



Fisheries (Reporting) Amendment Regulations 2014

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 18th day of August 2014

Present:

The Right Hon John Key presiding 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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New Part 6B of Schedule 3 inserted	

Regulations

1 Title

These regulations are the Fisheries (Reporting) Amendment Regulations 2014.

2 Commencement

These regulations come into force on 1 October 2014.

3 Principal regulations

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

4 Regulation 3 amended (Interpretation)

(1) In regulation 3(1), revoke the definitions of **dried fins**, **dried shark fins by-product**, **wet fins**, and **wet shark fins by-product**.

(2) In regulation 3(1), replace the definition of **shark fins** with: “**shark fins**, in relation to any species of shark, means all primary fins associated with that shark”.

(3) In regulation 3(1), insert in their appropriate alphabetical order:

“**artificially attached** has the same meaning as in regulation 3 of the Fisheries (Commercial Fishing) Regulations 2001

“**naturally attached** has the same meaning as in regulation 3 of the Fisheries (Commercial Fishing) Regulations 2001

“**shark fins attached** means,—

“(a) in relation to blue shark, the state in which the trunk is processed to the dressed state and the fins are artificially attached:

“(b) in relation to any other species of shark, the state in which the trunk is processed to the headed and gutted state and the fins are naturally attached”.

5 Schedule 3, Part 3 amended

(1) In Schedule 3, Part 3, revoke the items relating to Fins, Dried fins, and Wet fins.

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, which come into force on 1 October 2014, consequentially amend the Fisheries (Reporting) Regulations 2001 (the **principal regulations**) to reflect—

- the ban on shark finning in New Zealand fisheries waters imposed by the Fisheries (Commercial Fishing) Amendment Regulations (No 2) 2014 (the **shark finning ban**); and
- related changes made by the Fisheries (Schedule 6) Order 2014.

Regulation 4 amends regulation 3(1), which defines terms. The amendments omit redundant definitions and insert new definitions of shark fins and shark fins attached (and related definitions) for the purposes of the changes to Schedule 3 of the principal regulations.

Regulation 5 amends Part 3 of Schedule 3, which specifies landed state codes for the sole or principal landed state of a species, to delete the landed state codes for Fins, Dried fins, and Wet fins. These codes are redundant because fishers are no longer able to land shark fins separate from the body of the shark because of the shark finning ban.

Regulation 6 amends Part 4 of Schedule 3, which specifies landed state codes for additional landed states of a species. The amendments delete the landed state codes for Wet shark fins by-product and Dried shark fins by-product that are also redundant because of the shark finning ban.

Regulation 7 amends Part 6 of Schedule 3, which specifies destination type codes that must be used by fishers on their returns made under the principal regulations. The amendment inserts a new destination type code *Z* into Part 6 that must be used on a return when certain species and status of fish are returned to the sea.

Regulation 8 inserts *new Part 6B* into Schedule 3. *New Part 6B* specifies the species and status of fish for which new destination type code *Z* must be used. The species are blue shark, mako shark, and

porbeagle shark, which are allowed to be returned to the sea dead or near-dead under related changes made to the Fisheries Act 1996 by the Fisheries (Schedule 6) Order 2014.

Regulatory impact statement

The Ministry for Primary Industries produced a regulatory impact statement on 22 July 2014 to help inform the decisions taken by the Government relating to the contents of this instrument.

A copy of this regulatory impact statement can be found at—

- <http://www.mpi.govt.nz/news-resources/publications>
- <http://www.treasury.govt.nz/publications/informationreleases/ris>

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 21 August 2014.

These regulations are administered by the Ministry for Primary Industries.
