114 millimetres, from 1 March 2001; or
  - (d) use, or have on board a fishing vessel, a drag net to take fish, if the net has a total length (including any warp, rope, chain, short end, wing, leader, or any other attached item) in excess of 1 500 metres.
- (7) Subclauses (6)(a) and (c) do not apply to permit holders named in Schedule 2 who are eligible to target piper or garfish, and are target fishing for piper or garfish.

Regulation 12: substituted, on 30 September 1993, by regulation 9 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).

Regulation 12(1): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 12(1): amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 12(2): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 12(2): amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 12(3): added, on 15 July 1999, by regulation 3 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 1999 (SR 1999/178).

Regulation 12(3): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 12(4): added, on 15 July 1999, by regulation 3 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 1999 (SR 1999/178).

Regulation 12(5): added, on 15 July 1999, by regulation 3 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 1999 (SR 1999/178).

Regulation 12(6): added, on 22 June 2000, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2000 (SR 2000/78).

Regulation 12(7): added, on 22 June 2000, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2000 (SR 2000/78).

### **13 Drag net mesh size for snapper**

Notwithstanding regulation 31(1) of the Fisheries (Commercial Fishing) Regulations 2001 or any other regulations made pursuant to the Act relating to net mesh sizes, no commercial fisher shall use for taking snapper in fishery management areas 1 and 9 any drag net with a mesh size of less than 125 mm.

Regulation 13: amended, on 6 October 2023, by regulation 29 of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 13: amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 13: amended, on 1 October 2001, by regulation 9 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

### **14 Stalling permitted in Kaipara Harbour**

*[Revoked]*

Regulation 14: revoked, on 1 April 2008, by regulation 5 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2008 (SR 2008/25).

### **15 Set netting for snapper, trevally, or rig**

No commercial fisher shall fish for or take any snapper, trevally, or rig within fishery management areas 1 and 9 by means of any set net which has mesh of a size less than 125 mm.

Regulation 15: amended, on 6 October 2023, by regulation 30 of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 15: amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

### **15A Set netting prohibited in defined areas**

(1) No commercial fisher shall use any set net within the following waters:

(a) *Three Kings Islands*: the waters lying inside a line every point of which is 1 nautical mile from the mean high-water mark on all the islands, islets, and rocks of the Three Kings Islands group:

(b) *Bay of Islands*:

(i) *Cape Wiwiki*: the waters lying within a radius of 1 nautical mile from the easternmost extremity of Cape Wiwiki (at 35°09.403'S and 174°07.584'E):

(ii) *Whale Rock*: the waters lying inside a line every point of which is 1 nautical mile from a position at 35°11.404'S and 174°12.002'E on Whale Rock:

- (iii) *Twins Rock*: the waters lying inside a line every point of which is 1 nautical mile from the mean high-water mark on the Twins Rock:
- (c) *Hen and Chicken Islands*:
- (i) *Taranga (Hen) Island*: the waters on the northern side of Taranga Island (otherwise known as Hen Island) lying inside a line commencing at the northernmost extremity of Taranga Island (at 35°57.144'S and 174°41.815'E); then in a due north direction for a distance of 0.5 nautical miles to the point at 35°56.638'S and 174°41.815'E; then in a generally easterly direction by a line every point of which is 0.5 nautical miles from the mean high-water mark to the point at 35°57.388'S and 174°44.801'E; then by a straight line due south to the easternmost extremity of Taranga Island (at 35°58.021'S and 174°44.808'E):
- (ii) *Marotere (Chickens) Islands*: the waters on the northern side of the Marotere Islands (otherwise known as the Chickens Islands) lying inside a line commencing at the northernmost extremity of Lady Alice Island (at 35°53.111'S and 174°43.058'E); then in a due north direction for a distance of 0.5 nautical miles to the point at 35°52.589'S and 174°43.058'E; then proceeding in a generally easterly direction by a line every point of which is 0.5 nautical miles from a baseline which commences at the northernmost extremity of Lady Alice Island (at 35°53.111'S and 174°43.058'E); then by the mean high-water mark to the easternmost extremity of Lady Alice Island (at 35°53.413'S and 174°44.372'E); then in a straight line in an easterly direction to the westernmost extremity of Whatupuke Island (at 35°53.473'S and 174°44.623'E); then by the mean high-water mark to the easternmost extremity of Whatupuke Island (at 35°53.377'S and 174°45.724'E); then in a straight line in an easterly direction to the westernmost extremity of Coppermine Island (at 35°53.438'S and 174°45.789'E); then by the mean high-water mark to the termination of the baseline at the easternmost extremity of Coppermine Island (at 35°53.161'S and 174°46.991'E) to the point at 35°52.604'S and 174°46.991'E; then by a straight line due south to the easternmost extremity of Coppermine Island (at 35°53.161'S and 174°46.991'E):
- (d) *Mokohinau Islands*: the waters lying inside a line every point of which is 0.5 nautical miles from the mean high-water mark on all the islands, islets, and rocks of the Mokohinau Islands group:
- (e) *Simpson Rock*: the waters lying inside a line every point of which is 0.5 nautical miles from the mean high-water mark on Simpson Rock, being

the islet (rock) located approximately 4 nautical miles south of the Mokohinau Islands:

- (f) *Little Barrier Island*: the waters lying inside a line every point of which is 0.5 nautical miles from the mean high-water mark on Little Barrier Island:
- (g) *Great Barrier Island*:
  - (i) *Miners Head–Needles Point*: the waters at the northern end of Great Barrier Island lying inside a line commencing at the northernmost extremity of Miners Head (at 36°03.892'S and 175°20.823'E); then in a due north direction for a distance of 0.5 nautical miles to the point at 36°03.391'S and 175°20.823'E; then proceeding in a generally north-easterly direction by a line every point of which is 0.5 nautical miles from a baseline which commences at the northernmost extremity of Miners Head (at 36°03.892'S and 175°20.823'E); then by the mean high-water mark to the northernmost extremity of Great Barrier Island (at 36°03.010'S and 175°23.962'E); then in a straight line in a north-easterly direction to the southernmost extremity of the unnamed island (at 36°02.999'S and 175°23.976'E); then by the mean high-water mark to the northernmost extremity of the unnamed island (at 36°02.446'S and 175°24.116'E); then in a straight line in a northerly direction to the southernmost extremity of Aiguilles Island (at 36°02.386'S and 175°24.285'E); then by the mean high-water mark to the northernmost extremity of Aiguilles Island (at 36°01.797'S and 175°24.441'E); then in a straight line in a northerly direction to the southernmost extremity of Needles Point (at 36°01.607'S and 175°24.438'E); then by the mean high-water mark to the termination of the baseline at the northernmost extremity of Needles Point (at 36°01.515'S and 175°24.431'E) to the point at 36°01.007'S and 175°24.431'E; then by a straight line due south to the northernmost extremity of Needles Point (at 36°01.515'S and 175°24.431'E):
  - (ii) *Rakitu (Arid) Island*: the waters on the eastern side of Rakitu Island (otherwise known as Arid Island) lying inside a line commencing at the northernmost extremity of Hautapu Point (at 36°06.917'S and 175°29.762'E); then in a due north direction for a distance of 0.5 nautical miles to the point at 36°06.416'S and 175°29.762'E; then by a line every point of which is 0.5 nautical miles from the mean high-water mark on the eastern side of Rakitu Island to the point at 36°08.767'S and 175°29.49'E; then by a straight line due north to the southernmost extremity of Te Akau Point (at 36°08.264'S and 175°29.49'E):

- (iii) *Cape Barrier*: the waters at the southern end of Great Barrier Island lying inside a line commencing at the westernmost extremity of the south head of Tryphena Harbour (at 36°19.902'S and 175°28.44'E); then in a due south direction to a point at 36°20.505'S and 175°28.44'E; then in a generally easterly direction by a line every point of which is 0.5 nautical miles from the mean high-water mark to the point at 36°20.867'S and 175°32.407'E; then by a straight line due west to the south-easternmost extremity of Cape Barrier (at 36°20.867'S and 175°31.788'E):
- (h) *Channel Island*: the waters lying inside a line every point of which is 0.5 nautical miles from the mean high-water mark on Channel Island, being the island located approximately 3 nautical miles north of Cape Colville:
- (i) *Cape Colville*: the waters at the northern end of Cape Colville lying inside a line commencing at the northernmost extremity of Kaiiti Point (at 36°28.810'S and 175°19.810'E); then in a straight line in a northerly direction to the southernmost extremity of Channel Island (at 36°25.368'S and 175°19.847'E); then in a straight line in a south-easterly direction to the northernmost extremity of Square Top Island (at 36°27.658'S and 175°24.070'E); then by the mean high-water mark to the easternmost extremity of Square Top Island (at 36°27.703'S and 175°24.160'E); then in a straight line in a south-easterly direction to the mean high-water mark to the south-west of, and immediately adjacent to, the Sugar Loaf Rocks (at 36°28.428'S and 175°24.790'E); then by the mean high-water mark in a generally north-westerly direction to a point to the south of Cape Colville, representing the eastern end of Port Jackson Bay (at 36°28.393'S and 175°20.970'E); then by a straight line across the bay in a generally south-westerly direction to the point of commencement:
- (j) *Mercury Islands*:
- (i) *Great Mercury Island*: the waters on the eastern and southern sides of Great Mercury Island lying inside a line commencing at the northernmost extremity of Arimawhai Point (at 36°34.666'S and 175°47.213'E); then in a north-east direction for a distance of 0.5 nautical miles to the point at 36°34.282'S and 175°47.689'E; then by a line every point of which is 0.5 nautical miles from the mean high-water mark on the eastern and southern sides of Great Mercury Island to the point at 36°38.809'S and 175°46.658'E; then by a straight line due north to the southernmost extremity of Ahikopua Point (at 36°38.308'S and 175°46.658'E):
- (ii) *Korapuki Island*: the waters lying inside a line every point of which is 0.5 nautical miles from the mean high-water mark on Korapuki Island:

