

Fisheries Amendment Bill (No 2)

Government Bill

As reported from the Primary Production Committee

Commentary

Recommendation

The Primary Production Committee has examined the Fisheries Amendment Bill (No 2) and recommends by majority that it be passed with the amendments shown.

Introduction

The Fisheries Amendment Bill (No 2) was first considered by the previous Primary Production Committee in 1999. All but five clauses were reported back as the Fisheries Amendment Bill (No 3) and this bill was held over for the 46th Parliament. The clauses remaining in the Fisheries Amendment Bill (No 2) concern two issues:

- the repeal of the Fourth Schedule to the Fisheries Act 1996 (the 1996 Act)
- the introduction of South Island eels into the Quota Management System (QMS).

The Minister of Fisheries has circulated Supplementary Order Paper (SOP) No 22 in relation to the bill and which we have also included in our consideration. The aim of the SOP is to amend the bill by providing:

- a generic process for the stocks listed in the Fourth Schedule to be introduced into the QMS, including the allocation of quota
- a specific process to introduce the South Island freshwater eel fishery into the QMS.

Fourth Schedule

When a fish species is introduced into the QMS, 20 percent of the total allowable commercial catch (TACC) is transferred to Te Ohu Kai Moana (TOKM) ¹ because of the Crown's obligation to Māori. Fishers are allocated quota that is a proportion of the TACC. That proportion is based on their provisional catch history (PCH) for the species. If PCH for a species exceeds 80 percent of the TACC, fishers are allocated a proportion of that 80 percent based on their share of the total catch history. No compensation is payable for this reduction to PCH.

The Fourth Schedule is a list of eight species that cannot be introduced into the QMS without specific legislation. ² These species were identified by the commercial fishing industry (the industry) and the Ministry of Fisheries (the ministry) during consideration of the 1996 Act as species where PCH was likely to exceed 80 percent of the TACC. The Fourth Schedule was created to allow the impact of any PCH reduction in relation to the eight species to be considered at a future time.

In 1997 the Government decided that compensation should not be paid for reductions to PCH for Fourth Schedule species. The Government considered that the benefits fishers would receive from introduction of a species into the QMS and allocation of quota, a valuable property right issued in perpetuity, outweighed any reduction to PCH. The Government noted that fishers would receive a property right worth an estimated \$45 million free of charge following introduction of the Fourth Schedule species into the QMS.

The bill provides for the repeal of the Fourth Schedule and no compensation for any of the species listed on the Fourth Schedule when introduced into the QMS. This provision met with very strong opposition from the industry when the bill was considered in 1999.

¹ Also known as the Treaty of Waitangi Fisheries Commission.

² The eight species are:

Kahawai	Kingfish
Coromandel Scallops	Butterfish
Snake Bank cockles	Southern bluefin tuna
Blue mackerel	Eels

The committee then decided to defer further consideration of the Fourth Schedule.

Change in compensation policy

There was a change in Government policy on compensation following the election in November 1999. The new Minister of Fisheries announced that the Government would “pay fishers 50 percent of the current estimated full market value of quota the Crown requires to meet its obligations to Māori” in relation to the Fourth Schedule species.³

The SOP introduces a generic compensation framework to achieve this policy. Where the sum of PCH is likely to exceed 80 percent of the TACC, the SOP amends the 1996 Act quota allocation mechanism so that a separate process is used. This allows the Government to purchase quota from fishers for a specified amount. If the Government cannot purchase sufficient quota from fishers, then the Crown will be able to reduce quota proportionally from all fishers in a fishery to obtain the remaining quota necessary to meet the Crown’s obligation to Māori. Compensation in return for this reduction will be paid to fishers at 50 percent of the current estimated full market value of quota. The valuation of quota prior to these species entering the QMS is based on prices commercial fishers currently receive from Licensed Fish Receivers (LFR). The quota held by the Government will then be transferred to TOKM prior to the start of the fishing year.

This option will establish a specific process for allocation of quota and payment of compensation at the time of introduction of these species into the QMS that will prevent relitigation of these issues as species are introduced.

The basis for compensation is that fishers should be no worse off (in terms of asset value) following introduction of a Fourth Schedule species into the QMS. Fishers will benefit by receiving a transferable, secure property right issued in perpetuity. Compensation at the estimated full market value of quota would likely result in fishers being better off following introduction of the species. Therefore, the Government has decided on a discount rate of 50 percent as fair compensation. A 50 percent discount rate equates to the total value of access under the current permit regime being worth 90 percent of the total quota right.

³ Government to compensate fishers, Hon Pete Hodgson, Minister of Fisheries, 31 March 2000.

Compensation value

The industry wants compensation based on full market value and is opposed to anything less. It states that 50 percent compensation requires the permit holder to bear part of the costs of the treaty settlement and this breaches assurances given at the time the treaty settlement was signed.⁴ The industry maintains that the benefits of introducing a species to the QMS do not outweigh the loss of 20 percent of the existing catch right because catching rights can be transferred outside the QMS and the focus solely on asset value is wrong. It also says that the amount of fish that can be harvested is more important than the creation of a tradable asset, particularly for smaller fishers.

The ministry acknowledges that the Government gave an assurance that fishers would not be adversely affected by settlement of Māori fishing claims and recognises the importance of access to fishers. However, the benefits of introducing the Fourth Schedule species to the QMS are seen to outweigh the loss of catch history because:

- quota is a valuable asset
- quota is a more defined and secure property right on which to base investment
- quota is a more defined harvesting right that enables fishers to concentrate on improving harvesting efficiency rather than competing against other permit holders for fish
- quota is a more secure asset that provides protection against reallocation of harvesting rights
- under the 1996 Act quota generates an Annual Catch Entitlement that can be sold without the quota owner selling out of the fishery.

The Government believes that asset value is important because it provides the opportunity for marginal fishers to exit the fishery for capital gain following introduction of a species into the QMS that is not possible under the current permit regime.

It is also acknowledged that in 1992 a previous Minister of Fisheries gave an assurance to the industry at the time of settlement of Māori fishing claims that the Government would not address one grievance by creating another. However, the assurance must be considered in the context of the policy environment at the time. In 1992 the industry was going to have to tender for quota for all new species

⁴ Deed of Settlement to the Treaty of Waitangi (Fisheries Claim) Settlement Act 1992.

entering the QMS as well as pay resource rentals and cost recovery. Now fishers receive quota free of charge and resource rentals have been removed.

Permits can only be transferred under the 1996 Act to estates subject to strict criteria. No other form of transfer of permits is allowed or recognised in law. Where this happens, it is a private matter that carries considerable risk. The price of any transfer would be substantially discounted to take into account the risk and associated uncertainty prior to entry of the species into the QMS.

