

## **Fisheries Act 1996**

### ***Part 3 Sustainability measures***

#### **Section 14 Alternative total allowable catch for stock specified in Schedule 3**

(1) Notwithstanding anything in section 13 of this Act, if satisfied, in the case of any quota management stock listed in Schedule 3 to this Act, that the purpose of this Act would be better achieved by setting a total allowable catch otherwise than in accordance with subsection (2) of that section, the Minister may at any time, by notice in the Gazette, set in respect of the quota management area relating to the quota management stock a total allowable catch for that stock that he or she considers appropriate to achieve the purpose of this Act.

(2) Every total allowable catch set under subsection (1) of this section for any stock shall continue to apply in each fishing year for the stock unless varied under subsection (3) of this section.

(3) The Minister may from time to time, by notice in the Gazette, vary any total allowable catch set under subsection (1) of this section for any stock by increasing or reducing the total allowable catch.

(4) Without limiting subsection (1) or subsection (3) of this section, the Minister may set or vary any total allowable catch at, or to, zero.

(5) Except as provided in subsection (6) of this section, every setting or variation of a total allowable catch shall have effect on and from the first day of the next fishing year for the stock concerned.

(6) After considering information about the abundance during the current fishing year of any stock listed in Schedule 3 to this Act, the Minister may, by notice in the Gazette, increase the total allowable catch for the stock with effect from such date in the fishing year in which the notice is published as may be stated in the notice.

(7) If a total allowable catch for any stock has been increased during any fishing year under subsection (6) of this section, the total allowable catch for that stock shall, at the close of that fishing year, revert to the total allowable catch that applied to that stock at the beginning of that fishing year; but this subsection does not prevent a variation under subsection (3) of this section of the total allowable catch that applied at the beginning of that fishing year.

(8) The Governor-General may from time to time, by Order in Council,—

(a) Omit the name of any stock from Schedule 3 to this Act:

(b) Add to that Schedule the name of any stock if—

(i) It is not possible, because of the biological characteristics of the species, to estimate maximum sustainable yield; or

(ii) A national allocation for New Zealand has been determined as part of an international agreement; or

(iii) The stock is managed on a rotational or enhanced basis; or.

(iv) the stock comprises 1 or more highly migratory species.