- (iii) *Green Island*: the waters lying inside a line every point of which is 0.5 nautical miles from the mean high-water mark on Green Island:
- (iv) *Middle Island*: the waters on the eastern side of Middle Island lying inside a line commencing at the northernmost extremity of Middle Island (at 36°38.076'S and 175°51.656'E); then in a north-east direction for a distance of 0.25 nautical miles to the point at 36°37.930'S and 175°51.931'E; then by a line every point of which is 0.25 nautical miles from the mean high-water mark on the eastern side of Middle Island to the point at 36°38.686'S and 175°51.740'E; then by a straight line due north to the easternmost extremity of Middle Island (at 36°38.429'S and 175°51.740'E); then in a due south direction for a distance of 0.5 nautical miles to the point at 36°38.937'S and 175°51.740'E; then by a line every point of which is 0.5 nautical miles from the mean high-water mark on the western side of Middle Island to the point at 36°37.790'S and 175°52.190'E; then by a straight line in a south-west direction to the northernmost extremity of Middle Island (at 36°38.076'S and 175°51.656'E):
- (v) *Stanley Island*: the waters lying inside a line commencing at the westernmost extremity of Stanley Island (at 36°38.115'S and 175°52.835'E); then in a north-west direction for a distance of 0.5 nautical miles to the point at 36°37.838'S and 175°52.317'E; then by a line every point of which is 0.5 nautical miles from the mean high-water mark on the northern and eastern sides of Stanley Island to the point at 36°39.393'S and 175°53.439'E; then by a straight line due north to the southernmost extremity of Stanley Island (at 36°38.892'S and 175°53.439'E); then in a due south direction for a distance of 0.25 nautical miles to the point at 36°39.142'S and 175°53.439'E; then by a line every point of which is 0.25 nautical miles from the mean high-water mark on the south-western side of Stanley Island to the point at 36°37.980'S and 175°52.574'E; then by a straight line in a south-east direction to the westernmost extremity of Stanley Island (at 36°38.115'S and 175°52.835'E):
- (vi) *Red Mercury Island*: the waters on the eastern side of Red Mercury Island lying inside a line commencing at the northernmost extremity of Red Mercury Island (at 36°36.942'S and 175°56.141'E); then in a north-east direction for a distance of 0.5 nautical miles to the point at 36°36.567'S and 175°56.605'E; then in a generally easterly direction by a line every point of which is 0.5 nautical miles from the mean high-water mark to the point at 36°38.235'S and 175°56.965'E; then by a straight line due north to

the south-easternmost extremity of Red Mercury Island (at 36°37.666'S and 175°56.965'E):

- (k) *Tamaki River and Panmure Basin*: the waters of the Tamaki River and Panmure Basin lying inside a straight line from the easternmost extremity of Sandy Point (at 36°52.304'S and 174°53.484'E) in a straight line in a south-easterly direction to the point of intersection with the shore to the north of the Half Moon Bay marina (at 36°52.688'S and 174°54.066'E):
- (l) *North-west coast*:
- (i) *Cape Reinga*: the waters lying within 1 nautical mile from the northernmost extremity of Cape Reinga (at 34°25.210'S and 172°40.780'E):
- (ii) *Cape Reinga–Maunganui Bluff*: the waters lying within an area bounded by a line that—
- (A) starts at the northernmost extremity of Cape Reinga (at 34°25.210'S and 172°40.780'E); and
- (B) then proceeds in a generally southerly direction by the mean high-water mark to the north head of Herekino Harbour (at 35°17.524'S and 173°09.685'E); and
- (C) then proceeds in a straight line to the south head of Herekino Harbour (at 35°17.680'S and 173°09.518'E); and
- (D) then proceeds by the mean high-water mark to the north head of Whangape Harbour (at 35°22.706'S and 173°12.899'E); and
- (E) then proceeds in a straight line to the south head of Whangape Harbour (at 35°22.917'S and 173°13.131'E); and
- (F) then proceeds by the mean high-water mark to the north head of Hokianga Harbour (at 35°31.392'S and 173°21.395'E); and
- (G) then proceeds in a straight line to the south head of Hokianga Harbour (at 35°32.008'S and 173°22.045'E); and
- (H) then proceeds in a southerly direction along the mean high-water mark to Maunganui Bluff (at 35°45.540'S and 173°33.304'E); and
- (I) then proceeds due west to a point offshore (at 35°45.540'S and 173°27.572'E); and
- (J) then proceeds in a generally northerly direction at a distance of 4 nautical miles from the mean high-water mark to a point (at 34°21.200'S and 172°40.780'E); and

- (K) then proceeds due south to the starting point at Cape Reinga (at 34°25.210'S and 172°40.780'E):
- (iii) *Maunganui Bluff–Tirua Point*: the waters lying within an area bounded by a line that—
- (A) starts at Maunganui Bluff (at 35°45.540'S and 173°33.304'E); and
- (B) then proceeds in a generally southerly direction by the mean high-water mark to Kaipara Harbour–Pouto Point light (at 36°21.760'S and 174°10.870'E); and
- (C) then proceeds by a straight line to Kaipara Harbour–South Head light (at 36°25.675'S and 174°14.116'E); and
- (D) then proceeds in a westerly direction by the mean high-water mark to the north-westernmost point of the south head of Kaipara Harbour (at 36°25.670'S and 174°13.940'E); and
- (E) then proceeds in a straight line to Papakanui Spit east (at 36°25.710'S and 174°13.210'E); and
- (F) then proceeds in a straight line to Papakanui Spit west (at 36°25.997'S and 174°12.442'E); and
- (G) then proceeds in a southerly direction by the mean high-water mark to Taumatarea Point (at 36°58.758'S and 174°37.954'E) on the northern side of Manukau Harbour; and
- (H) then proceeds in a straight line to Channel Marker No 4 in Manukau Harbour (at 37°02.000'S and 174°42.100'E); and
- (I) then proceeds in a straight line to Matakawau Point (at 37°06.360'S and 174°40.136'E); and
- (J) then proceeds in a southerly direction by the mean high-water mark to a point on the northern side of the Waikato River (at 37°22.590'S and 174°43.940'E); and
- (K) then proceeds in a straight line to the jetty on the south of the Waikato River (at 37°23.160'S and 174°43.940'E); and
- (L) then proceeds in a southerly direction by the mean high-water mark to a point on the northern side of Raglan Harbour (at 37°47.740'S and 174°51.540'E); and
- (M) then proceeds in a straight line to Putoetoe Point (at 37°48.010'S and 174°51.870'E); and
- (N) then proceeds in a southerly direction by the mean high-water mark to Potahi Point at Aotea Harbour (at 38°00.431'S and 174°47.762'E); and