Timing of introduction of Fourth Schedule species into the QMS

The industry's position is that if full compensation is not agreed to, then the South Island eel fishery should be introduced into the QMS and legislation for other Fourth Schedule species should be deferred for three months to allow for further consultation with permit holders, including an economic analysis as to what is fair compensation, taking into account asset value and income-related effects, particularly on small fishers.

The Government is familiar with the industry position on the Fourth Schedule having considered a number of industry proposals in recent years. Failure to progress legislation to enable introduction of all Fourth Schedule species heightens the likelihood of litigation from failure to introduce valuable species into the QMS. The issue will remain contentious between the Government and industry. Delay and further consultation will also require further resources to resolve this issue, which in turn imposes additional costs on the ministry and the Government. The Government considers that its approach in legislation to the issue strikes the best balance between the impact on Fourth Schedule fishers and the requirement to be fiscally responsible.

Minority view on the timing of introduction of Fourth Schedule species into the QMS

The National and New Zealand First Parties are opposed to the bill and the amendments proposed in the SOP being passed in entirety. They believe that the SOP should be split to allow South Island eels to be introduced into the QMS, but to delay consideration of the remainder of the SOP for three months. This would allow the Crown's obligations under the Ngai Tahu Claims Settlement Act 1998 to be met with respect to the South Island freshwater eels.

The National and New Zealand First Parties oppose the remainder of the SOP being progressed at this stage as there has been inadequate consultation with the industry.

By the Minister of Fisheries' own admission consultation has been limited to the select committee process rather than prior to drafting the SOP as expected by the industry. Thus, the National and New Zealand First Parties believe that the Fourth Schedule, excluding freshwater eels, should be delayed for a period of not more than three months.

The National and New Zealand First Parties consider that there are no time-line issues associated with the remainder of the Fourth Schedule species as it is unlikely that any additional species will be able to be introduced prior to 1 October 2002 at the earliest.

The multiplier and market value

Industry acceptance of the official assessment of full market value used by the Government for Fourth Schedule species was mixed, with some submitters agreeing to the assessment while others did not. The estimated value of quota in the proposal is four times the price fishers receive for fish landed to a Licensed Fish Receiver. However, most of the industry have decided that the issue should be resolved pragmatically and concur that fishers should be compensated at the market value used by the Government (while opposing the discount rate of 50 percent).

Voluntary sale process

The industry states that the voluntary sale process as proposed in the SOP is seriously flawed. As the Crown cannot pay more than the amounts specified for each species in Schedule 4A, the industry questions why a fisher would offer to sell quota to the Crown at a rate that equates to 50 percent of its market value. By waiting a fisher can sell quota on the market for 100 percent of value. The only way the voluntary sale process can be effective is if the compensation caps specified in Schedule 4A are removed.

However, the voluntary process provides the opportunity for those who may have incentives to leave the fishery or who need immediate capital to sell all or partial quota holdings to the Government. This would also reduce the amount of quota the Government would *pro-rate* other fishers' allocations.

Majority view

By majority, we believe it is now necessary for the Fourth Schedule issue to be resolved so that the Crown's obligation to Māori in respect to the eight species can be met. The amendments proposed do not mean species will be automatically or immediately introduced into the QMS and the ministry advises that consultation with all stakeholders will occur before any species are introduced.

We consider the Government's compensation proposal is fair and balanced. We agree that there should be a generic framework to pay compensation. We note that, while the industry opposes the level of proposed compensation, most of the industry are prepared to accept the Government's assessment of full market value as the basis for compensation.

By majority we agree that the Fourth Schedule provisions in the SOP should be included in the bill and recommend that the bill be amended accordingly.

South Island eels

The Crown has an obligation to introduce the South Island fresh-water eel fishery into the QMS by 1 October 2000.⁵ Legislation was required to be passed by February 2000 to enable the Ministry of Fisheries to use the quota allocation mechanism in the 1996 Act. The bill enabled this to happen. However, the February 2000 deadline was not met as the allocation process cannot begin until eels are removed from the Fourth Schedule.

The SOP allows for:

- the allocation of PCH by schedule to the 1996 Act
- the reduction to the time period for lodging an appeal to the PCH allocation from 60 days to 20 days
- the removal of the period when fishers can transfer PCH.

Although the fishery has not yet been introduced into the QMS, the ministry has undertaken an administrative process to calculate PCH using similar criteria as would be used in the formal statutory allocation process. It has consulted with fishers about their entitlements and has amended them where appropriate. This information is the basis for the PCH allocations in Schedule 5 of the SOP.

The reduction in the period for lodging an appeal from 60 days to 20 days is required to meet the deadline for introducing the eel fishery into the QMS. There is no restriction on the period for

⁵ Ngai Tahu Claims Settlement Act 1998.

hearing the appeal. Because fishers have already had the opportunity to consider and discuss their proposed allocation with the ministry prior to the development of the schedule, the ministry does not believe that the fishers will be significantly disadvantaged by this reduction.

The time constraints for introducing the fishery into the QMS also require that the statutory 20 working day transfer period for PCH for fishers in the South Island eel fishery be removed.⁶ Fishers named on the schedule will not be adversely affected as each of these fishers will be deemed to be eligible to receive quota.

There is broad agreement in the industry about the need to introduce the South Island eel fishery into the QMS by 1 October 2000 and the processes contained in the SOP to achieve introduction. We recommend that the bill be amended to incorporate these processes.

1 February start to Lake Ellesmere eel fishery

The major issue is whether or not the Lake Ellesmere eel fishery should have a 1 February start to its fishing year. The fishers submit that a 1 February start better provides for utilisation of migrating eels and is necessary for sustainability reasons. They believe that the fishing year should not be determined by administrative constraints. They were supported by the industry, including Te Waka A Maui me ona Toka Mahi Tuna (TWM).⁷

The ministry advises that there are significant costs involved in a separate starting date of 1 February, which will need to be cost recovered. It maintains that there are sufficient tools in the 1996 Act and the SOP to manage the fishery and meet concerns about the fishery's sustainability.

At our request the ministry undertook further consultations with the Lake Ellesmere eel fishers about the start of the fishing year. Agreement was reached to introduce the fishery on 1 October 2000 with a 1 October – 30 September fishing year, with provision for the Minister to be able to change the fishing year for Lake Ellesmere at some

⁶ The 1996 Act transfer provisions enable fishers, who are not eligible to receive quota, to transfer PCH they have received to an eligible fisher. Otherwise, the PCH is forfeited to the Crown.

