



# Fisheries (Commercial Fishing) Amendment Regulations 2015

Jerry Mateparae, Governor-General

## Order in Council

At Wellington this 16th day November of 2015

Present:

His Excellency the Governor-General in Council

Pursuant to section 297 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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## Regulations

### 1 Title

These regulations are the Fisheries (Commercial Fishing) Amendment Regulations 2015.

### 2 Commencement

These regulations come into force on 20 December 2015.

### 3 Principal regulations

These regulations amend the Fisheries (Commercial Fishing) Regulations 2001 (the **principal regulations**).

### 4 Regulation 3 amended (Interpretation)

In regulation 3, insert in their appropriate alphabetical order:

**shark line** means a line deployed directly off longline floats or directly off droplines

**wire trace** means a line that is made from, or includes, 1 or more metal strands

### 5 Regulation 31 amended (Minimum finfish length, weight, and net mesh size)

- (1) In the heading to regulation 31, delete “, **weight**,”.
- (2) Revoke regulation 31(4).
- (3) In regulation 31(5), replace “or eels less than the length or weight respectively specified” with “that are smaller than the length specified in the table in subclause (6)”.
- (4) After regulation 31(6), insert:
- (7) This regulation does not apply in relation to eels.

### 6 New regulation 51 inserted (Minimum weight for eels taken from New Zealand fisheries waters)

After regulation 50, insert:

#### 51 Minimum weight for eels taken from New Zealand fisheries waters

- (1) Commercial fishers must not take or possess any eel weighing less than 220 g.
- (2) No person may sell, possess for sale, or process for sale any eel weighing less than 220 g.

**7 New regulation 80A and cross-heading inserted**

After regulation 80, insert:

*Wire traces and shark lines***80A Use of wire traces and shark lines by commercial tuna and billfish fishers prohibited**

- (1) Commercial fishers who fish for tuna or billfish must not fish using wire traces or have wire traces on board the fishing vessel.
- (2) Commercial fishers who fish for tuna or billfish must not fish using shark lines.

**8 Regulation 84 amended (Offences)**

- (1) In regulation 84(2), replace “or 80” with “80, or 80A”.
- (2) In regulation 84(3), replace “31(1), (2),” with “31(1),”.
- (3) In regulation 84(3), after “50(1) or (2),” insert “51(1) or (2),”.

**9 Schedule 2 amended**

In Schedule 2, Part 4, revoke clause 15.

Michael Webster,  
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 amend the Fisheries (Commercial Fishing) Regulations 2001 (the **principal regulations**) and come into force on 20 December 2015.

The principal regulations restrict the take of various species of fish based on length, weight, or net mesh size. These regulations change the restriction for eels from a net mesh-based limit (of 100 mm) to a weight-based limit of 220 g.

The regulations also insert *new regulation 80A* to prohibit the use of wire traces or shark lines by commercial tuna and billfish fishers. This implements a measure agreed by the Western and Central Pacific Fisheries Commission, of which New Zealand is a member.

The regulations also amend Schedule 2 of the principal regulations to remove the fee currently charged when a departmental observer supervises the return of fish to the sea.

**Regulatory impact statement**

The Ministry for Primary Industries produced a regulatory impact statement on 26 August 2015 to help inform the decisions taken by the Government relating to regulation 9 of this instrument.

Copies of the regulatory impact statement can be found at—

- <http://www.mpi.govt.nz/law-and-policy/legal-overviews/regulatory-impact-statements/>
- <http://www.treasury.govt.nz/publications/informationreleases/ris>

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 19 November 2015.

These regulations are administered by the Ministry for Primary Industries.