- (O) then proceeds in a straight line to Kahua Point at Aotea Harbour (at 38°02.229'S and 174°47.070'E); and
  - (P) then proceeds in a southerly direction by the mean high-water mark to Kawhia Harbour at Tauratahi Point (at 38°04.985'S and 174°47.043'E); and
  - (Q) then proceeds by a straight line to Urawitiki Point (at 38°05.370'S and 174°46.220'E); and
  - (R) then proceeds in a southerly direction by the mean high-water mark to Tirua Point (at 38°23.222'S and 174°38.048'E); and
  - (S) then proceeds in a north-westerly direction along the fishery management area 9 boundary to a point (at 38°20.619'S and 174°23.144'E); and
  - (T) then proceeds in a generally northerly direction at a distance of 12 nautical miles from the mean high-water mark to a point (at 35°45.540'S and 173°14.610'E); and
  - (U) then proceeds due east to the starting point at Maunganui Bluff (at 35°45.540'S and 173°33.304'E).
- (m) *Tairua/Pauanui*: the waters inside an area defined by a line beginning at the mean high-water mark at the northernmost point of Storm Beach (at 37°02.690'S and 175°53.186'E); then in a straight line in a generally easterly direction to a position at the southernmost point of Home Bay (at 37°02.977'S and 175°56.082'E); then in a straight line in a generally northerly direction to Big King Rock (at 36°59.809'S and 175°55.367'E); then by a straight line in a generally north-westerly direction to the mean high-water mark at the northern end of Te Karo Bay (36°57.646'S and 175°50.647'E); then following the mean high-water mark in a southerly direction to the southernmost point of land near Te Huruhuru Point (at 37°00.298'S and 175°52.073'E); then in a straight line across the Tairua Harbour entrance in a south-westerly direction to the northernmost point of land of the southern harbour headland (at 37°00.340'S and 175°51.769'E); then following the mean high-water mark in a generally southerly direction to the point of commencement.
- (n) *Cape Runaway*: the waters within the area defined by a line beginning at the mean high-water mark at Cape Runaway (at approximately 37°32.3'S and 177°59'E); then proceeding in a straight line in a northerly direction to a position 2 nautical miles from the point of commencement at approximately 37°30.212'S and 177°59'E; then in a generally westerly direction by a line every point of which is 2 nautical miles from the mean high-water mark of Cape Runaway to a point at 37°31.084'S and 177°56.820'E; then in a straight line in a southerly direction to the mean

high-water mark of a position (at 37°37.080'S and 177°56.820'E) adjacent to, or on, a stream tributary on Oruiti Beach; and then proceeding along the line of the mean high-water mark in a generally easterly and northerly direction to the point of commencement at Cape Runaway.

- (2) For the purposes of the area defined in subclause (1)(l)(iii), a straight line joining the mean high-water marks at each side of a harbour entrance or, as the case may be, the natural entrance points of a river mouth must be treated as the inner boundary of that area if it extends seawards or as the outer boundary of that area if it extends landwards, except in the case of any harbours and rivers where specific co-ordinates are provided.

Regulation 15A: inserted, on 30 September 1993, by regulation 10 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).

Regulation 15A(1): amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 15A(1)(b)(i): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 15A(1)(b)(ii): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 15A(1)(c)(i): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 15A(1)(c)(ii): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 15A(1)(g)(i): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 15A(1)(g)(ii): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 15A(1)(g)(iii): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 15A(1)(i): substituted, on 30 November 1995, by regulation 4(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 12 (SR 1995/230).

Regulation 15A(1)(i): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 15A(1)(j)(i): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 15A(1)(j)(iv): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 15A(1)(j)(v): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 15A(1)(j)(vi): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 15A(1)(k): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 15A(1)(l): replaced, on 1 October 2020, by regulation 21 of the Fisheries (Hector's and Māui Dolphin) Amendment Regulations 2020 (LI 2020/199).

Regulation 15A(1)(l)(iii)(S): amended, on 6 October 2023, by regulation 31 of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 15A(1)(m): added, on 30 November 1995, by regulation 4(2) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 12 (SR 1995/230).

Regulation 15A(1)(m): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 15A(1)(n): added, on 24 October 1996, by regulation 3 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 13 (SR 1996/279).

Regulation 15A(1)(n): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 15A(2): added, on 1 October 2008, by regulation 8(3) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 2008 (SR 2008/267).

### **15B Ring netting permitted in defined harbour areas**

Despite regulation 15A(1), a commercial fisher may use a ring net within the following areas if the fisher remains within the vicinity of the ring net while it is in operation:

#### *Manukau Harbour*

- (a) the waters of Manukau Harbour lying inside a straight line drawn from the signal staff on the south head (at 37°03.060'S and 174°32.70'E) to the easternmost extremity of Paratutai Island (at 37°02.827'S and 174°30.730'E):

#### *Kaipara Harbour*

- (b) the waters of Kaipara Harbour lying inside a straight line drawn from the southernmost extremity of the north head (at 36°23.468'S and 174°03.165'E) to the south head of the harbour (at 36°28.917'S and 174°09.716'E):

#### *Raglan Harbour*

- (c) the waters of Raglan Harbour lying inside a straight line drawn from Rangitoto Point (at 37°47.843'S and 174°50.528'E) to the south head of Raglan Harbour Entrance (at 37°48.268'S and 174°50.568'E).

Regulation 15B: inserted, on 1 October 2020, by regulation 22 of the Fisheries (Hector's and Māui Dolphin) Amendment Regulations 2020 (LI 2020/199).

### **15B Length of set net**

*[Expired]*

Regulation 15B: expired, on 1 October 1998, by regulation 15B(3).

### **16 Maximum set net lengths in Kaipara Harbour**

- (1) Notwithstanding regulation 65 of the Fisheries (Commercial Fishing) Regulations 2001 or any other regulations made pursuant to the Act relating to set nets, no commercial fisher shall use to take mullet or kahawai in Kaipara Harbour set nets of a total length in excess of 1 000 m.
- (2) Notwithstanding regulation 65 of the Fisheries (Commercial Fishing) Regulations 2001 or any other regulations made pursuant to the Act relating to set

nets, no commercial fisher shall use to take flounder in Kaipara Harbour set nets of a total length in excess of 1 000 m.

- (3) Notwithstanding regulation 65 of the Fisheries (Commercial Fishing) Regulations 2001 or any other regulations made pursuant to the Act relating to set nets, no commercial fisher shall use to take fish (not being fish specified in subclause (1) or subclause (2)) set nets of a total length in excess of 1 000 m.

Regulation 16(1): amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 16(1): amended, on 1 October 2001, by regulation 9 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 16(2): amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 16(2): amended, on 1 October 2001, by regulation 9 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 16(3): amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 16(3): amended, on 1 October 2001, by regulation 9 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

## 17 Seasonal prohibition on taking of finfish near Motu River

No commercial fisher shall take by any method or be in possession of any finfish taken at any time between 1 December in any year and 31 March in the following year (both days inclusive) from the waters adjacent to the Motu River in the Bay of Plenty lying within a radius of 6 nautical miles of the Oka-toa Rocks (at 37°53.768'S and 177°32.679'E).

Regulation 17: amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 17: amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

## 18 Restrictions on fishing in Manukau Harbour

- (1) No commercial fisher shall take any fish from the prescribed area during the hours between sunrise and sunset or be in possession of any fish during those hours while within the prescribed area.
- (2) No commercial fisher aboard any vessel in the prescribed area shall at any time cast overboard any fish, fish offal, or other refuse likely to attract birds into the area.
- (3) For the purposes of this regulation, the expression **prescribed area** means all that area of water in the Manukau Harbour bounded by a line commencing at the intersection of 37°01.5'S and 174°45.2'E; and proceeding northerly along the 174°45.2' east meridian of longitude to the mean high-water mark of the sea; then in a generally easterly direction along that mean high-water mark to its intersection with the 37°00' south parallel of latitude; then easterly along the 37°00' south parallel of latitude to its intersection with the mean high-water mark; then in a generally south-easterly direction along the mean high-water

mark to its intersection with the 37°01' south parallel of latitude; then south-westerly along a straight line to its intersection with the point 37°01.5'S and 174°49.3'E; then westerly along the 37°01.5' south parallel of latitude to the point of commencement.

Regulation 18(1): amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 18(2): amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

### **18A Fishing in fishery management area 10 prohibited**

- (1) No commercial fisher shall at any time take any fish, aquatic life, or seaweed from the waters of fishery management area 10, or be in possession of any fish, aquatic life, or seaweed taken from those waters.
- (2) Nothing in subclause (1) shall apply to any fish of a species or class subject to the quota management system, or tuna, that are lawfully taken by a commercial fisher, or to any other fish taken as an inevitable consequence of the taking of such fish or tuna.

Regulation 18A: inserted, on 1 November 1989, by regulation 5 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 3 (SR 1989/291).

Regulation 18A heading: amended, on 6 October 2023, by regulation 32(1) of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 18A(1): amended, on 6 October 2023, by regulation 32(2) of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 18A(1): amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 18A(2): amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

### **18AA Restrictions on fishing within 1 nautical mile of Mayor (Tuhua) Island**

No commercial fisher shall use for fishing a set net or longline within 1 nautical mile seaward of the mean high-water mark of the coast of Mayor (Tuhua) Island.

Regulation 18AA: inserted, on 31 July 1992, by regulation 2 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 6 (SR 1992/210).

Regulation 18AA: amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

### **19 Taking of finfish prohibited within 3 nautical miles of Poor Knights Islands marine reserve**

- (1) No commercial fisher shall take any finfish or have in possession any finfish taken from the waters lying between the outer limits of the Poor Knights Islands marine reserve, as described in the Marine Reserve (Poor Knights Islands) Order 1981 (SR 1981/16) and a line every point of which is 3 nautical miles from the mean high-water mark on the Poor Knights Islands, High Peak Rocks, Sugarloaf Rock, and adjacent islands and rocks.