⁷ Te Waka A Maui me ona Toka Mahi Tuna (TWM) is a statutory advisory body to the Minister of Fisheries on the management of the South Island freshwater eel fishery. It has a co-operative management structure encompassing Māori, commercial eel fishers and recreational fishers. TWM is mandated to progress the entry of the fishery into the QMS.

future point, but not before 1 February 2002. We concur and recommend amending the bill to implement this agreement between the fishers and the ministry.

Eligibility to receive PCH

One submitter raised concerns over the eligibility of some fishers to receive PCH. We investigated two concerns raised in respect of the issuing or varying of commercial fishing permits. We found that ministry decisions made in relation to them had been validated by the 1996 Act (section 329 validates certain decisions relating to fishing permits issued under sections 63 and 64 of the Fisheries Act 1983). With regard to a third concern we decided not to recommend any change for equity reasons.

The ministry undertook considerable effort to validate South Island eel fishers' PCH with the process being endorsed by TWM. The ministry checked landing returns filed during the criteria years to ensure they contained accurate information. It also conducted audits of landings reported by each permit holder on their catch effort landing returns against LFR returns. Any significant discrepancies were investigated by the ministry.

We believe the ministry took every practical step to ensure fair and equitable allocations of PCH.

Conclusion

By majority, we support the prompt passing of this bill in its entirety. The 1 October 2000 deadline for meeting the Crown's obligation to Māori in relation to South Island freshwater eels is looming and the time in which to undertake the administrative process to achieve this is limited.

A majority of us also believe it is now necessary for the Fourth Schedule issue to be resolved. We believe that the Government's proposal for compensation is fair and, while recognising impact on Fourth Schedule fishers, takes into account the benefits to fishers of introduction into the QMS and allocation of quota.

Appendix

Committee process

The Fisheries Amendment Bill (No 2) was referred to the committee on 13 July 1999. The closing date for submissions was 6 August 1999. We received and considered 23 submissions from interested groups and individuals. We heard 18 submissions orally. Hearing evidence took six hours and 21 minutes and consideration took five hours and 27 minutes. The bill was divided on 19 August 1999, with the provisions relating to the United Nations Fish Stocks Agreement and a few technical issues being reported back as the Fisheries Amendment Bill (No 3). Five clauses remained in the bill.

The bill was held over from the 45th Parliament. On 6 April 2000 the Minister of Fisheries circulated SOP No 22 relating to the bill. We considered the SOP with the bill and invited submissions on it. The submission deadline was 4 May 2000. A further 22 submissions were received, 16 of which we heard on 4 and 11 May 2000. Hearing of evidence on the SOP took four hours and 19 minutes and consideration took six hours and ten minutes.

We received advice from the Ministry of Fisheries.

Committee membership

Damien O'Connor, Chairperson

Shane Ardern

Georgina Beyer

Clayton Cosgrove

Ian Ewen-Street

Martin Gallagher

Gavan Herlihy, Deputy Chairperson

Hon Tariana Turia

R Doug Woolerton

Jeanette Fitzsimons replaced Ian Ewen-Street for this item of business.

Key to symbols used in reprinted bill

As reported from a select committee

Struck out (majority)

Subject to this Act,

Text struck out by a majority

New (majority)

Subject to this Act,

Text inserted by a majority

<Subject to this Act,>

Words struck out by a majority

<Subject to this Act,>

Words inserted by a majority

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Indicates clauses reported as the Fisheries Amendment Bill (No 3)

Note: This bill has been reformatted in accordance with the resolution of the House of 22 December 1999.

Hon Pete Hodgson

Fisheries Amendment Bill (No 2)

Government Bill

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32M Taking of fish in excess of quota,
and carrying forward of unused
quota

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Schedule 2

Descriptions of new quota management
areas inserted

Schedule 3

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Act

Schedule 4A
Compensation for certain Fourth
Schedule stocks transferred to the Crown

Schedule 4
Minimum annual holdings of annual
catch entitlement for South Island
freshwater eel inserted

Schedule 5
South Island freshwater eel provisional
catch history allocations

The Parliament of New Zealand enacts as follows:

New (majority)

1 Title

This Act is the Fisheries Amendment Act (No 2) **2000**.

2 Commencement

This Act comes into force on the day after the date on which it
receives the Royal assent.

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Part 1A

Amendments to Fisheries Act 1996

2A Fisheries Act 1996 called principal Act in this Part

In this Part, the Fisheries Act 1996¹ is called “the principal
Act”.

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¹ 1996 No 88

2B Purpose of this Part

The purpose of this Part is—

- (a) to provide for a process for the introduction into the
quota management system of, and allocation of quota
for, the stocks listed in the Fourth Schedule of the
principal Act:
- (b) to introduce freshwater eel in the South Island into the
quota management system.

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New (majority)

2C Interpretation

Section 2(1) of the principal Act is amended by inserting in the definition of **fishing year**, after paragraph (a), the following paragraph:

“(aa) in relation to freshwater eel subject to an Order in Council under **section 369L(1)**, a period of 12 months commencing on each 1 February:” 5

Struck out (majority)

3 Notification of eligibility to receive provisional catch history

Section 35 of the principal Act is amended by repealing subsections (6) and (7). 10

4 Criteria of eligibility to receive provisional catch history for stock controlled by individual catch entitlement

Section 39 of the principal Act is amended by repealing subsections (2) and (3). 15

New (majority)

3 Notification of eligibility to receive provisional catch history

Section 35 of the principal Act is amended by repealing subsections (6) and (7), and substituting the following subsection:

“(6) Despite anything in this Part, quota for a stock listed in the Fourth Schedule must be allocated in accordance with **sections 50A to 50G** if, after deciding on the matters referred to in subsection (1) and estimating the likely total provisional catch history, the chief executive determines that the total amount of provisional catch history for that stock (excluding provisional catch history held or likely to be held by the Crown) will or is likely to exceed the quota weight equivalent of 80 000 000 shares in that stock.” 20
25

New (majority)

4 Criteria of eligibility to receive provisional catch history for stock controlled by individual catch entitlement

Section 39 of the principal Act is amended by repealing subsections (2) and (3), and substituting the following subsection:

- “(2) Despite anything in this Part, quota for a stock listed in the Fourth Schedule that is subject to this section must be allocated in accordance with **sections 50A to 50G** if the chief executive determines that the total amount of individual catch entitlements for that stock held by eligible commercial fishers (excluding individual catch entitlements held or likely to be held by the Crown) will or is likely to exceed the quota weight equivalent of 80 000 000 shares in that stock.”

