

Reprint
as at 1 October 2017

Fisheries (Reporting) Amendment Regulations (No 4)
2007

(SR 2007/247)

Fisheries (Reporting) Amendment Regulations (No 4) 2007: revoked, on 1 October 2017, pursuant to regulation 52 of the Fisheries (Reporting) Regulations 2017 (LI 2017/154).

Preamble

At Wellington this 27th day of August 2007

Pursuant to section 297(1)(h) and (2)(b) of the Fisheries Act 1996, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this eprint. See the notes at the end of this eprint for further details.

These regulations are administered by the Ministry for Primary Industries.

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1 Title

These regulations are the Fisheries (Reporting) Amendment Regulations (No 4) 2007.

2 Commencement

These regulations come into force on 1 October 2007.

3 Principal regulations amended

These regulations amend the Fisheries (Reporting) Regulations 2001.

4 Kinds of returns

Regulation 4 is amended by inserting the following paragraphs after paragraph (eb):

(ec) lining trip catch effort returns:

(ed) trawl catch effort returns:

5 Catch, effort, and landing returns

Regulation 5(1) is amended by inserting “11C, 11D,” after “11B,”.

6 Catch landing returns

Regulation 6(1) is amended by inserting the following paragraphs after paragraph (aa):

(ab) lining trip catch effort returns:

(ac) trawl catch effort returns:

7 New regulations 11C and 11D inserted

The following regulations are inserted after regulation 11B:

11C Lining trip catch effort return

(1) A permit holder who takes fish, or on whose behalf fish are taken, by the methods of bottom longlining, surface longlining (targeting species other than tuna or swordfish), or trot lining from a vessel must complete and provide to the chief executive a lining trip catch effort return if the vessel—

(a) is 6 m or more but not more than 28 m in overall length; or

- (b) is a vessel for which the chief executive has advised the permit holder in writing that a lining trip catch effort return must be provided.
- (2) A person required to provide a lining trip catch effort return must—
 - (a) complete a separate lining trip catch effort return for each fishing trip; and
 - (b) complete the fishing method, hook spacing, name of fisher, and permit holder and vessel details before completing the details relating to the setting of the first set required by the return; and
 - (c) complete, for each set, a separate column of catch effort information; and
 - (d) complete, for each set, the information about the setting as soon as the setting for that set is completed; and
 - (e) complete, for each set, the information about the hauling and species caught as soon as the hauling for that set is completed; and
 - (f) record, for each set, the setting information on the same return that is used to record the hauling information for that set; and
 - (g) sign and date the return after all fishing reported on the return is completed; and
 - (h) provide the return for a fishing trip that ends on any day in a calendar month to the chief executive not later than 15 days after the last day of that calendar month.
- (3) In subclause (2), a **set** includes all lines that are set—
 - (a) to target the same species; and
 - (b) with the same fishing method, hook spacing, and name of fisher; and
 - (c) within 2 nautical miles of the start of the first line; and
 - (d) as soon as is practicable following the setting of the first line.
- (4) A person contravenes this subclause if the person provides a lining trip catch effort return after the date it was due, but not more than 1 calendar month after the date it was due.
- (5) A person contravenes this subclause if the person provides or fails to provide a lining trip catch effort return more than 1 calendar month after the date it was due.

11D Trawl catch effort return

- (1) A permit holder who takes fish, or on whose behalf fish are taken, by the methods of bottom trawl, bottom pair trawl, mid-water trawl, or mid-water pair trawl from a vessel must complete and provide to the chief executive a trawl catch effort return if the vessel—
 - (a) is 6 m or more but not more than 28 m in overall length; or

- (b) is a vessel for which the chief executive has advised the permit holder in writing that a trawl catch effort return must be provided.
- (2) A person required to provide a trawl catch effort return must—
 - (a) complete a separate trawl catch effort return for each fishing trip; and
 - (b) complete the gear code, design wingspread, design headline height, and permit holder and vessel details before the start of the first shot reported on the return; and
 - (c) complete, for each shot, a separate column of catch effort information as soon as hauling for that shot is completed; and
 - (d) sign and date the return after all fishing reported on the return is completed; and
 - (e) provide the return for a fishing trip that ends on any day in a calendar month to the chief executive not later than 15 days after the last day of that calendar month.
- (3) A person contravenes this subclause if the person provides a trawl catch effort return after the date it was due, but not more than 1 calendar month after the date it was due.
- (4) A person contravenes this subclause if the person provides or fails to provide a trawl catch effort return more than 1 calendar month after the date it was due.

