

Reprint  
as at 1 October 2017



## Fisheries (Reporting) Amendment Regulations 2008 (SR 2008/28)

Fisheries (Reporting) Amendment Regulations 2008: revoked, on 1 October 2017, pursuant to regulation 52 of the Fisheries (Reporting) Regulations 2017 (LI 2017/154).

Anand Satyanand, Governor-General

### Order in Council

At Wellington this 25th day of February 2008

Present:

His Excellency the Governor-General in Council

Pursuant to section 297(1) 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.

### Contents

	Page
1 Title	2
2 Commencement	2
3 Principal regulations amended	2
4 Interpretation	2
5 Kinds of returns	2
6 Catch landing returns	2
7 New regulation 11E inserted	3

---

#### Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.  
Note 4 at the end of this reprint provides a list of the amendments incorporated.

**These regulations are administered by the Ministry for Primary Industries.**

11E	Non-fish and protected species catch return	3
8	Separate returns required for each vessel or method	4
9	Return books supplied by chief executive	4
10	Method of entering certain details on return	4
11	Use of codes for certain entries	4
12	Offences	4
13	Schedule 2 amended	4
14	Schedule 3 amended	4
	<b>Schedule 1</b>	5
	<b>Amendments to Schedule 2</b>	
	<b>Schedule 2</b>	11
	<b>New Parts 2A, 2B, and 2C of Schedule 3</b>	

## Regulations

### 1 Title

These regulations are the Fisheries (Reporting) Amendment Regulations 2008.

### 2 Commencement

- (1) Regulations 6, 10, and 14(2) come into force on 1 April 2008.
- (2) The rest of these regulations come into force on 1 October 2008.

### 3 Principal regulations amended

These regulations amend the Fisheries (Reporting) Regulations 2001.

### 4 Interpretation

Regulation 3 is amended by inserting the following definitions in their appropriate alphabetical order:

**non-fish species** means the species listed in Part 2A or 2B of Schedule 3

**protected fish species** means the species listed in Part 2C of Schedule 3

**species** means the species set out in Parts 2, 2A, 2B, or 2C of Schedule 3

### 5 Kinds of returns

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

(ee) non-fish and protected species catch return:

### 6 Catch landing returns

Regulation 6(3) is amended by revoking paragraph (b) and substituting the following paragraph:

- (b) 15 days after the last day of the calendar month in which the fishing trip ended for permit holders who take fish, or on whose behalf fish are taken, from a vessel for which a return under subclause (1)(ab), (ac), or (c) must be provided.

**7 New regulation 11E inserted**

The following regulation is inserted after regulation 11D:

**11E Non-fish and protected species catch return**

- (1) A permit holder who takes non-fish species or protected fish species listed in Parts 2A, 2B, or 2C of Schedule 3, whether alive or dead, or on whose behalf non-fish species or protected fish species are taken, whether alive or dead, must complete and provide to the chief executive non-fish and protected species catch returns.
- (2) The permit holder must—
  - (a) complete a return for each fishing trip on which a non-fish species or protected fish species is taken; and
  - (b) complete a row of non-fish or protected fish species catch information in section 3 of the return as soon as it becomes evident that a non-fish or protected fish species has been taken; and
  - (c) complete, as soon as the first row in section 3 of the non-fish and protected species catch return has been completed,—
    - (i) section 4 of the return; and
    - (ii) the permit holder and vessel details in section 5 of the return; and
  - (d) sign and date the return after all fishing reported on the return has been completed; and
  - (e) provide the return to the chief executive no later than the due date for the return that reports the effort during which the non-fish species or protected fish species was taken.
- (3) The permit holder must use the relevant species code listed in Part 2C of Schedule 3 to report protected fish species.
- (4) The permit holder must use the relevant species code listed in Part 2A of Schedule 3 to report non-fish species unless they cannot identify the species, in which case they must use the most appropriate species group code from Part 2B of Schedule 3.
- (5) If a permit holder finds a tag from a marine turtle, the tag number must be reported to the chief executive in the manner specified by the chief executive in relation to the non-fish and protected species catch return.
- (6) A person contravenes this subclause if the person provides a non-fish and protected species catch return after the date it is due, but not more than 1 calendar month after that date.

- (7) A person contravenes this subclause if the person provides or fails to provide a non-fish and protected species catch return more than 1 calendar month after the date it is due.