4AA Commission entitled to 20 percent of total new quota

- (1) Section 44(2) of the principal Act is amended by omitting the word “Every”, and substituting the words “Subject to **subsection (3)**, every”.
- (2) Section 44 of the principal Act is amended by adding the following subsection:
- “(3) Every allocation under subsection (1) in respect of a stock to which **section 50A** applies must be made when either—
- “(a) the chief executive determines, under **section 50E**, that the number of unencumbered quota shares held by persons other than the Crown is not more than 80 000 000; or
- “(b) the holdings of quota shares of persons other than the Crown are reduced proportionately and transferred to the Crown under **section 50F**.”

4AB Allocation of quota on basis of provisional catch history

Section 47(1) of the principal Act is amended by omitting the words “Not less than 20 working days”, and substituting the words “Subject to **sections 50A to 50G**, as soon as practicable”.

4AC Notification of allocation of quota

Section 48 of the principal Act is amended by adding, as subsection (2), the following subsection:

New (majority)

“(2) This section is subject to **section 50C.**”

4AD New heading and sections 50A to 50G inserted

The principal Act is amended by inserting, after section 50, the following heading and sections:

“*Special provisions relating to allocation of quota for certain Fourth Schedule stocks* 5

“50A Notification of allocation of provisional catch history

“(1) This section applies to a stock to which **section 35(6) or section 39(2)** applies, except South Island freshwater eel.

“(2) As soon as practicable after the chief executive makes the determination referred to in **section 35(6) or section 39(2)**, as the case may be, the chief executive must carry out the steps specified in whichever of the following provisions are applicable: 10

“(a) section 35(1) to (5) and section 36; or 15

“(b) section 41.

“(3) In this section, **South Island freshwater eel** has the meaning given to it by **Part 1B of the Fisheries Amendment Act (No 2) 2000.**

“50B Allocation of quota on basis of provisional catch history

“(1) As soon as practicable after the relevant date referred to in section 36(3), or at any time after the relevant date referred to in section 41(2), the chief executive must allocate to every person who is eligible to receive quota for a stock to which **section 50A** applies an amount of provisional individual transferable quota or individual transferable quota, as the case may be, for the stock. 20 25

“(2) The amount of quota allocated to a person under **subsection (1)**—

“(a) must be expressed as shares; and

“(b) subject to section 43, is the lesser of— 30

“(i) the number of shares the quota weight equivalent of which is equivalent to the person’s provisional catch history for the stock; or

“(ii) the number of shares that bears the same proportion to 100 000 000 shares of quota for the stock 35

New (majority)

- as the person's provisional catch history bears to the total provisional catch history held by persons who are eligible to receive quota for the stock.
- “(3) If an appeal has been lodged in respect of a person's provisional catch history and that person is eligible to receive quota for that stock, then the quota allocated to that person is provisional individual transferable quota. 5
- “(4) Except as provided in **subsection (3)**, the quota allocated is individual transferable quota.
- “(5) On and from the date of allocation of quota under this section, provisional catch history is conclusive and is permanently fixed for all purposes if the provisional catch history is— 10
- “(a) held by a person who is allocated individual transferable quota under **subsection (1)**; and
- “(b) registered in that person's name on the date of allocation. 15
- “(6) Quota allocated under this section has effect only for the purposes of **sections 50C to 50G**.
- “50C **Notification of allocation of quota** 20
- As soon as practicable after making an allocation of quota under **section 50B**, the chief executive must give every person to whom he or she has allocated quota for the stock a notice in writing stating—
- “(a) the matters specified in paragraphs (a) to (d) of section 48; and 25
- “(b) that the person may sell individual transferable quota for the stock to the Crown under **section 50D**.
- “50D **Quota holders may offer individual transferable quota to the Crown**
- “(1) No later than 10 working days after the date of the notice referred to in **section 50C**, a person who holds individual transferable quota for a stock to which **section 50A** applies may offer to sell to the chief executive, on behalf of the Crown, any amount of that quota by offering to the chief executive an 30

New (majority)

executed transfer of the quota in the approved form accompanied by the prescribed fee (if any).

- “(2) The chief executive may not—
- “(a) pay a sum in consideration for the transfer that is equivalent to a rate per quota share that exceeds the rate specified for the species in **Schedule 4A**; or 5
- “(b) accept the transfer if the unencumbered quota that would be held by the Crown (excluding any quota held as a result of a dispute under section 38) following the transfer would exceed 20 000 000 quota shares in the stock. 10
- “50E **Chief executive to determine whether more than 80 000 000 quota shares held by other quota owners**
- “(1) As soon as practicable after the close of the 10-working day period referred to in **section 50D(1)**, the chief executive must determine whether the number of unencumbered quota shares in the stock that are held either by persons other than the Crown or by the Crown as a result of a dispute under section 38 is more than 80 000 000. 15
- “(2) If the chief executive determines that the number of unencumbered quota shares that are held either by persons other than the Crown or by the Crown as a result of a dispute under section 38 is not more than 80 000 000, the chief executive must, as soon as practicable, notify each person to whom quota was allocated under **section 50B**— 20
- “(a) that a determination has been made under this section; and 25
- “(b) of the amount of the person’s holding of quota for that stock as at the date on which the notification is given.
- “(3) For the purposes of this Act, a notification under **subsection (2)** must be treated as if it were an allocation of quota under section 47(1)(b). 30
- “50F **Crown acquisition of quota where more than 80 000 000 quota shares held by other quota owners**
- “(1) If the chief executive determines, under **section 50E(1)**, that the number of unencumbered quota shares held either by persons 35

New (majority)

other than the Crown or by the Crown as a result of a dispute under section 38 is more than 80 000 000, he or she must then determine, in accordance with **subsection (2)**, the amount of quota—

“(a) to be transferred from each person to the Crown; and 5
“(b) by which each person’s holding of quota for the stock will be reduced.

“(2) The number of quota shares by which a person’s holding of quota must be reduced and which must be transferred to the Crown under **subsection (1)** is the amount calculated in accordance with the following formula: 10

$$(a - 80\,000\,000) \times \frac{b}{a}$$

where—

a is the total number of quota shares for the stock held either by persons other than the Crown or by the Crown as a result of a dispute under section 38 15

b is the number of quota shares for the stock held by the person.

“(3) All quota transferred to the Crown under this section is transferred to the Crown as individual transferable quota, whether the quota was allocated to the person as individual transferable quota or as provisional individual transferable quota. 20

“(4) As soon as practicable after a person’s holding of quota is reduced under this section, the chief executive must notify the person of— 25

“(a) the amount of the reduction; and

“(b) the amount of the person’s holding of quota for that stock following the reduction.

