

# FISHERIES ACT 1996

## PART 16 - MISCELLANEOUS PROVISIONS

### Provisions relating to notices

#### **311.Areas closed to commercial fishing methods—**

(1)The Minister may, where—

(a)Catch rates by recreational fishers for a stock are low; and

(b)Such low catch rates have a significant adverse effect on the ability of recreational fishers to take their allowance for that stock; and

(c)The low catch rates are due to the effect of commercial fishing for the stock in the area or areas where recreational fishing for the stock commonly occurs; and

(d)A dispute regarding the matter has been considered under Part 7 of this Act and the Minister is satisfied that all parties to the dispute have used their best endeavours in good faith to settle the dispute but have failed to do so,—after consulting with such persons or organisations as the Minister considers are representative of those classes of persons who have an interest in the matter, recommend the making of regulations under section 297 of this Act that close an area or areas to commercial fishing for that stock, or prohibit a method or methods of commercial fishing in an area or areas for that stock for the purpose of better providing for recreational fishing for that stock, provided that such regulations are not inconsistent with the Maori Fisheries Act 1989, the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992, or Part 9 of this Act.

(2)After determining to recommend the making of regulations under subsection (1) of this section, the Minister shall, as soon as practicable, give to the parties consulted in accordance with that subsection reasons in writing for his or her decision.