

Fisheries (SCA CS Closure) Notice 2022 (MPI 1456)

Pursuant to section 11 of the Fisheries Act 1996, the Minister for Oceans and Fisheries, after complying with the requirements of that section, gives the following notice.

Notice

1. Title

This notice is the Fisheries (SCA CS Closure) Notice 2022.

2. Commencement

This notice comes into force on **1 April 2022**.

3. Prohibition on Taking Scallops

(1) A person must not take scallops from SCA CS, except from waters within the Hauturu/ Little Barrier Island scallop area and Colville Channel scallop area.

(2) In this clause -

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

Hauturu/ Little Barrier Island scallop area - means that area of the New Zealand fisheries waters enclosed by a line that:

- a. commences at East Cape Hauturu/ Little Barrier at 36°13.731'S and 175° 06.321'E; then
- b. proceeds in a southerly direction to 36°17.907'S and 175°06.321'E; then
- c. proceeds in a westerly direction to 36°17.907'S and 175°01.609'E; then
- d. proceeds in a northerly direction to 36°11.863'S and 175°01.609'E; then
- e. proceeds in a north-easterly direction to Hue Point Hauturu/ Little Barrier at 36°11.329'S and 175° 02.973'E; then
- f. proceeds in an easterly direction along the line of mean high-water springs to the point of commencement.

Colville Channel scallop area - means that area of the New Zealand fisheries waters enclosed by a line that:

- a. commences in the Colville Channel at 36°17.836'S and 175°17.124'E; then
- b. proceeds in an easterly direction to 36°17.836'S and 175°25.404'E; then
- c. proceeds in a southerly direction to 36°23.775'S and 175°25.404'E; then
- d. proceeds in a westerly direction to 36°23.775'S and 175°17.124'E; then
- e. proceeds in a northerly direction to the point of commencement.

4. 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).

5. Customary Fishing

This notice does not restrict the taking of scallops taken in accordance with Regulations 50-52 of the Fisheries (Amateur Fishing) Regulations 2013 or the Fisheries (Kaimoana Customary Fishing) Regulations 1998.

6. Defences

It is a defence for any person charged with taking scallops from SCA CS, other than from Hauturu/ Little Barrier Island scallop area and Colville Channel scallop area, if that person proves that the scallops were washed ashore.

Dated at Auckland this 18th day of March 2022.

HON DAVID PARKER, Minister for Oceans and Fisheries.