“(5) For the purposes of this Act, the notification under **subsection (4)(b)** must be treated as if it were an allocation of quota under section 47(1)(b). 30

“50G **Compensation for reduction of quota**

“(1) Every person whose holding of quota for a stock is reduced under **section 50F** is entitled to compensation from the Crown at the rate per quota share specified for the species in **Schedule 4A**. 35

New (majority)

- “(2) The Crown is not liable to pay to any person whose holding of quota is reduced under **section 50F** any compensation in respect of that reduction other than the compensation provided for in **subsection (1)**.
- “(3) Compensation payable to a person under **subsection (1)** must be paid from the Crown Bank Account without further appropriation than this section.” 5
- 4AE Calculation of entitlement to quota following appeal**
- (1) Section 53(2) of the principal Act is amended by omitting the words “of this section”, and substituting the words “or **subsection (3)**, as the case may be,”. 10
- (2) Section 53 of the principal Act is amended by adding the following subsection:
- “(3) Despite **subsection (1)**, every person who is entitled to receive a transfer of individual transferable quota under section 52 for a stock listed in the Fourth Schedule must receive an amount of individual transferable quota for the stock concerned that is the lesser of— 15
- “(a) the number of shares the quota weight equivalent of which is equivalent to that person’s revised provisional catch history for the stock; or 20
- “(b) the number of shares calculated in accordance with the following formula:
- $$\frac{a \times 80\,000\,000}{b - (c \times d \div e)}$$
- where— 25
- a is the person’s revised provisional catch history
- b is the total revised provisional catch history held by persons eligible to receive quota for the stock
- c is the total number of quota shares transferred by quota holders to the Crown under **section 50D** 30
- d is the total provisional catch history held at the time of the allocations under **section 50B** by persons who were eligible to receive quota for the stock at that time 35
- e is the lesser of—

New (majority)

- (i) d:
- (ii) the total allowable commercial catch at the time of the allocations under **section 50B.**”

4AF Allocation of quota

- (1) Section 363(1) of the principal Act is amended by inserting, after the expression “49,”, the expression “**50A to 50G,**”. 5
- (2) Section 363(2) of the principal Act is amended by inserting, after paragraph (f), the following paragraph:
- “(fa) the reference in **section 44(3)(a)** to 80 000 000 quota shares must be read as a reference to an amount of quota equivalent to 80% of the total allowable commercial catch:”. 10
- (3) Section 363(2) of the principal Act is amended by adding the following paragraphs:
- “(j) **section 50B(2)(b)(i)** must be read as if the words “the number of shares the quota weight equivalent of” were omitted, and there were substituted the words “an amount of quota”: 15
- “(k) the reference in **section 50B(2)(b)(ii)** to 100 000 000 quota shares must be read as a reference to an amount of quota equivalent to 100% of the total allowable commercial catch: 20
- “(l) the reference in **section 50D(2)(a)** to a rate per quota share must be read as a reference to a rate per tonne:
- “(m) the reference in **section 50D(2)(b)** to 20 000 000 quota shares must be read as a reference to an amount of quota equivalent to 20% of the total allowable commercial catch: 25
- “(n) the references in **sections 50E and 50F(1)** to 80 000 000 quota shares must be read as references to an amount of quota equivalent to 80% of the total allowable commercial catch: 30
- “(o) the reference in **section 50F(2)** to 80 000 000 must be read as a reference to the number of tonnes that is 80% of the total allowable commercial catch:
- “(p) the reference in **section 50G** to the rate per quota share must be read as a reference to the rate per tonne: 35

New (majority)

- “(q) **section 53(3)(a)** must be read as if the words “the number of shares the quota weight equivalent of” were omitted, and there were substituted the words “an amount of quota”:
- “(r) the reference in **section 53(3)(b)** to 80 000 000 must be read as a reference to the number of tonnes that is 80% of the current total allowable commercial catch: 5
- “(s) the reference in paragraph (a) of the definition of **encumbered** in section 2(1)—
- “(i) to forfeiture under this Act must be read as if it were a reference to forfeiture under section 107B of the Fisheries Act 1983: 10
- “(ii) to the period of 35 working days referred to in section 62(3) or section 256(3) of this Act must be read as a reference to the 30-day period referred to in section 107C of the Fisheries Act 1983.” 15

Struck out (majority)**28 New sections inserted**

The principal Act is amended by inserting, after section 369, the following sections: 20

“369A Allocation of freshwater eel quota

- “(1) Where a notice has been published under section 18 of this Act or section 28B of the Fisheries Act 1983 declaring freshwater eels in the South Island to be subject to the quota management system under Part IV of this Act or Part IIA of the Fisheries Act 1983 (whether the notice is published before or on or after the commencement of this section), the following provisions apply: 25
- “(a) Sections 35(2)(ea), 36(3), and 41(2) apply as if each reference in those provisions to 60 working days is a reference to 20 working days: 30

Struck out (majority)

- “(b) Athlone Enterprises Limited is not entitled to be allocated provisional catch history or quota in relation to any individual catch entitlement that it holds for the Lake Ellesmere eel fishery.
- “(2) The Lake Ellesmere eel fishery is a fishery controlled exclusively by means of individual catch entitlements. 5
- “369B **Expiry of section 369A**
Section 369A expires with the close of 31 December 2000.”

New (majority)

- 28 New sections 369I to 369M inserted**
 The principal Act is amended by inserting, after section 369H, the following sections: 10
- “369I **South Island freshwater eel subject to quota management system**
- “(1) On 1 October 2000, freshwater eel in quota management areas ANG11 to ANG16 becomes subject to the quota management system under Part IIA of the Fisheries Act 1983. 15
- “(2) Quota for freshwater eel in those quota management areas must be allocated in accordance with **Part 1B of the Fisheries Amendment Act (No 2) 2000**.
- “(3) Subject to **Part 1B of the Fisheries Amendment Act (No 2) 2000**, Part IV of this Act (except sections 30 to 55) applies to freshwater eel in those quota management areas as if that stock were declared to be subject to the quota management system by notice in the *Gazette* under section 18. 20
- “(4) The fishing year for freshwater eel in those quota management areas is the year commencing on 1 October and ending with 30 September. 25
- “(5) The total allowable commercial catch and annual catch entitlements for freshwater eel in those quota management areas are to be expressed in greenweight. 30

New (majority)