## **8 Separate returns required for each vessel or method**

Regulation 28 is amended by inserting “11E,” after “11D,”.

## **9 Return books supplied by chief executive**

Regulation 29(2) is amended by adding the following paragraph:

- (k) in the case of return books for non-fish and protected species catch returns, returns in form 13 of Schedule 2.

## **10 Method of entering certain details on return**

Regulation 36(1) is amended by adding the following paragraph:

- (i) container information need not be completed in respect of any returns to the sea properly made in accordance with Schedule 6 of the Fisheries Act 1996.

## **11 Use of codes for certain entries**

Regulation 37 is amended by revoking paragraph (b) and substituting the following paragraph:

- (b) any fish, non-fish, or protected fish species to which the return relates, the person completing the return must enter the appropriate code stated for the species in Part 2, 2A, 2B, or 2C of Schedule 3:

## **12 Offences**

- (1) Regulation 42(b) is amended by inserting “11E(2) or (6),” after “11D(2) or (3),”.
- (2) Regulation 42(c) is amended by inserting “11E(7),” after “11D(4),”.

## **13 Schedule 2 amended**

- (1) Schedule 2 is amended by omitting forms 1, 5, 5A, 6, and 7 and substituting the new forms 1, 5, 5A, 6, and 7 set out in Schedule 1 in their respective numerical order.
- (2) Schedule 2 is amended by adding the form 13 set out in Schedule 1.

## **14 Schedule 3 amended**

- (1) Schedule 3 is amended by inserting the new Parts 2A, 2B, and 2C set out in Schedule 2 after Part 2.
- (2) Part 3 of Schedule 3 is amended by adding the following item:

“Crab legs                      LEG”.

## Schedule 1 Amendments to Schedule 2

r 13

### Form 1

#### Catch, effort and landing return Trip Data

First day of trip	Last day of trip	Landing date	Registration number	Name of vessel	Registration number	Point of landing	Page		
/ /	/ /	/ / /					of		
<b>Catch/Effort Data</b> - Start a new effort line for each change of day, method, position, or target species.									
Day and month	Method code	Position			Non-target species catch? (Y/N)	Enter estimated greenweight catch by species in order of quantity			
		Lat. Long.	Start or area	Time		Target species Total (kg)	Species code	Weight (kg)	Species code
/	/								
/	/								
/	/								
/	/								
/	/								
<b>Catch Landing Data</b> - Start a new sheet for each landing									
Fishstock (Species/Area)	Landed state	Containers		Content weight	Destination LFR no. or vessel reg no.	Greenweight (kilograms)	Purchase tax invoice number from LFR		
		Number	Type						
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.									
				Name of permit holder	Client number of permit holder	Signature of permit holder or authorised person	Date signed		
							/ /		

Form 5

**Trawl, Catch, Effort and Processing Return**

To be completed on each day at sea

Date / /		Registration number of vessel (your vessel)		Name of vessel (your vessel)		Water temperature at shot 1		Page	
						Surface		of	
Registration number of other vessel (if pair fishing)		Latitude		Longitude		E/W		Bottom	
		S							

  

Shot	Time	Latitude		Longitude		Gear code (height)	Depth ground/rope bottom	Trawling spiral/ spiral spades	Non-fish protected catch? (Y/N)	Estimated catch by species in order of quantity		Species code
		Deg	Min	Deg	Min					E/W	Quantity	
1	START									Total (kg)		
	END									Total (kg)		
2	START									Total (kg)		
	END									Total (kg)		
3	START									Total (kg)		
	END									Total (kg)		
4	START									Total (kg)		
	END									Total (kg)		
5	START									Total (kg)		
	END									Total (kg)		
6	START									Total (kg)		
	END									Total (kg)		

  

Daily Processing Summary													
Species	Processed state	Number of processed units	Unit weight (kg)	Processed catch weight (kg)	Conversion factor	Calculated weight before processing (kg)	Species	Processed state	Number of processed units	Unit weight (kg)	Processed catch weight (kg)	Conversion factor	Calculated weight before processing (kg)

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.

Product from ofal only Meal (kg)	Oil (litres)	Activity comment (Transshipping, steaming etc)	Name of permit holder	Client number of permit holder	Signature of permit holder or authorised person	Date signed

Form 5A

Form number **ICE**

**Lining catch, effort return**

1. Complete a separate return for each day you start setting. Complete a separate column of catch and effort information for each line set

2. Write the date these sets started  /  /  fishing method  hook spacing (metres)  and name of fisher (first letter of first name then first four letters of surname)  .