- (2) Nothing in subclause (1) shall apply to the use of a longline to take finfish or finfish taken by longline in those waters lying between a line every point of which is 1 nautical mile from the mean high-water mark on the Poor Knights Islands, High Peak Rocks, Sugarloaf Rock, and adjacent islands and rocks, and a line every point of which is 3 nautical miles from that mean high-water mark.

Regulation 19(1): amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

### **19A Restrictions on fishing in Bay of Islands**

- (1) No commercial fisher shall use any net in the following waters:
- (a) *Ninepin*: the waters lying inside a line, every point of which is 1 nautical mile from the mean high-water mark of Ninepin (at 35°09.13'S and 174°08.737'E):
  - (b) *Cape Brett*: the waters lying inside a line, every point of which is 1 nautical mile from the northernmost point of Cape Brett (at 35°10.311'S and 174°19.783'E):
  - (c) *Bird Rock*: the waters lying inside a line, every point of which is 1 nautical mile from the mean high-water mark of Bird Rock (at 35°09.821'S and 174°18.342'E).
- (2) No commercial fisher shall take fish from the waters of the Bay of Islands inside a line drawn from Tapeka Point (at 35°14.476'S and 174°07.192'E) then to the north-western extremity of Motuarohia (Robertson) Island (35°13.718'S and 174°09.384'E); then to the north-western extremity of the outermost unnamed islet (35°13.053'S and 174°10.731'E) immediately to the north-west of Moturua Island; then to the north-western extremity of Okahu Island (Red Head) (35°11.824'S and 174°12.376'E); then by mean high-water mark along the northern side of Okahu Island to the eastern extremity of Okahu Island (35°11.803'S and 174°12.873'E); then by straight line to the northern extremity of Kohangaatara Point (35°13.036'S and 174°15.865'E) on the eastern side of the Albert Channel, at any time between 1 October in any year and 30 April in the following year (both days inclusive).
- (3) Notwithstanding subclause (2), a commercial fisher may take rock lobster from the waters described in that subclause, by the method of potting, if that commercial fisher holds a current permit authorising the commercial fisher to take rock lobster from those waters by that method.

Regulation 19A: inserted, on 30 September 1993, by regulation 11 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).

Regulation 19A(1): amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 19A(1)(a): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 19A(1)(b): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 19A(1)(c): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 19A(2): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 19A(2): amended, on 1 June 2009, by regulation 5 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/98).

Regulation 19A(2): amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 19A(3): amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

## **20 Taking of spotted black groper prohibited**

No commercial fisher shall take or be in possession of any spotted black groper taken from fishery management areas 1 and 9 or fishery management area 10.

Regulation 20: amended, on 6 October 2023, by regulation 33 of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 20: amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

## **20A Taking of squid from fishery management area 10 prohibited**

No commercial fisher shall take, or be in possession of any squid taken, from fishery management area 10.

Regulation 20A: inserted, on 1 October 1986, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 1 (SR 1986/251).

Regulation 20A heading: amended, on 6 October 2023, by regulation 34(1) of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 20A: amended, on 6 October 2023, by regulation 34(2) of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 20A: amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

## **20B Taking of shortbill spearfish and sailfish prohibited in fishery management areas 1 and 9**

- (1) No commercial fisher shall take any shortbill spearfish or sailfish by any fishing method from fishery management areas 1 and 9 or be in possession of any such fish taken from within that area.
- (2) It is a defence to a charge under subclause (1) if the fisher proves that, immediately upon taking or coming into possession of the shortbill spearfish or sailfish,—
  - (a) where the fisher had been supplied with tags by the chief executive or an officer of the Ministry, the fisher tagged the fish (if alive) and returned it to the sea; or
  - (b) in any other case, the fisher returned the fish (whether alive or dead) to the sea.

Regulation 20B: substituted, on 1 April 1995, by regulation 4(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 9 (SR 1995/33).

Regulation 20B heading: amended, on 6 October 2023, by regulation 35(1) of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 20B(1): amended, on 6 October 2023, by regulation 35(2) of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 20B(1): amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 20B(2): amended, on 1 October 2001, pursuant to regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 20B(2)(a): amended, on 1 October 2001, pursuant to regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 20B(2)(a): amended, on 1 October 2001, by regulation 5 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 20B(2)(b): amended, on 1 October 2001, pursuant to regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

## **20C Targeting of certain fish, aquatic life, and seaweed prohibited, unless specially authorised**

*[Revoked]*

Regulation 20C: revoked, on 1 October 2001, by regulation 6 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

## **20D Fish, aquatic life and seaweed that may be taken subject to competitive or individual quotas, method restrictions, etc**

*[Revoked]*

Regulation 20D: revoked, on 1 October 2001, by regulation 7 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

## **20E Sale of reef fish**

No person shall sell or possess for sale any species of fish taken from fishery management areas 1 and 9 that is specified in the following table:

Banded wrasse	Red moki
Black angelfish	Red mullet (goatfish)
Butterfly perch	Red pigfish
Giant boarfish	Rock cod
Green wrasse	Sandager's wrasse
Kelpfish (hiwihwi)	Scarlet wrasse
Long-finned boarfish	Silver drummer
Marblefish	Splendid perch
Notch-headed marblefish	Toadstool groper
Painted moki	

Regulation 20E: inserted, on 30 September 1993, by regulation 14 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).

Regulation 20E: amended, on 6 October 2023, by regulation 36 of the Fisheries Amendment Regulations 2023 (SL 2023/243).

## 21 Taking of rock lobster prohibited near North Cape light

No commercial fisher shall take any rock lobster from those waters lying to the north-east of the North Island bounded by a line commencing at the North Cape light (at 34°24.90'S and 173°03.00'E) and proceeding northerly along the 173°03.00' east meridian of longitude to its intersection with the 34°20.00' south parallel of latitude; then easterly along that parallel of latitude to its intersection with the 173°09.00' east meridian of longitude; then southerly along that meridian of longitude to its intersection with the 34°28.00' south parallel of latitude, then westerly to its intersection with the 173°03.00' east meridian of longitude; then northerly along that meridian of longitude to the point of commencement at the North Cape light.

Regulation 21: substituted, on 1 April 2008, by regulation 6 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2008 (SR 2008/25).

## 22 Taking of scallops

- (1) No commercial fisher shall at any time take any scallops from the following waters, or be in possession of any scallops taken from those waters:
  - (a) *Kaipara Harbour*: the waters of Kaipara Harbour lying inside a straight line drawn from the southernmost extremity of North Head (at 36°23.468'S and 174°03.165'E) to Pukitu on the south head of the harbour (at 36°28.917'S and 174°09.716'E):
  - (b) *Hokianga Harbour*: the waters of Hokianga Harbour lying inside a straight line drawn from the north head of the harbour (at 35°31.392'S and 173°21.395'E) to the south head of the harbour (at 35°32.008'S and 173°22.045'E):
  - (c) *Whangape Harbour*: the waters of Whangape Harbour lying inside a straight line drawn from the north head of the harbour (at 35°22.706'S and 173°12.899'E) to the south head of the harbour (at 35°22.917'S and 173°13.131'E):
  - (d) *Herekino Harbour*: the waters of Herekino Harbour lying inside a straight line drawn from the north head of the harbour (at 35°17.524'S and 173°09.685'E) to the south head of the harbour (at 35°17.680'S and 173°09.518'E):
  - (e) *Parengarenga Harbour*: the waters of Parengarenga Harbour lying inside a straight line drawn from the north-easternmost extremity of the Kokota Peninsula (at 34°32.101'S and 172°59.366'E) in a north-easterly direction to the easternmost extremity of Ohao Point (otherwise known as Coal Point) (at 34°30.549'S and 173°00.524'E):