- “369J Transitional provision relating to increase of total allowable catch for freshwater eel**
- “(1) If the Minister increases the total allowable catch for freshwater eel under section 13(7), the Minister must state, in the notice published under that section, the proportion of the increase that is to be an increase in the total allowable commercial catch for freshwater eel. 5
- “(2) An increase in the total allowable commercial catch for freshwater eel under **subsection (1)** is an increase in the total allowable commercial catch for that stock for the purposes of section 28OE of the Fisheries Act 1983. 10
- “(3) Where, following an increase under section 13(7), the total allowable catch for freshwater eel reverts to the total allowable catch that applied at the beginning of the fishing year under section 13(8),— 15
- “(a) the total allowable commercial catch must be decreased, with effect from the first day of the next fishing year, by the amount by which it was increased as stated by the Minister under **subsection (1)**; and
- “(b) that decrease is a decrease in the total allowable commercial catch for that stock for the purposes of section 28OD of the Fisheries Act 1983. 20
- “(4) Despite **subsection (3)**, if, following an increase under section 13(7) that occurs in the fishing year immediately preceding the fishing year in which Part VIII is brought into force, the total allowable catch for freshwater eel reverts to the total allowable catch that applied at the beginning of the fishing year under section 13(8),— 25
- “(a) the total allowable commercial catch must be decreased, with effect from the first day of the next fishing year, by the amount by which it was increased as stated by the Minister under **subsection (1)**; and 30
- “(b) that decrease is a decrease in the total allowable commercial catch under section 20.
- “369K Expiry of section 369J** 35
- Section 369J** expires on the repeal of Part IIA of the Fisheries Act 1983.

New (majority)

“369L Change to fishing year for ANG13

- “(1) Despite **section 369I(4)**, the Governor-General may, by Order in Council, specify a period of 12 months commencing on each 1 February to be the fishing year for freshwater eel in quota management area ANG13. 5
- “(2) No order under **subsection (1)** may—
- “(a) provide for the proposed new fishing year to start before 1 February 2002; or
- “(b) be made during the period of 4 months immediately preceding the start of the proposed new fishing year. 10
- “(3) Without limiting the generality of section 297, the Governor-General may, by Order in Council, make regulations under that section prescribing transitional provisions relating to the change in fishing year under **subsection (1)**, which may be in addition to or in place of any of the provisions of Part IV or Part VIII; and, without limiting the generality of the preceding power, the regulations may— 15
- “(a) specify matters to be notified to quota owners in quota management area ANG13:
- “(b) set out rules relating to the generation and allocation of annual catch entitlement to quota owners: 20
- “(c) set out rules relating to the conversion of provisional individual transferable quota to individual transferable quota:
- “(d) set out rules by which catch may be counted against annual catch entitlement: 25
- “(e) specify reporting obligations of commercial fishers:
- “(f) set out functions, duties, and powers of the chief executive in relation to the application of the regulations:
- “(g) provide for other matters necessary to manage the transitional period between fishing years. 30

“369M Expiry of section 369L(3)

Section 369L(3) expires with the close of 31 January 2007.”

Struck out (majority)**30 Fourth Schedule repealed**

- (1) The Fourth Schedule of the principal Act is repealed.
- (2) The Crown is not liable to pay to any person any compensation in respect of the repeal of the Fourth Schedule of the principal Act by **subsection (1)** or the introduction into the quota management system under this Act or the Fisheries Act 1983 of any of the stocks listed in that schedule. 5

New (majority)**30 Amendments to schedules**

- (1) Part III of the First Schedule of the principal Act is amended by inserting, before the items relating to spiny rock lobster (CRA) management areas, the items set out in **Schedule 2** of this Act. 10
- (2) The Second Schedule of the principal Act is amended by inserting, after the item relating to flatfishes, the following item: 15
- Freshwater eel ANG11 to ANG16.
- (3) The Third Schedule of the principal Act is amended by inserting, before the item relating to southern scallops, the following item: 20
- Freshwater eel ANG11 to ANG16.
- (4) The principal Act is amended by inserting, after the Fourth Schedule, the **Schedule 4A** set out in **Schedule 3** of this Act.
- (5) The Eighth Schedule of the principal Act is amended by inserting, before the item relating to CRA1, the items set out in **Schedule 4** of this Act. 25

32 Enactments revoked

The following enactments are revoked:

- (a) The Fisheries (Lake Ellesmere Eel Quota) Regulations 1997 (SR 1997/355):
- (b) The Fisheries (Lake Ellesmere Eel Quota Allocation) Notice 1997 (SR 1997/374). 30

New (majority)

Part 1B**Allocation of quota for South Island freshwater eel****32B Fisheries Act 1996 called principal Act in this Part**

In this Part, the Fisheries Act 1996² is called “the principal Act”.

² 1996 No 88

5

32C Purpose of this Part

The purpose of this Part is—

- (a) to define quota management areas and allocate provisional catch history for freshwater eel in the South Island:
- (b) to provide for the allocation of quota for freshwater eel in the South Island under Part IV of the principal Act.

10

32D Interpretation

For the purposes of this Part,—

provisional catch history, in relation to South Island freshwater eel, means the provisional catch history specified in **Schedule 5**

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South Island freshwater eel means freshwater eel in quota management areas ANG11 to ANG16.

32E Allocation of provisional catch history

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- (1) Each person named in column 1 of **Part 1** of **Schedule 5** is allocated the amount of provisional catch history for freshwater eel set out in column 3 of that schedule opposite that person’s name, and those allocations apply to freshwater eel in quota management area ANG11.
- (2) Each person named in column 1 of **Part 2** of **Schedule 5** is allocated the amount of provisional catch history for freshwater eel set out in column 3 of that schedule opposite that person’s name, and those allocations apply to freshwater eel in quota management area ANG12.