Set number and Target species	and	and	and	and	and
Time: start of set (24-hr clock)	:	:	:	:	:
Latitude: start of set (degrees minutes)	°	'	"	S	S
Longitude: start of set (degrees minutes E/W)	°	'	"	E	W
Bottom depth:	metres				
Number of hooks set	metres				
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
Write the species code and estimated greenweight of each species caught during each set.	.0kg	.0kg	.0kg	.0kg	.0kg
For example, if you catch 500kg of ling, write:	L	I	N	5	0
<b>More than 8 species?</b> List the 8 species that you caught most of (by greenweight).	.0kg	.0kg	.0kg	.0kg	.0kg
Weight of all other species caught this set	All other species				
	.0kg	.0kg	.0kg	.0kg	.0kg

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

Signature of permit holder or authorised person  Date signed  /  / **20**

3. Permit holder and vessel details

Name of permit holder  Name of vessel

Client number of permit holder  Registration number of vessel

Form 6

**Squid jigging catch effort return**  
To be completed on each day at sea

Registration number of vessel	Name of vessel
-------------------------------	----------------

**Fishing Operation** - To be completed at 01:00 hours

Date		Latitude		Longitude		Depth	
Day	Month	Year	Degrees	Minutes	Degrees	Minutes	Sea bottom (m)
/	/		°	'	°	'	
						S	

Sea surface temperature (°C)	Wind speed (m/s)	Wind direction (°T)
------------------------------	------------------	---------------------

**Fishing Effort**

Time fishing		Number of jigging machines in use	
Time at start of fishing	Time at end of fishing	Single reel (No.s)	Double reel (No.s)

**Catch** - To be completed at 12:00 hours

Non-fish/Protected Species Catch? (Y / N)
---

Arrow squid	Total catch (kg)
Other squid	Total catch (kg)
	Other species (specify)

**Tray Tally** - For Arrow squid to be completed at 12:00 hours

Number of squid per tray	1-10	11-20	21-30	31-40	41-50	51-60	61-70	71-80	81-90	91-100	101-150	151+	Total
Number of trays of whole squid													
Number of trays of legless squid													

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.

Not fishing (transshipping, steaming, etc.)	Name of permit holder	Client number of permit holder	Signature of permit holder or authorised person	Date
				/ /





## Schedule 2 New Parts 2A, 2B, and 2C of Schedule 3

r 14(1)

### Part 2A Individual non-fish species

Species code	Group or individual	Type	Common name	Scientific name
XAF	Individual	Birds	Antarctic fulmar	<i>Fulmarus glacialisoides</i>
XAP	Individual	Birds	Antarctic petrel	<i>Thalassoica antarctica</i>
XPR	Individual	Birds	Antarctic prion	<i>Pachyptila desolata</i>
XAG	Individual	Birds	Antipodean and Gibson's albatross	<i>Diomedea antipodensis</i>
XGT	Individual	Birds	Australasian gannet	<i>Morus serrator</i>
XBP	Individual	Birds	Black petrel	<i>Procellaria parkinsoni</i>
XBG	Individual	Birds	Black-backed gull	<i>Larus dominicanus</i>
XFT	Individual	Birds	Black-bellied storm petrel	<i>Fregetta tropica</i>
XPV	Individual	Birds	Broad-billed prion	<i>Pachyptila vittata</i>
XPB	Individual	Birds	Buller's and Pacific albatross	<i>Thalassarche bulleri</i>
XBS	Individual	Birds	Buller's shearwater	<i>Puffinus bulleri</i>
XCM	Individual	Birds	Campbell albatross	<i>Thalassarche impavida</i>
XCC	Individual	Birds	Cape petrel	<i>Daption capense</i>
XCI	Individual	Birds	Chatham Island albatross	<i>Thalassarche eremita</i>
XDP	Individual	Birds	Common diving petrel	<i>Pelecanoides urinatrix</i>
XFP	Individual	Birds	Fairy prion	<i>Pachyptila turtur</i>
XFS	Individual	Birds	Flesh-footed shearwater	<i>Puffinus carneipes</i>
XFL	Individual	Birds	Fluttering shearwater	<i>Puffinus gavia</i>
XGF	Individual	Birds	Great-winged petrel	<i>Pterodroma macroptera</i>
XGP	Individual	Birds	Grey petrel	<i>Procellaria cinerea</i>
XGB	Individual	Birds	Grey-backed storm petrel	<i>Garrodia nereis</i>
XGM	Individual	Birds	Grey-headed albatross	<i>Thalassarche chrysostoma</i>
XLM	Individual	Birds	Light-mantled sooty albatross	<i>Phoebetria palpebrata</i>
XLB	Individual	Birds	Little blue penguin	<i>Eudyptula minor</i>
XMB	Individual	Birds	Masked booby	<i>Sula dactylatra fullageri</i>
XNP	Individual	Birds	Northern giant petrel	<i>Macronectes halli</i>
XNR	Individual	Birds	Northern royal albatross	<i>Diomedea sanfordi</i>
XPS	Individual	Birds	Pied shag	<i>Phalacrocorax varius</i>
XRB	Individual	Birds	Red-billed gull	<i>Larus novaehollandiae scopulinus</i>
XSA	Individual	Birds	Salvin's albatross	<i>Thalassarche salvini</i>
XTS	Individual	Birds	Short-tailed shearwater	<i>Puffinus tenuirostris</i>