- (f) *Houhora Harbour*: the waters of Houhora Harbour lying inside a straight line drawn from the east head of the harbour (at 34°49.579'S and 173°09.981'E) to the west head of the harbour (at 34°49.654'S and 173°09.332'E):
- (g) *Rangaunu Harbour*: the waters of Rangaunu Harbour lying inside a straight line drawn from Blackney Point (at 34°51.744'S and 173°17.158'E) to Otiaia Point (at 34°53.591'S and 173°16.838'E):
- (h) *Doubtless Bay*: the waters of Doubtless Bay lying within one-half nautical mile of MHW mark from the easternmost extremity of Knuckle Point (at 34°50.951'S and 173°28.186'E) to the northernmost extremity of Berghan Point (at 34°54.762'S and 173°33.516'E) and including all of Mangonui Harbour:
- (i) *Whangaroa Harbour*: the waters of the Whangaroa Harbour lying on the landward side of a straight line drawn from the White Beacon on the south head of the harbour (at 35°00.303'S and 173°46.022'E) to the north-eastern extremity of the north head of the harbour (at 35°00.018'S and 173°45.428'E):
- (j) *Bay of Islands*: the waters of the Bay of Islands lying inside a line commencing at the easternmost point of Cape Wiwiki (at 35°09.403'S and 174°07.584'E); then in a straight line to the northern extremity of Red Head (at 35°11.750'S and 174°12.483'E); then in a straight line in a north-easterly direction to the northern extremity of Cape Brett (at 35°10.311'S and 174°19.783'E):
- (k) *Whangaruru Harbour*: the waters of Whangaruru Harbour lying inside a line commencing at the westernmost extremity of Cape Home (at 35°22.556'S and 174°22.653'E) on the northern side of the entrance of the harbour; then in a straight line in a south-westerly direction to the easternmost extremity of Henry Island (at 35°23.129'S and 174°22.372'E); then through the easternmost extremity of Nops Island (at 35°24.265'S and 174°21.849'E); then in a straight line to the shore on the southern side of the harbour (at 35°24.40'S and 174°21.30'E):
- (l) *Whananaki Estuary*: the waters of Whananaki Estuary lying inside a straight line drawn from the southernmost extremity of Motutara Point (at 35°31.145'S and 174°28.648'E) in a westerly direction to the easternmost extremity of the southern head of the estuary entrance (at 35°30.772'S and 174°28.059'E):
- (m) *Tutukaka Harbour*: the waters of Tutukaka Harbour lying inside a straight line drawn from the southern extremity of Tutukaka Head (at 35°36.798'S and 174°32.683'E) in a south-westerly direction through the Rocky Islets to the headland on the southern side of the entrance (at 35°37.075'S and 174°32.463'E) to the harbour:

- (n) *Ngunguru Estuary*: the waters of Ngunguru Estuary lying inside a straight line drawn from the northern entrance of the estuary (at 35°38.121'S and 174°31.440'E) to the southern entrance of the estuary (at 35°37.90'S and 174°30.80'E):
- (o) *Pataua Estuary*: the waters of Pataua Estuary lying inside a straight line drawn from the northern entrance of the estuary (at 35°42.814'S and 174°31.493'E) to the southern entrance of the estuary (at 35°42.840'S and 174°31.576'E):
- (p) *Whangarei Harbour*: the waters of Whangarei Harbour lying inside a straight line drawn from the southern westernmost extremity of Peach Cove (at 35°51.645'S and 174°33.416'E) to the southernmost extremity of Busby Head (at 35°51.719'S and 174°31.873'E) to the northern chimney of the Marsden Power Station (at 35°50.460'S and 174°29.640'E):
- (q) *Port Abercrombie and Port Fitzroy*: the waters of and adjacent to Port Abercrombie and Port Fitzroy in Great Barrier Island lying inside a line drawn from Wellington Head (at 36°09.655'S and 175°16.915'E) to the north-westernmost point of Okokewa Island (at 36°08.499'S and 175°18.425'E); then by a straight line to the nearest point of the mainland of Great Barrier Island (at 36°08.400'S and 175°18.574'E); and lying inside a line drawn from the north-easternmost point of Motuhaku Island (at 36°09.807'S and 175°17.631'E) to the north-westernmost point of Nelson Island (at 36°09.899'S and 175°17.790'E); then from the south-easternmost point of Nelson Island (at 36°10.026'S and 175°18.084'E) to the north-westernmost point of Kaikoura Island (at 36°10.026'S and 175°18.161'E); and lying inside a straight line drawn across Man 'O' War Passage at its narrowest point (from 36°11.261'S and 175°19.514'E to 36°11.304'S and 175°19.516'E):
- (r) *Tryphena Harbour and Schooner Bay*: the waters of Tryphena Harbour and Schooner Bay lying inside a straight line from Shag Point (at 36°18.583'S and 175°26.095'E) to Tryphena Point (at 36°19.133'S and 175°28.770'E):
- (s) *Whangaparapara Harbour*: the waters of Whangaparapara Harbour lying inside a straight line from Lighthouse Point (at 36°15.181'S and 175°23.618'E) to Beacon Point (at 36°15.707'S and 175°23.849'E):
- (t) *Port Charles*: the waters of Port Charles lying inside a straight line from Long Point (at 36°30.3'S and 175°26.60'E) to the easternmost point of Port Charles (at 36°30.286'S and 175°28.455'E):
- (u) *Kennedy Bay*: the waters of Kennedy Bay lying inside a straight line commencing at 36°39.859'S and 175°35.045'E (which is half a nautical mile north of the southernmost extremity of the northern entrance of Kennedy Bay) drawn in a south-easterly direction to the northernmost extremity of Anarake Point (at 36°40.944'S and 175°36.320'E):

- (v) *Whangapoua Harbour*: the waters of Whangapoua Harbour lying inshore of a line drawn from Te Rehutae (at 36°43.356'S and 175°37.671'E) to Omaro Spit (at 36°43.661'S and 175°37.934'E):
- (w) *Mercury Bay*: the waters of Mercury Bay lying inside a line commencing at the northernmost extremity of Motukoranga Island (at 36°44.615'S and 175°49.149'E); thence to the nearest point of mainland (at 36°44.520'S and 175°49.121'E); thence from the southernmost extremity of Motukoranga Island (at 36°44.799'S and 175°49.273'E); thence to the north-easternmost extremity of Te Tui Island (otherwise known as Mahurangi Island) (at 36°49.613'S and 175°49.487'E); thence to the easternmost extremity of Hereheretaura Point (at 36°50.486'S and 175°49.194'E):
- (x) *Whangamata Harbour*: the waters of Whangamata Harbour and the part of the adjacent sea lying within a radius of 3 nautical miles from the southernmost extremity of the northern head at the mouth of the Whangamata Harbour (at 37°12.216'S and 175°53.007'E):
- (y) *Inner Hauraki Gulf*: the waters of the Hauraki Gulf lying inside a straight line drawn from the easternmost tip of Tawharanui Peninsula (at 36°21.955'S and 174°52.076'E) to the easternmost point of Tiritiri Matangi Island (at 36°36.515'S and 174°54.018'E); thence to the northernmost point of Rakino Island (at 36°42.528'S and 174°56.709'E); thence by a straight line from the south-western point of Rakino Island (at 36°43.743'S and 174°56.675'E) to Thumb Point on Waiheke Island (at 36°44.273'S and 175°10.280'E); thence by straight line from the headland on Waiheke Island at 36°46.691'S and 175°11.616'E to the northernmost point of Pakatoa Island (at 36°47.502'S and 175°11.490'E); thence by straight line from the southernmost point of Pakatoa Island (at 36°48.013'S and 175°11.758'E) to the northernmost point on Rotoroa Island (at 36°48.404'S and 175°11.875'E); thence by straight line from the southernmost point of Rotoroa Island (at 36°49.507'S and 175°11.962'E) to the north-easternmost point of Ponui Island (at 36°50.020'S and 175°12.805'E); thence by straight line from the northern end of Second Bay on Ponui Island (at 36°53.843'S and 175°12.054'E) to the northernmost end of Wilsons Bay on Coromandel Peninsula (at 36°53.185'S and 175°25.382'E); thence by straight line from Deadmans Point (at 36°51.212'S and 175°24.382'E) to the south-westernmost point of Motuoruhi Island (at 36°44.825'S and 175°23.902'E); thence to the northernmost point of Motukahaua Island (at 36°39.225'S and 175°22.483'E); thence to Turipeka Point on the Coromandel Peninsula (at 36°36.379'S and 175°25.668'E):
- (z) *Manukau Harbour*: the waters of Manukau Harbour lying inside a straight line drawn from the signal staff on the south head (at

37°03.060'S and 174°32.700'E) to the easternmost extremity of Paratutai Island (at 37°02.827'S and 174°30.73'E):

- (za) *Omaha Bay*: the waters lying inside a line beginning at the mean high-water mark at 36°21.80'S and 174°49.30'E; then in a 0.5 nautical mile straight line in a generally north-easterly direction to a position at 36°21.40'S and 174°49.60'E; then by a straight line in a generally north-westerly direction to the northern headland of Omaha Cove (at 36°17.386'S and 174°49.038'E); then in a generally south-westerly direction along the mean high-water mark of Omaha Bay to Ti Point (at 36°19.176'S and 174°47.023'E); then in a straight line across the Whangateau Harbour entrance in a westerly direction to Te Tamutu Point (at 36°19.360'S and 174°46.70'E); then along the mean high-water mark to the point of commencement:
- (zb) *Blind Bay*: the waters lying inside a straight line beginning at a point on the north-west side of Blind Bay, Great Barrier Island (at 36°15.968'S and 175°25.274'E); then in a south-easterly direction to a point on the south-east side of Blind Bay (at 36°16.323'S and 175°26.019'E); then along the mean high-water mark to the point of commencement:
- (zc) *Hooks Bay*: the waters lying inside a line beginning at the mean high-water mark at Thumb Point, Waiheke Island (at 36°44.316'S and 175°10.481'E); then in a straight line in a south-easterly direction to the easternmost point of Hooks Bay (at 36°45.109'S and 175°11.633'E); then in a generally westerly and then northerly direction along the mean high-water mark to the point of commencement:
- (zd) *Waiheke Island*: the waters lying inside a line beginning at the mean high-water mark at Kauri Point on Waiheke Island (at 36°45.915'S and 175°12.171'E); then along the mean high-water mark in a generally south-westerly direction to the headland on Waiheke Island (at 36°46.691'S and 175°11.616'E); then in a straight line in a generally southerly direction to the northernmost point of Pakatoa Island (at 36°47.502'S and 175°11.490'E); then along the mean high-water mark to the southernmost point of Pakatoa Island (at 36°48.013'S and 175°11.758'E); then in a straight line in a generally southerly direction to the northernmost point of Rotoroa Island (at 36°48.404'S and 175°11.875'E); then along the mean high-water mark to the southernmost point of Rotoroa Island (at 36°49.507'S and 175°11.962'E); then in a straight line in a generally southerly direction to the north-easternmost point of Ponui Island (at 36°50.020'S and 175°12.805'E); then in a straight line in a generally northerly direction back to the point of commencement:
- (ze) *Great Mercury Island*: the waters lying inside a line beginning at the mean high-water mark at the westernmost point of Maunganui Point (at 36°36.133'S and 175°45.557'E); then in a straight line in a southerly