8 New regulation 26A inserted

The following regulation is inserted after regulation 26:

26A Chief executive may grant exemption from requirement to provide audit report

- (1) The chief executive may, on application by a licensed fish receiver, exempt the licensed fish receiver, for a period of up to 2 years, from the requirement under regulation 20 to be audited and to provide a report of the audit.
- (2) An exemption under subclause (1) may be granted on any terms and conditions that the chief executive thinks fit.
- (3) Before granting an exemption, the chief executive may require the licensed fish receiver to supply any information that the chief executive requires, including—
 - (a) information about the nature of the licensed fish receiver's business;
 - (b) information about any changes (or intended changes) to the licensed fish receiver's business.
- (4) The chief executive may revoke an exemption granted under subclause (1) at any time if the chief executive is satisfied that—
 - (a) the licensed fish receiver has breached any conditions on which the exemption was granted; or

- (b) the nature of the licensed fish receiver's business has so changed that the basis on which the exemption was granted to the licensed fish receiver no longer applies; or
- (c) the licensed fish receiver has been convicted of an offence against the Act or any regulations made under the Act; or
- (d) the integrity of the fisheries compliance system may be put at risk if the exemption granted to the licensed fish receiver were to continue.

9 Separate returns required for each vessel or method

Regulation 28 is amended by inserting "11C, 11D," after "11B,".

10 Return books to be supplied by chief executive

Regulation 29(2) is amended by inserting the following paragraphs after paragraph (db):

- (dc) in the case of return books for lining trip catch effort returns, returns in form 5C of Schedule 2:
- (dd) in the case of return books for trawl catch effort returns, returns in form 5D of Schedule 2:

11 Offences

- (1) Regulation 42(b) is amended by inserting "11C(2) or (4), 11D(2) or (3)," after "11B(2), (4), or (6),".
- (2) Regulation 42(c) is amended by inserting "11C(5), 11D(4)," after "11B(5),".

12 Schedule 2 amended

Schedule 2 is amended by inserting the forms set out in Schedule 1 of these regulations after form 5B.

13 Schedule 3 amended

- (1) Table 1 of Part 1 of Schedule 3 is amended by inserting the item set out in Part 1 of Schedule 2 of these regulations after the item relating to Porbeagle shark.
- (2) Part 1 of Schedule 3 is amended by adding the table 23 set out in Part 2 of Schedule 2 of these regulations.

Schedule 1
New forms 5C and 5D inserted in Schedule 2

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Form 5C
Lining trip catch effort return

Lining trip catch effort return Form number **LTC**

| | Shot no. | Target species |
|--|-------------------|----------------|-------------------|----------------|-------------------|----------------|-------------------|----------------|
| Set number (since start of trip) and target species | / | / | / | / | / | / | / | / |
| Date: start of set (dd/mm/yy) | : | : | : | : | : | : | : | : |
| Time: start of set (24-hr clock) | ° | ' | ° | ' | ° | ' | ° | ' |
| Latitude: start of set (degrees/minutes) | ° | ' | ° | ' | ° | ' | ° | ' |
| Longitude: start of set (degrees/minutes E/W) | ° | ' | ° | ' | ° | ' | ° | ' |
| Bottom depth: start of set (metres) | metres | | | | | | | |
| Number of hooks in this set | | | | | | | | |
| Date: start of haul (dd/mm/yy) | / | / | / | / | / | / | / | / |
| Time: start of haul (24-hr clock) | : | : | : | : | : | : | : | : |
| Non-fish/Protected species catch? | Yes | No | Yes | No | Yes | No | Yes | No |
| Write the species code and estimated greenweight of each quota and non-quota species caught during each shot | .0kg | .0kg | .0kg | .0kg | .0kg | .0kg | .0kg | .0kg |
| <i>For example, if you catch 40 kg of blue mackerel, write: B M A 4 0 .0kg</i> | | | | | | | | |
| More than 8 species? List the eight species that you caught most of (by greenweight) | .0kg | .0kg | .0kg | .0kg | .0kg | .0kg | .0kg | .0kg |
| Weight of all other species caught (this shot) | All other species | .0kg |

1. Complete separate returns for each fishing trip and a separate column for each line set.

2. Write the fishing method hook spacing m and name of fisher (first letter of first name then first four letters of surname) m

3. Permit holder and vessel details

Name of permit holder

Client number of permit holder

Name of vessel

Registration number of vessel

Signature of permit holder or authorised person

Date signed

//20

I declare that the information I have given on this return is correct and complete, and that I have read and understood the explanatory notes supplied with this return.