Species code	Group or individual	Type	Common name	Scientific name
XSY	Individual	Birds	Shy albatross	<i>Thalassarche cauta</i>
XSH	Individual	Birds	Sooty shearwater	<i>Puffinus griseus</i>
XSM	Individual	Birds	Southern black-browed albatross	<i>Thalassarche melanophris</i>
XSP	Individual	Birds	Southern giant petrel	<i>Macronectes giganteus</i>
XRA	Individual	Birds	Southern royal albatross	<i>Diomedea epomophora</i>
XPP	Individual	Birds	Spotted shag	<i>Phalacrocorax punctatus</i>
XAS	Individual	Birds	Wandering albatross	<i>Diomedea exulans</i>
XWP	Individual	Birds	Westland petrel	<i>Procellaria westlandica</i>
XWB	Individual	Birds	White-bellied storm petrel	<i>Fregetta grallaria grallaria</i>
XWM	Individual	Birds	White-capped albatross	<i>Thalassarche steadi</i>
XWC	Individual	Birds	White-chinned petrel	<i>Procellaria aequinoctialis</i>
XWF	Individual	Birds	White-faced storm petrel	<i>Pelagodroma marina</i>
XWH	Individual	Birds	White-headed petrel	<i>Pterodroma lessonii</i>
XYP	Individual	Birds	Yellow-eyed penguin	<i>Megadytes antipodes</i>
BDO	Individual	Mammals	Bottlenose dolphin	<i>Tursiops truncatus</i>
CDD	Individual	Mammals	Common dolphin	<i>Delphinus delphis</i>
DDO	Individual	Mammals	Dusky dolphin	<i>Lagenorhynchus obscurus</i>
EPH	Individual	Mammals	Elephant seal	<i>Mirounga leonina</i>
FIW	Individual	Mammals	Fin whale	<i>Balaenoptera physalus</i>
HDO	Individual	Mammals	Hector's dolphin	<i>Cephalorhynchus hectori</i>
HBW	Individual	Mammals	Humpback whale	<i>Megaptera novaeangliae</i>
LEO	Individual	Mammals	Leopard seal	<i>Hydrurga leptonyx</i>
HDM	Individual	Mammals	Maui's dolphin	<i>Cephalorhynchus hectori maui</i>
MIW	Individual	Mammals	Minke whale	<i>Balaenoptera acutorostrata</i>
FUR	Individual	Mammals	New Zealand fur seal	<i>Arctocephalus forsteri</i>
HSL	Individual	Mammals	New Zealand sea lion	<i>Phocarctos hookeri</i>
ORC	Individual	Mammals	Orca	<i>Orcinus orca</i>
PIW	Individual	Mammals	Pilot whale	<i>Globicephala melas</i>
SEW	Individual	Mammals	Sei whale	<i>Balaenoptera borealis</i>
SRW	Individual	Mammals	Southern right whale	<i>Eubalaena australis</i>
PHD	Individual	Mammals	Spectacled porpoise	<i>Phocoena dioptrica</i>
BSS	Individual	Reptiles	Banded sea snake	<i>Laticauda colubrina</i>
GNT	Individual	Reptiles	Green turtle	<i>Chelonia mydas</i>
HBT	Individual	Reptiles	Hawksbill turtle	<i>Eretmochelys imbricata</i>
LBT	Individual	Reptiles	Leatherback turtle	<i>Dermodochelys coriacea</i>
LHT	Individual	Reptiles	Loggerhead turtle	<i>Caretta caretta</i>
YSS	Individual	Reptiles	Yellow-bellied sea snake	<i>Pelamis platurus</i>