direction to the rock known as The Sister (at 36°36.639'S and 175°45.556'E); then in a straight line in a generally south-easterly direction to intersect with the mean high-water mark at Great Mercury Island (at 36°37.045'S and 175°47.309'E); then in a generally north-westerly direction along the mean high-water mark of Great Mercury Island, continuing to follow the mean high-water mark within the waters of the Huruhi Harbour itself to the point of commencement:

- (zf) *Otama Bay*: the waters lying inside a line beginning at the mean high-water mark at the northernmost point of Kauwera Point (at 36°41.553'S and 175°46.892'E); then in a straight line in a generally south-westerly direction to a position at the northernmost point of Otama Beach (at 36°42.012'S and 175°46.431'E); then in a straight line in a generally south-westerly direction to the northernmost point of Motuhua Point (at 36°42.344'S and 175°44.604'E); then in a generally north-easterly direction along the mean high-water mark of Otama Beach to the point of commencement:
- (zg) *Opito Bay*: the waters lying inside a line beginning at the mean high-water mark at the northernmost point of Opito Point (at 36°42.999'S and 175°49.079'E); then in a straight line in a generally northerly direction to a position at the westernmost point of Rabbit Island (at 36°42.832'S and 175°49.006'E); then in a straight line in a generally north-westerly direction to the Mahinapua Rocks (at 36°42.222'S and 175°47.481'E); then in a straight line in a due westerly direction to the mean high-water mark at Opito Beach (at 36°42.222'S and 175°47.312'E); then following the mean high-water mark in a generally south-easterly direction to the point of commencement:
- (zh) *Tairua*: the waters inside an area defined by a line beginning at the mean high-water mark at the northernmost point of Storm Beach (at 37°02.690'S and 175°53.186'E); then in a straight line in a generally easterly direction to a position at the southernmost point of Home Bay (at 37°02.977'S and 175°56.082'E); then by a straight line in a generally northerly direction to Big King Rock (at 36°59.809'S and 175°55.367'E); then in a straight line in a generally north-westerly direction to the mean high-water mark at Te Ororoa Point (at 36°56.618'S and 175°51.358'E); then following the mean high-water mark in a southerly direction to the southernmost point of land near Te Huruhi Point (at 37°00.298'S and 175°52.073'E); then across the mouth of the Tairua Harbour to the northernmost point of land on the southern harbour headland (at 37°00.341'S and 175°51.769'E); then following the mean high-water mark in a generally southerly direction to the point of commencement:
- (zi) *Bowentown*: the waters inside an area defined by a line beginning at the mean high-water mark at the northern headland of Bowentown Heads,

Tauranga Harbour (at 37°27.894'S and 175°59.494'E); then following the mean high-water mark to Papatu Point (at 37°28.144'S and 175°59.143'E); then in a generally southerly direction to the northernmost point of Matakana Island (37°28.476'S and 175°59.175'E); then along the mean high-water mark of Matakana Island on its easterly side to a point 3 nautical miles distant from the northern headland of Bowentown Heads (at 37°27.894'S and 175°59.494'E); then by a line proceeding in an arc, every point of which is 3 nautical miles seaward of the northern headland of Bowentown Heads, until the line reaches the mean high-water mark south of Waihi Beach; then in a generally south-easterly direction along the mean high-water mark to the point of commencement:

- (zj) *Motiti Island*: the waters lying inside a line every point of which is 1 nautical mile from the mean high-water mark on Motiti Island in the Bay of Plenty, including, at the southern end of that island, those waters within 1 nautical mile of the unnamed rock (at 176°24.31'E and 37°39.35'S) and the Matatapu Rocks (at 176°24.96'E and 37°39.44'S):
- (zk) *Mount Maunganui–Papamoa*: the waters lying within 1 nautical mile of the mean high-water mark on that part of the shore of the Bay of Plenty that commences at the northernmost point of Mount Maunganui (at 37°37.486'S and 176°10.347'E); then in a straight line due north to a point 1 nautical mile directly out to sea; then in a generally south-easterly direction by a line, every point of which is 1 nautical mile from the mean high-water mark, to a point 1 nautical mile due north of the northernmost point of Okurei Point (Town Point) (at 37°44.448'S and 176°28.07'E); then following the mean high-water mark in a generally westerly direction back to the point of commencement:
- (zl) *Spirits Bay–Tom Bowling Bay*: the waters within the area defined by a line commencing at the point at 34°22.0'S and 172°40.0'E; then proceeding by a straight line in a northerly direction to the point at 34°18.5'S and 172°40.0'E; then proceeding by a straight line in an easterly direction to the point at intersection with the 100-metre depth contour line (as shown on Chart NZ41) at 34°18.5'S and 172°53.962'E; then proceeding in a generally south-easterly direction along the 100-metre depth contour line (as shown on Chart NZ41) to the point at 34°22.123'S and 173°2.7'E; then proceeding by a straight line in a southerly direction to the point at intersection with the 50-metre depth contour line (as shown on Chart NZ41) at 34°23.463'S and 173°2.7'E; then proceeding in a generally westerly direction along the 50-metre depth contour line (as shown on Chart NZ41) to the point at 34°22.858'S and 172°53.6'E; then proceeding by a straight line in a northerly direction to the point at 34°22.7'S and 172°53.6'E; then proceeding by a straight line in a westerly direction to the point at 34°22.7'S and 172°45.3'E; then proceeding by a straight line in a northerly direction to the point at 34°22.0'S and

172°45.3'E; then proceeding by a straight line in a westerly direction to the point of commencement.

- (2) Subject to subclause (3), no commercial fisher shall take any scallops from the fishery known as quota management area SCACS except during those daylight hours of any day commencing 1 hour before sunrise and ending 1 hour after sunset.
- (3) No commercial fisher shall take any scallops from quota management area SCACS during the period commencing 1 hour after sunset on any Thursday and ending 1 hour before sunrise on the following Sunday.
- (4) No commercial fisher shall take any scallops from quota management area SCACS except during the open season for that fishery; and, for the purposes of this subclause, the open season for that fishery shall in any year commence 1 hour before sunrise on 15 July and end 1 hour after sunset on 21 December.
- (5) No commercial fisher shall take any scallops from any waters of fishery management area 1 or fishery management area 9 that are not waters within quota management area SCACS other than between the hours of 6 am and 6 pm on any day.

Regulation 22: substituted, on 1 November 1989, by regulation 7 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 3 (SR 1989/291).

Regulation 22(1): amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 22(1)(a): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(b): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(c): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(d): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(e): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(f): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(g): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(h): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(i): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(j): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(k): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(l): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(m): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(n): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(o): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(p): substituted, on 30 September 1993, by regulation 15(1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).

Regulation 22(1)(p): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(q): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(r): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(s): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(t): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(u): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(v): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(w): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(x): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(y): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(y): amended, on 30 September 1993, by regulation 15(2) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279).

Regulation 22(1)(z): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(za): added, on 16 July 1999, by regulation 2 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 1999 (SR 1999/220).

Regulation 22(1)(za): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(zb): added, on 16 July 1999, by regulation 2 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 1999 (SR 1999/220).

Regulation 22(1)(zb): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(zc): added, on 16 July 1999, by regulation 2 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 1999 (SR 1999/220).

Regulation 22(1)(zc): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(zd): added, on 16 July 1999, by regulation 2 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 1999 (SR 1999/220).

Regulation 22(1)(zd): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(ze): added, on 16 July 1999, by regulation 2 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 1999 (SR 1999/220).

Regulation 22(1)(ze): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(zf): added, on 16 July 1999, by regulation 2 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 1999 (SR 1999/220).

Regulation 22(1)(zf): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(zg): added, on 16 July 1999, by regulation 2 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 1999 (SR 1999/220).