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New (majority)

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| (3) | Each person named in column 1 of Part 3 of Schedule 5 is allocated the amount of provisional catch history for freshwater eel set out in column 3 of that schedule opposite that person's name, and those allocations apply to freshwater eel in quota management area ANG13. | 5 |
| (4) | Each person named in column 1 of Part 4 of Schedule 5 is allocated the amount of provisional catch history for freshwater eel set out in column 3 of that schedule opposite that person's name, and those allocations apply to freshwater eel in quota management area ANG14. | 10 |
| (5) | Each person named in column 1 of Part 5 of Schedule 5 is allocated the amount of provisional catch history for freshwater eel set out in column 3 of that schedule opposite that person's name, and those allocations apply to freshwater eel in quota management area ANG15. | 15 |
| (6) | Each person named in column 1 of Part 6 of Schedule 5 is allocated the amount of provisional catch history for freshwater eel set out in column 3 of that schedule opposite that person's name, and those allocations apply to freshwater eel in quota management area ANG16. | 20 |
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 | | |
| 32F Notification of fishers allocated provisional catch history | | |
| (1) | As soon as practicable after the date on which this Act comes into force, the chief executive must notify every person named in Schedule 5 of— | |
| | (a) the amount of provisional catch history allocated to the person under section 32E for each of the quota management areas ANG11 to ANG16; and | 25 |
| | (b) the person's right to appeal under section 51(1) of the principal Act (as read in accordance with section 32J(3)); and | 30 |
| | (c) the requirement that any appeal to the Catch History Review Committee must be lodged not later than the date specified for that purpose in the notification. | |
| (2) | The date referred to in subsection (1)(c) and specified in the notification must be not less than 20 working days after the date of the notification. | 35 |

New (majority)

32G Public notification of provisional catch history allocation

- (1) As soon as practicable after the date on which this Act comes into force, the chief executive must publicly notify—
- (a) that provisional catch history for South Island freshwater eel has been allocated under **section 32E**; and 5
 - (b) that a person may appeal to the Catch History Review Committee under section 51(1) of the principal Act (as read in accordance with **section 32J(3)**) if the person—
 - (i) has not been allocated provisional catch history for South Island freshwater eel; and 10
 - (ii) believes that he or she is or will be entitled to receive provisional catch history on the grounds specified in that section or is entitled to receive quota for South Island freshwater eel; and
 - (c) that the appeal must be lodged no later than the date specified for that purpose in the notification. 15
- (2) The date referred to in **subsection (1)(c)** and specified in the notification must be not less than 20 working days after the date of the notification.

32H Criteria of eligibility to receive quota 20

- (1) A person is eligible to receive quota for South Island freshwater eel—
- (a) if the person is allocated provisional catch history under **section 32E**; or
 - (b) if the person— 25
 - (i) is the holder of a fishing permit on the date on which this Act comes into force; and
 - (ii) has been allocated provisional catch history for South Island freshwater eel following a decision of the Catch History Review Committee; and 30
 - (iii) is not an overseas person or, if an overseas person, is exempt under section 56 of the principal Act or has been granted permission to hold provisional catch history or quota under section 57 of the principal Act. 35
- (2) If a person is allocated provisional catch history under **section 32E** but dies before the chief executive has allocated quota for

New (majority)

South Island freshwater eel under **section 32I**, the deceased's estate must be treated as the holder of the provisional catch history for the purposes of this Act.

- (3) **Subsection (1)** is subject to **subsection (2)**.

32I Chief executive to allocate quota 5

- (1) The chief executive must allocate quota for South Island freshwater eel under **section 50B** of the principal Act.

- (2) For the purposes of **subsection (1)**,—

- (a) South Island freshwater eel is a stock to which **section 50A** of the principal Act applies: 10
- (b) the reference in section 47(1) of the principal Act to the relevant date referred to in section 36(3) of that Act must be read as a reference to the date specified in the notification referred to in **section 32F(1)(c)**.

32J Application of certain provisions in Part IV of principal Act to South Island freshwater eel 15

- (1) Sections 42 to 44, 46 to 49, **50B to 50G**, 51 to 53, 54(1)(a), (2), and (3), 55, and 283 to 294 of the principal Act apply to the allocation of individual transferable quota for South Island freshwater eel. 20

- (2) For the purposes of **subsection (1)**, South Island freshwater eel is a stock to which **section 50A** of the principal Act applies.

- (3) For the purposes of **subsection (1)**, section 51 of the principal Act must be read as if, for subsection (1), there were substituted the following subsection: 25

- “(1) Any person, including the chief executive, may, subject to subsection (3) and on or before the date specified in the notification referred to in **section 32F(1)(c)**, appeal to the Catch History Review Committee against the allocation of provisional catch history under **section 32E** on the ground that the information used to calculate the provisional catch history— 30
- “(a) was incorrectly recorded by the chief executive; or
- “(b) excluded freshwater eel that were lawfully taken and lawfully reported in eligible returns from the person's

New (majority)

eligible catch during the period commencing with 1 October 1990 and ending with 30 September 1992.”

- (4) For the purposes of this section, **eligible catch** has the meaning given to it by section 34(2) of the principal Act, as if—
- (a) the provisional catch history for South Island freshwater eel allocated under **section 32E** were calculated in a manner consistent with section 34(1)(c) of the principal Act; and 5
 - (b) the applicable qualifying years were the period commencing with 1 October 1990 and ending with 30 September 1992. 10

32K Catch History Review Committee may alter provisional catch history allocation

- (1) The Catch History Review Committee may—
- (a) alter the amount of provisional catch history for South Island freshwater eel allocated to a person under **section 32E**; or 15
 - (b) decide that a person who is not allocated provisional catch history under that section is eligible to receive provisional catch history for South Island freshwater eel. 20
- (2) This section applies as if—
- (a) South Island freshwater eel were a stock declared by notice in the *Gazette* under section 18 of the principal Act to be subject to the principal Act; and 25
 - (b) provisional catch history for South Island freshwater eel were allocated under Part IV of the principal Act.
- (3) This section is for the avoidance of doubt.

Part 1C**Amendment to Fisheries Act 1983** 30**32L Fisheries Act 1983 called principal Act in this Part**

In this Part, the Fisheries Act 1983³ is called “the principal Act”.

³ 1983 No 14

New (majority)

32M Taking of fish in excess of quota, and carrying forward of unused quota

Section 28V(11) of the principal Act is amended by inserting, before the word “eels”, the word “freshwater”.

New (majority)

s 30(1)

Schedule 2
Descriptions of new quota management
areas inserted

Freshwater eel (ANG) management areas

Quota management area ANG11—Nelson/Marlborough

5

All New Zealand fisheries waters enclosed by a line—

- (1) commencing at the mean high-water mark at Kahurangi Point, being a point at 40°46.6'S and 172°13.0'E; then
- (2) proceeding in a generally south-easterly direction along the summit of Saxon Ridge, Mackay Downs, Gouland Downs, Tubman Range, and Gouland Range to Mt Gouland; then 10
- (3) proceeding in a generally south-easterly direction along the summit of Gouland Range, Domett Range, traversing the Aorere Saddle, and continuing along the Domett Range to Aorere Peak; then 15
- (4) proceeding in a generally south-easterly direction along the summit of Peel Range and Pyramid Ridge to Mt Arthur; then
- (5) proceeding in a generally south-westerly direction along the summit of Arthur Range to Kiwi Saddle; then
- (6) proceeding in a generally south-westerly direction along the watershed of the Wangapeka River and its tributaries, passing through Mt Luna and traversing the Wangapeka Saddle, and proceeding along the summit of the Matiri Range to Nugget Knob; then 20
- (7) proceeding in a generally south-easterly direction along the watershed of the Wangapeka River and its tributaries, the Rolling River and its tributaries, passing through Replica Hill and Sentinel Hill, to a point on the summit of Lookout Range; then 25
- (8) proceeding in a generally south-easterly direction along the watershed of the Dart River to a point on the Hope Range, being the starting point of the watershed between the Tadmor and Hope Rivers; then 30

