

## **Fisheries (Commercial Fishing) Amendment Regulations (No 2) 2004**

Pursuant to section 297 of the Fisheries Act 1996, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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#### **1 Title**

- (1) These regulations are the Fisheries (Commercial Fishing) Amendment Regulations (No 2) 2004.
- (2) In these regulations, the Fisheries (Commercial Fishing) Regulations 2001<sup>1</sup> are called “the principal regulations”.

#### **2 Commencement**

These regulations come into force on 1 October 2004.

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<sup>1</sup> SR 2001/253

**3 Application for approval for southern bluefin tuna longlining**

Regulation 26 of the principal regulations is revoked.

**4 Minimum finfish length, weight, and net mesh size**

- (1) Regulation 31(4) of the principal regulations is amended by omitting the word “eels”, and substituting the words “any eel”.
- (2) The table in regulation 31(6) is amended by omitting the item relating to eels.

**5 Maximum legal weight for eels taken from South Island fisheries waters**

Regulation 50 of the principal regulations is amended by omitting from both subclause (1) and subclause (2) the words “shortfinned or longfinned eels”, and substituting in each case the words “any shortfinned or longfinned eel”.

**6 Fishing for eels prohibited except by certain methods**

Regulation 51 of the principal regulations is revoked.

**7 Offences**

Regulation 84(2) of the principal regulations is amended—

- (a) by omitting the expression “26(2),”;
- (b) by omitting the expression “51,”.

Diane Morcom,

Clerk of the Executive Council.

**Explanatory note**

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations, which come into force on 1 October 2004, amend the Fisheries (Commercial Fishing) Regulations 2001 to—

- remove the requirement to lodge applications for approval for southern bluefin tuna longline fishing not less than 6 weeks before the start of each fishing year:

- remove the minimum net mesh size for taking eels (and remove some ambiguity as to whether some provisions refer to 1 or more eels):
- remove the requirement for eel fishers to hold a permit that expressly authorises the taking of eels using a fyke net, hinaki, or set net.

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