Regulation 22(1)(zg): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(zh): added, on 16 July 1999, by regulation 2 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 1999 (SR 1999/220).

Regulation 22(1)(zh): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(zi): added, on 16 July 1999, by regulation 2 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 1999 (SR 1999/220).

Regulation 22(1)(zi): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(zj): added, on 16 July 1999, by regulation 2 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 1999 (SR 1999/220).

Regulation 22(1)(zk): added, on 16 July 1999, by regulation 2 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 1999 (SR 1999/220).

Regulation 22(1)(zk): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(1)(zl): added, on 11 November 1999, by regulation 3 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 1999 (SR 1999/343).

Regulation 22(1)(zl): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Regulation 22(2): amended, on 6 October 2023, by regulation 37(1) of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 22(2): amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 22(3): amended, on 6 October 2023, by regulation 37(1) of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 22(3): amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 22(4): amended, on 6 October 2023, by regulation 37(1) of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 22(4): amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 22(4): amended, on 26 September 1991, by regulation 12 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 5 (SR 1991/161).

Regulation 22(5): amended, on 6 October 2023, by regulation 37(1) of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 22(5): amended, on 6 October 2023, by regulation 37(2) of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 22(5): amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

## **22A Restrictions on the taking of shellfish**

*[Revoked]*

Regulation 22A: revoked, on 5 January 2006, by regulation 5 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 2005 (SR 2005/313).

## **22B Size limit on scallops taken from quota management area SCACS**

- (1) No commercial fisher shall—
  - (a) take from quota management area SCACS any scallop the shell of which, whether entire, chipped, or broken, is less than 90 mm in length; or
  - (b) be in possession of any scallop which has been taken from quota management area SCACS and which has a shell that, whether entire, chipped, or broken, is less than 90 mm in length.
- (2) For the purposes of subclause (1), the greatest diameter of the shell of a scallop is its length.
- (3) Nothing in regulation 32(1) of the Fisheries (Commercial Fishing) Regulations 2001 shall apply in relation to any scallop taken from quota management area SCACS.

Regulation 22B: inserted, on 11 August 1995, by regulation 2 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 10 (SR 1995/158).

Regulation 22B heading: amended, on 6 October 2023, by regulation 38(1) of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 22B(1): amended, on 1 October 2001, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 22B(1)(a): amended, on 6 October 2023, by regulation 38(2) of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 22B(1)(b): amended, on 6 October 2023, by regulation 38(2) of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 22B(3): amended, on 6 October 2023, by regulation 38(2) of the Fisheries Amendment Regulations 2023 (SL 2023/243).

Regulation 22B(3): amended, on 1 October 2001, by regulation 9 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

## **22C Restriction on taking kina other than by hand-gathering**

No commercial fisher may take any kina from the waters of SUR1A, SUR1B, or SUR9, for the purpose of sale, by any means other than hand-gathering.

Regulation 22C: inserted, on 2 October 2003, by regulation 5 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2003 (SR 2003/223).

## **23 All methods prohibited in certain waters**

- (1) No commercial fisher may take fish or seaweed by any fishing method, or be in possession of fish or seaweed taken, from the following waters:

- (a) *[Revoked]*
  - (b) Mimiwhangata Peninsula: as described in Schedule 3:
  - (c) Tauranga Harbour: the waters of Tauranga Harbour, which lie south of the Tauranga–Taneatua railway bridge (at 37°41.256'S and 176°10.237'E to 37°41.382'S and 176°10.940'E).
- (2) No commercial fisher may take aquatic life by any fishing method, or be in possession of aquatic life taken, from the following waters:
- (a) Taharoa lakes: the interconnected lakes Taharoa (at NZMS 260-R16, 625360), Numiti and Rotoroa, and Lake Harihari (NZMS 260-R16, 610310):
  - (b) the Motu River catchment: as described in Schedule 4.

Regulation 23: substituted, on 13 January 2005, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2004 (SR 2004/455).

Regulation 23(1)(a): revoked, on 1 October 2011, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2011 (SR 2011/290).

Regulation 23(1)(c): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

## 24 Offences

- (1) A person commits an offence and is liable on conviction to a fine not exceeding \$20,000 if the person acts in contravention of, or fails to comply with, any of regulations 4A to 4E, 4G, 5A to 5C, 7, 9, 10, 18, or 22C.
- (2) A person commits an offence and is liable on conviction to a fine not exceeding \$100,000 if the person acts in contravention of, or fails to comply with, any of regulations 2A to 4, 4F, 5, 5F, 6, 8, 10A, 10B, 11 to 13, 15, 15A, 16, 17, 18A to 20B, 20E, 21, 22, 22B, or 23.

Regulation 24: substituted, on 1 October 2001, by regulation 8 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264).

Regulation 24(1): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

Regulation 24(1): amended, on 1 June 2009, by regulation 6 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/98).

Regulation 24(1): amended, on 5 January 2006, by regulation 6 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 2005 (SR 2005/313).

Regulation 24(1): amended, on 1 October 2004, by regulation 6 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2004 (SR 2004/280).

Regulation 24(1): amended, on 2 October 2003, by regulation 6 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2003 (SR 2003/223).

Regulation 24(2): amended, on 1 October 2020, by regulation 23 of the Fisheries (Hector's and Māui Dolphin) Amendment Regulations 2020 (LI 2020/199).

Regulation 24(2): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

**25 Revocation**

The Fisheries (Auckland Commercial Fishing Restrictions) Notice 1985 (SR 1985/141) is hereby revoked.

## Schedule 1

### Auckland fisheries area

The following areas together comprise the Auckland fisheries area:

Area	Description
Area 005	Those waters lying inside a line drawn from Bream Tail (at 36°02.627'S and 174°35.209'E) to Needles Point (at 36°01.450'S and 175°24.490'E); then by a straight line to the northernmost extremity of Great Barrier Island (at 36°02.993'S and 175°23.866'E); then around the mean high-water mark of the western coastline of Great Barrier Island to Cape Barrier (at 36°20.939'S and 175°31.426'E); then by a straight line to Cape Colville (at 36°28.156'S and 175°20.673'E); then by a straight line to Cape Rodney (at 36°16.674'S and 174°49.328'E); then by the mean high-water mark in a north-westerly direction to Bream Tail (at 36°02.627'S and 174°35.209'E).
Area 006	The waters of Hauraki Gulf lying inside the straight line drawn from the easternmost point of Tawharanui Peninsula (Takatu Point) (at 36°21.955'S and 174°52.076'E) to Slater Point (at 36°24.457'S and 174°52.193'E) on Kawau Island; then by the mean high-water mark on the eastern side of Kawau Island to Kawau Point (at 36°26.865'S and 174°52.728'E); then by a straight line to the lighthouse on Tiritiri Matangi Island (at 36°36.337'S and 174°53.849'E); then by a straight line to Thumb Point (at 36°44.4'S and 175°10.3'E) on Waiheke Island; then by a straight line to the western extremity of Motuoruhi Island (at 36°44.521'S and 175°23.782'E); then by a straight line to the western extremity of Motukahaua Island (at 36°39.560'S and 175°22.162'E); then by a straight line to Tokotarea Point (at 36°36.644'S and 175°26.191'E) at the northern entrance to Colville Bay; then by the mean high-water mark in a north-westerly direction to Cape Colville (at 36°28.156'S and 175°20.673'E); then by a straight line to Cape Rodney (at 36°16.674'S and 174°49.328'E); then by the mean high-water mark in a southerly direction to the easternmost point of Tawharanui Peninsula (Takatu Point) (at 36°21.955'S and 174°52.076'E).
Area 007	The waters of Hauraki Gulf and the Firth of Thames lying inside a straight line drawn from the easternmost point of Tawharanui Peninsula (Takatu Point) (at 36°21.955'S and 174°52.076'E) to Slater Point (at 36°24.457'S and 174°52.193'E) on Kawau Island; then around the mean high-water mark to Kawau Point (at 36°26.865'S and 174°52.728'E); then by a straight line to the lighthouse on Tiritiri Matangi Island (at 36°36.337'S and 174°53.849'E); then by a straight line to Thumb Point (at 36°44.4'S and 175°10.3'E) on Waiheke Island; then by a straight line to the western extremity of Motuoruhi Island (at 36°44.521'S and 175°23.782'E); then by a straight line to the western extremity of Motukahaua Island (at 36°39.560'S and 175°22.162'E); then by a straight line to Tokotarea Point (at 36°36.644'S and 175°26.191'E) at the northern entrance to Colville Bay; then by the mean high-water mark around the coast of the mainland back to the easternmost point of Tawharanui Peninsula (at 36°21.955'S and 174°52.076'E).

Schedule 1 Area 005: amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Schedule 1 Area 006: amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Schedule 1 Area 007: amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

## Schedule 2

r 12(4), (5)

Schedule 2: added, on 15 July 1999, by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 1999 (SR 1999/178).

