

Fisheries (Tory Channel commercial kina dredging prohibition) Notice 2023

(Notice No. MPI 1719)

The Minister for Oceans and Fisheries gives the following notice under section 11 of the Fisheries Act 1996:

Notice

1 Title

This notice is the Fisheries (Tory Channel commercial kina dredging prohibition) Notice 2023.

2 Interpretation

In this notice:

Commercial fisher: has the meaning given in regulation 3 of the Fisheries (Commercial Fishing) Regulations 2001

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 device

Kina: means a shellfish of the species *Evechinus chloroticus* (also known as the sea egg).

3 Commencement

This notice comes into force on 1 October 2023.

4 Tory Channel commercial kina dredging prohibition

- (1) A commercial fisher must not use a dredge for taking kina in Kura Te Au/Tory Channel prohibition area.
- (2) In this clause, Kura Te Au/Tory Channel prohibition area means all those New Zealand fisheries waters enclosed by a line that:
 - a. Extends across the western entrance of Tory Channel from Dieffenbach Point (at 41°13.907'S and 174°08.779'E) to the southern point of Kaitapeha Bay (at 41°13.590'S and 174°10.268'E); and
 - b. Extends across the eastern entrance of Tory Channel from the east head of Tory Channel (at 41°12.600'S and 174°19.400'E) to the west head of Tory Channel (at 41°12.790'S and 174°18.920'E).

5 Penalty

Under section 228 of the Fisheries Act 1996, every person commits an offence and is liable to a fine not exceeding \$100,000 (as set out in section 252(5) of that Act) who contravenes, or fails to comply with, any sustainability measure implemented by notice in the *New Zealand Gazette* under section 11(4)(b)(i).

6 Customary Fishing

This notice does not restrict the taking of kina taken in accordance with regulations 50–52 of the Fisheries (Amateur Fishing) Regulations 2013 or the Fisheries South Island Customary Fishing) Regulations 1999.

Dated at Wellington this 19th day of September 2023.

Dunedin



Hon Rachel Brooking,
Minister for Oceans and Fisheries.

Certified in order for signature:



Amelia Jones

Barrister and Solicitor of the High Court of New Zealand

At Auckland
21st day of August 2023