## Part 2B

### Non-fish species groups

Species code	Type	Common name	Scientific name
XAL	Birds	Albatrosses (Unidentified)	Diomedidae (Family)
XXP	Birds	Petrels, prions, and shearwaters	Hydrobatidae, Procellariidae, and Pelecanoididae (Families)
XLA	Birds	Gulls and terns	Laridae (Family)
XHG	Birds	Shags	Phalacrocoracidae (Family)
XSU	Birds	Boobies and gannets	Sulidae (Family)
XPG	Birds	Penguins	Spheniscidae (Family)
WHT	Mammals	Dolphins and toothed whales	Odontoceti (Suborder)
WHB	Mammals	Baleen whales	Mysticeti (Suborder)
SEA	Mammals	Seals and sealions	Phocidae and Otariidae (Families)
TLE	Reptiles	Marine turtles	Chelonioidea (Superfamily)
SSN	Reptiles	Sea snakes	Hydrophiidae (Family)
CSB	Corals, sponges, and bryozoans	Corals, sponges, and bryozoans	Porifera (Phylum), Bryozoa (Phylum), Alcyonacea (Order), Gorgonacea (Order), Scleractinia (Order), Antipatharia (Order), Stylasteridae (Family)
COU	Corals, sponges, and bryozoans	Coral (Unidentified)	Alcyonacea (Order), Gorgonacea (Order), Scleractinia (Order), Antipatharia (Order), Stylasteridae (Family)
ONG	Corals, sponges, and bryozoans	Sponges	Porifera (Phylum)
COZ	Corals, sponges, and bryozoans	Bryozoan	Bryozoa (Phylum)

## Part 2C

### Protected fish species

Species code	Common name	Scientific name
WPS	White pointer shark	<i>Carcharodon carcharias</i>
SBG	Spotted black grouper	<i>Epinephelus daemeli</i>
COB	Black corals	Antipatharia (Order)
ERR	Red hydrocorals	<i>Errina</i> spp.

Rebecca Kitteridge,  
for Clerk of the Executive Council.

## Explanatory note

*This note is not part of the regulations, but is intended to indicate their general effect.*

Regulations 6, 10, and 14(2), which come into force on 1 April 2008,—

- clarify that the reporting requirement of regulation 6(3)(b) applies in respect of lining trip catch effort returns, trawl catch effort returns, and tuna longlining catch effort returns;
- amend the requirement under regulation 36 to the effect that container information is not required in respect of fish properly returned to the sea under Schedule 6 of the Fisheries Act 1996;
- add a further code to Part 3 of Schedule 3.

Regulations 4, 5, 7 to 9, 11 to 13, and 14(1) come into force on 1 October 2008.

The purpose of these regulations is to enable better information to be collected on incidental catch of non-fish and protected fish species, including seabirds, marine mammals, and coral species, as well as to simplify and streamline the reporting requirements for these species. In order to achieve this, a regulated non-fish and protected species catch return (**NFPSCR**) will be introduced by these regulations. The new return will—

- allow for fishers to report a wider range of incidental catch of aquatic species, eg, corals, in order to measure benthic impacts; and
- contribute to the Ministry of Fisheries' better understanding of the effects of fishing on the aquatic environment through provision of high quality information; and
- provide an initial indication of which fisheries may have a problem with incidental catch of non-fish aquatic species; and
- require fishers to complete returns in real time, recording the incidental catch on the NFPSCR as soon as practicable after the event; and
- provide for fishers to furnish a standardised return that will be simpler and more intuitive to complete; and
- ensure that non-fish incidental catch data and catch effort data can be linked.

Issued under the authority of the Legislation Act 2012.  
Date of notification in *Gazette*: 28 February 2008.

## **Reprints notes**

### **1 *General***

This is a reprint of the Fisheries (Reporting) Amendment Regulations 2008 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

### **2 *Legal status***

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

### **3 *Editorial and format changes***

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

### **4 *Amendments incorporated in this reprint***

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