### Part 1

#### **Permit holders allowed to take fish commercially using drag net in Tauranga Harbour**

<b>Permit holder</b>	<b>Client number</b>
Lockett, Roderick Owen	8431437
Mikaere, Ken	8431664
Parrott, William Harry Boyd	8431877
Wall, Murray John	8432543
Churcher, Perry James	8432998
Gread, Stephen Scott & Gread, Susan Ann	8730112
Kiddie, Brian George	9130059
Murray, David & Jacobs, Christopher & Nathan, Ross & Johnson, Ted	9330009
Mikaere, Leon Phillip & Mikaere, Kevin Leo & Mikaere, Joyce Rena	9430022
Stephens, Isaac William and van Eyk, Tony Gerard	9430013

### Part 2

#### **Permit holders allowed to take target species commercially using drag net in Tauranga Harbour**

<b>Permit holder</b>	<b>Target species</b>	<b>Client number</b>
Clark, Michael David	Garfish	8410438

### Schedule 3

## Mimiwhangata Peninsula

r 23(1)(b)

Schedule 3: added, on 13 January 2005, by regulation 5 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2004 (SR 2004/455).

The Mimiwhangata Peninsula comprises the area of water adjacent to Paparahi Point and Rimariki Island on the east coast of the North Auckland Land District, enclosed by a line—

- (1) commencing at the mean high-water mark of the sea at the western extremity of Lot 1, DP 89739, North Auckland Land District, being approximately latitude 35°25.983'S and longitude 174°23.120'E and proceeding due north for a distance of 1 000 m; then
- (2) proceeding initially in a generally easterly direction to a point 1 000 m due north of Ngataurau Rock; then
- (3) proceeding to a point 1 000 m due north of the northern extremity of Rimariki Island; then
- (4) proceeding in a south-easterly direction to a point 1 000 m due east of Motuwharariki Island; then
- (5) proceeding in a generally south-westerly direction to a point 1 000 m due east of the eastern extremity of Otawhanga Island; then
- (6) proceeding to a point on a bearing of 59°02.67' and at a distance of 1 000 m from the south-eastern boundary of Te Ruatahi 2A Block; then
- (7) proceeding in a generally south-westerly direction to a point at the mean high-water mark of the sea at the south-eastern boundary of Te Ruatahi 2A Block being approximately latitude 35°27.613'S and longitude 174°25.983'E; then
- (8) proceeding along the line of the mean high-water mark initially in a northerly direction and proceeding along that mark to the point of commencement.

Schedule 3 paragraph (1): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

Schedule 3 paragraph (7): amended, on 29 January 2020, by regulation 4 of the Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292).

## Schedule 4

### Motu River catchment

r 23(2)(b)

Schedule 4: added, on 13 January 2005, by regulation 5 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2004 (SR 2004/455).

The Motu River catchment comprises the waters of the Motu River catchment enclosed by a line—

- (1) commencing at the mean high-water mark at Tokata Point, eastern Bay of Plenty; then
- (2) proceeding in a generally easterly direction to a trig named Oariki 1315 (245 m); then
- (3) following the ridge lines and high points of approximately 556 m (Tauranga-koau), 725 m, 995 m (near the headwaters of the Huaero Stream), 1 109 m, and 1 320 m, a trig named Puketauhinu (1 475 m), and the high point of 1 342 m (at the headwaters of the Mangatutara Stream); then
- (4) proceeding in a generally southerly and then westerly direction along the southern Mangatutara Stream ridge line passing near the high points of approximately 1 426 m (at the headwaters of the Mangatiko Stream), 1 387 m (near the headwaters of the Ruatahunga Stream), 1 246 m (adjacent to the western side of the Ruatahunga Stream), 1 253 m, and 1 170 m; then
- (5) proceeding in a generally southerly direction passing the headwaters of the Kahoka Stream and the headwaters of the Kokopumatara Stream; then
- (6) proceeding past the high point of Tamarere (approximately 1 325 m), to a trig named Arowhana (1 439 m); then
- (7) proceeding in a generally south-westerly direction to a trig numbered 8076 (at the headwaters of the Waimatau Stream), a trig named Pukekiore M9 (974 m), and a high point of approximately 945 m (to the east of a trig named Tuanuiotekahakaha); then
- (8) proceeding along a ridge line passing the headwaters of Whakamaria Stream, Te Kumukumu Stream, and Jacksons Stream, passing through a trig named Maungahaumi (approximately 1 213 m); then
- (9) continuing to follow the ridge line, proceeding in a generally westerly direction through a trig named K of approximately 1 006 m, and a trig named Matawai (approximately 964 m); then
- (10) crossing State Highway 2 at a point halfway between the localities of Matawai and Rakauroa (near Tawai), reaching a trig numbered 8843 of approximately 762 m; then
- (11) heading in a generally southerly direction to a trig numbered 137B (approximately 1 068 m), then a high point east of the locality Koranga named the Dome (approximately 1 021 m, at the headwaters of the Motu River); then

- (12) proceeding in a generally north-westerly and northerly direction along ridge lines and a high point of 753 m (adjacent to Te Wera Road), a trig named O (approximately 1 018 m), high points of 815 m, 988 m (adjacent to Moanui Road), 957 m (previously known as Johnstone), and 962 m, crossing State Highway 2 at Traffords Hill, to a trig numbered 8841, a high point named Pokaikiri (925 m), trigs named O (907 m), Moutohora 149 (1 040 m), IIIA (738 m), Taumataokaretu 770 (796 m, approximately 2 km north of Motu Village), and Onukuroa (780 m); then
- (13) proceeding in a generally north-westerly direction along the part of the Motu Road, ridge lines, or high points passing the locality Whitikau to trigs named Papamoa 765 (787 m), Te Weraakauanga 626 (600 m, adjacent to the Motu Road), Te Pakora No 1 (826 m), a high point of 717 m, and around the headwaters of the Oiratiti Stream to a trig named Hoiataikahu 525 (650 m); then
- (14) proceeding in an easterly direction around the headwaters of the Rawea Stream to a high point of approximately 620 m (adjacent to the Rurupori Stream); then
- (15) proceeding in a generally north-easterly direction along ridge lines to a trig numbered 7921 (707 m, to the east of a trig named Pukeiahonoa (701 m)); then
- (16) proceeding around the headwaters of the Pukuranui Stream to a trig named Puketoetoe 1313 (1 120 m), then to a high point named Pukehou (approximately 975 m) at the headwaters of the true left fork of the Manuriki Stream; then
- (17) proceeding in a generally north-westerly direction to high points Otaitapu (518 m) on the eastern side of the Hawaii River tributaries, Te Ipuhinu (381 m), and 247 m (at the headwaters of the Matawai Stream); then
- (18) following the high points to reach State Highway 35 (around the headwaters of the Houpoto Stream), then following State Highway 35 in a generally north-easterly direction to a trig named Parinui (224 m), before proceeding down to the mean high-water mark on the point at the northern end of Te Uritukituki Beach (at NZMS 260-X15, 106587); then
- (19) proceeding to the point of commencement, crossing the Motu River at its mouth.

P G Millen,  
Clerk of the Executive Council.

## Notes

### **1** *General*

This is a consolidation of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

### **2** *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

### **3** *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

### **4** *Amendments incorporated in this consolidation*

Fisheries Amendment Regulations 2023 (SL 2023/243): Part 2

Fisheries (Hector's and Māui Dolphin) Amendment Regulations 2020 (LI 2020/199): Part 2

Fisheries (Co-ordinates) Amendment Regulations 2019 (LI 2019/292): regulation 4

Fisheries (Trawling) Amendment Regulations 2017 (LI 2017/157): regulation 10

Criminal Procedure Act 2011 (2011 No 81): section 413

Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2011 (SR 2011/290)

Fisheries Regulations Revocation Order 2011 (SR 2011/96): clause 3

Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2009 (SR 2009/98)

Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2008 (SR 2008/401)

Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 2008 (SR 2008/267)

Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2008 (SR 2008/25)

Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2007 (SR 2007/311)

Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 2005 (SR 2005/313)

Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2004 (SR 2004/455)

Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2004 (SR 2004/280)

Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2003 (SR 2003/223)

Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 2001 (SR 2001/264)

Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2001 (SR 2001/65)

Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 2000 (SR 2000/78)

Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 3) 1999 (SR 1999/343)

Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 1999 (SR 1999/220)

Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 1999 (SR 1999/178)

Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 1998 (SR 1998/297)

Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations 1998 (SR 1998/24)

Fisheries (Auckland and Kermadec Areas Commercial Fishing) Amendment Regulations (No 2) 1997 (SR 1997/305)

Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 13 (SR 1996/279)

Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 12 (SR 1995/230)

Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 11 (SR 1995/214)

Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 10 (SR 1995/158)

Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 9 (SR 1995/33)

Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 7 (SR 1993/279)

Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 6 (SR 1992/210)

Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 5 (SR 1991/161)

Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 3 (SR 1989/291)

Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No 1 (SR 1986/251)