Do not forget that you need to complete a landing return. Send completed returns to PO Box 297, Wellington (NZ)

Form 5D
Trawl catch effort return



1. Complete separate returns for each fishing trip and a separate column for each shot. Start a new return if you change gear during a trip. m of gear used for these shots.

2. Write the gear code design wingspread m and design headline height m

| Shot number (since start of trip) and target species | | Target species | | Shot no. | | Target species | |
|--|---------|----------------|---------|----------|--------|----------------|---------|
| Date: start of shot (dd/mm/yy) | / / | / / | / / | / | / | / | / |
| Time: start of shot (24-hr clock) | : | : | : | : | : | : | : |
| Latitude: start of shot (degrees minutes) | ° ' S | ° ' S | ° ' S | ° | ' | S | ° ' E/W |
| Longitude: start of shot (degrees minutes E/W) | ° ' E/W | ° ' E/W | ° ' E/W | ° | ' | E/W | ° ' E/W |
| Depths at start of shot (Groundrope / Bottom) | m / m | m / m | m / m | m / | m / | m / | m / |
| Average trawling speed (knots) | knots | knots | knots | knots | knots | knots | knots |
| Time: end of shot (24-hr clock) | : | : | : | : | : | : | : |
| Non-fish / Protected species catch? | Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | Yes No |
| Write the species code and estimated greenweight of each quota and non-quota species caught during each shot | .0kg | .0kg | .0kg | .0kg | .0kg | .0kg | .0kg |
| For example, if you catch 1100 kg of snapper, write SNA 1 1 0 0 .0kg | | | | | | | |
| More than 8 species? List the 8 species that you caught most of (by greenweight) | .0kg | .0kg | .0kg | .0kg | .0kg | .0kg | .0kg |
| Weight of all other species caught this shot | .0kg | .0kg | .0kg | .0kg | .0kg | .0kg | .0kg |
| All other species | | | | | | | |

Form number TCE

3. Permit holder and vessel details

Name of permit holder

Name of vessel

Client number of permit holder

Name of fisher (first letter of first name then first four letters of surname)

Registration number of vessel

Registration number of other vessel (paired fishing)

Signature of permit holder or authorised person

Date signed / /20

I declare that the information I have given on this return is correct and complete, and that I have read and understood the explanatory notes supplied with this return.

Do not forget that you need to complete a landing return. Send completed returns to PO Box 297, Wellington (NZ)

Schedule 2

Amendments to Schedule 3

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Amendments to table 1

| Species or class of fish | Quota management area reference number set out in table 2 of this Part | Other area reference number set out in any other table | be used (species/area) |
|--------------------------|--|--|------------------------|
| Prawn killer | 1 | | PRK1 |
| | 2 | | PRK2 |
| | | 3 | PRK3 |
| | | 4A | PRK4A |
| | 5 | | PRK5 |
| | | 6A | PRK6A |
| | | 6B | PRK6B |
| | 7 | | PRK7 |
| | 8 | | PRK8 |
| | 9 | | PRK9 |
| 10 | | PRK10 | |

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New table 23 added

23—Prawn killer reference numbers for the purposes of table 1

The areas referred to by name in this table are the quota management areas described in Schedule 2 of the Fisheries (Declaration of New Stocks Subject to Quota Management System) Notice 2006.

| Area name | Area reference number used in fishstock code |
|---|--|
| South East Coast and Western Chatham Islands combined | 3 |
| Chatham Islands East | 4A |
| Auckland Islands | 6A |
| Part Sub-Antarctic | 6B |

Martin Bell,
for 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 2007, amend the Fisheries (Reporting) Regulations 2001 by—

- • inserting new regulations 11C (which prescribes a new lining trip catch effort return) and 11D (which prescribes a new trawl catch effort return) and making consequential amendments to regulations 4, 5, 6, 28, 29, and 42 to take account of the new returns:
- • inserting new regulation 26A, which provides that the chief executive may exempt a licensed fish receiver from the requirement to be audited and provide an audit report to the chief executive under regulation 20:
- • inserting new fishstock codes for prawn killer into table 1 of Part 1 of Schedule 3. Prawn killer is a species of shellfish that is to be introduced into the quota management system on 1 October 2007:
- • adding new table 23 to Part 1 of Schedule 3, which specifies prawn killer reference numbers for the purposes of table 1 of Part 1 of Schedule 3.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 30 August 2007.

Eprint notes**1 *General***

This is an eprint of the Fisheries (Reporting) Amendment Regulations (No 4) 2007 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

2 *About this eprint*

This eprint is not an official version of the legislation under section 18 of the Legislation Act 2012.

3 *Amendments incorporated in this eprint*

Fisheries (Reporting) Regulations 2017 (LI 2017/154): regulation 52