New (majority)

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| (9) | proceeding in a generally south-easterly direction along the watershed between the Tadmor and Hope Rivers and their tributaries, traversing the Tadmor Saddle, and continuing along the watershed to the Hope Saddle; then | |
| (10) | proceeding in a generally south-easterly direction along the watershed between the Rainy and Buller Rivers and their tributaries to a point on the watershed at 41°46.4'S and 172°49.2'E; then | 5 |
| (11) | proceeding south by right line to the source of the Buller River from Lake Rotoiti; then | 10 |
| (12) | proceeding in a generally southerly direction along the watershed of Lake Rotoiti and its tributaries to Mt Robert; then | |
| (13) | proceeding in a generally south-westerly direction along the summit of Robert Ridge to the point on that ridge at 41°53.9'S and 172°43.9'E; then | 15 |
| (14) | proceeding in a generally north-westerly direction along the watershed of Lake Rotoroa and its tributaries, also being the summit of Muntz Range, to Trig h; then | |
| (15) | proceeding south-west by right line to the source of the Gowan River from Lake Rotoroa, and proceeding again south by right line to Mt Pickering; then | 20 |
| (16) | proceeding in a generally southerly direction along the summit of the Braeburn Range, traversing the Tiraumea Saddle, Mole Saddle, and along the summit of Ella Range to Mt Dorothy; then | 25 |
| (17) | proceeding in a generally south-easterly direction along the summit of the ridge traversing David Saddle to the point on the summit of the Spenser Mountains at 42°08.8'S and 172°37.3'E; then | |
| (18) | proceeding in a generally north-easterly direction along the summit of the Spenser Mountains, traversing Thompson Pass and Waiau Pass, to Belvedere Peak; then | 30 |
| (19) | proceeding in a generally easterly direction along the summit of the Crimea Range, traversing Island Saddle and Island Pass, along the summit of Balaclava Ridge and the watershed of the Wairau River and its tributaries to Trig F; then | 35 |

New (majority)

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| (20) | proceeding in a generally north-easterly direction along the watershed of the Wairau River and its tributaries, the summit of Raglan Range, the watersheds of the Branch and Leatham Rivers and their tributaries, traversing the Severn Saddle, to Saxton Saddle; then | 5 |
| (21) | proceeding in a generally north-easterly direction along the watersheds of the Leatham and Waihopai Rivers and their tributaries, traversing Acheron Saddle, and passing through Blue Mountain and The Pinnacles to Pudding Hill; then | |
| (22) | proceeding in a generally north-easterly direction along the watershed of the Avon River and its tributaries, traversing Avon Saddle, and passing through Mt Abrupt, Mt Hall, and Glenlee North to Ferny Gair; then | 10 |
| (23) | proceeding in a generally north-easterly direction along the watersheds of the Avon and Omaka Rivers and their tributaries, passing through Mt Horrible, Mt Harkness, Blairich, and Newport Knob to Blairich Pass; then | 15 |
| (24) | proceeding in a generally north-easterly direction along the watershed of the Taylor River and its tributaries, passing through Little Ned and traversing Taylor Pass, and passing through Dumgree to Maxwell Pass; then | 20 |
| (25) | proceeding in a generally north-easterly direction along the watersheds of Upper Lagoon and Big Lagoon and their tributaries, traversing Dashwood Pass and Redwood Pass, and passing through Jamies Knob to the mean high-water mark at Whites Bluff, being a point at 41°33.5'S and 174°08.9'E; then | 25 |
| (26) | proceeding north-east by right line to a point at 41°26.0'S and 174°23.0'E; then | |
| (27) | proceeding north-east by right line to a point at 41°13.0'S and 174°31.0'E; then | 30 |
| (28) | proceeding north-east by right line to a point at 40°42.0'S and 174°40.0'E; then | |
| (29) | proceeding north-west by right line to a point at 40°02.0'S and 173°00.0'E; then | |
| (30) | proceeding north-west by right line to a point at 38°09.0'S and 169°32.0'E; then | 35 |

New (majority)

- (31) proceeding south-east by right line to the point of commencement at Kahurangi Point.

Quota management area ANGI2—North Canterbury

All New Zealand fisheries waters enclosed by a line—

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| (1) | commencing at a point on the mean high-water mark in line with the north-east boundary of Section 6 Buckley Settlement (SO 5504), being a point at 43°58.2'S and 172°00.3'E; then | 5 |
| (2) | proceeding by right lines to the eastern-most points of RS 38559 SO 9323 and Lot 3 DP 19564, the northern-most point of Lot 1 DP 27460, the western-most point of RS 5041 SO 9407, the northern-most point of Section 1 SO 7412, the eastern-most point of Section 3C Grange Settlement (SO 6657), the southern-most point of Lot 1 DP 6984, the northern-most points of RS 41562 SO 15810 and RS 38090 SO 9115, and to a point being the eastern-most point on the eastern boundary of RS 42160 SO 16641 (all being plans in Canterbury Land District); then | 10 |
| (3) | proceeding in a generally northerly direction along the watershed between the Rakaia River and Pudding Hill Stream and their tributaries to Mt Hutt; then | 15 |
| (4) | proceeding in a generally northerly direction along the summit of Mount Hutt Range to Steepface Hill; then | 20 |
| (5) | proceeding in a generally westerly direction along the watershed between the Swift River and Redcliffe Stream and their tributaries, traversing Redcliffe Saddle to Shingle Hill; then | 25 |
| (6) | proceeding in a generally westerly direction along the watershed between Middle Creek and Cascade Glen and their tributaries to a point on the summit of Black Hill Range; then | 30 |
| (7) | proceeding in a generally northerly direction along the summit of Black Hill Range to Donald Hill; then | 30 |
| (8) | proceeding in a generally south-westerly direction along the watershed of the North Branch Ashburton River and its tributaries, traversing Turtons Saddle, passing through Godley Peak to Mt Catherine; then | 30 |

New (majority)

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| (9) | proceeding south-west by right line to the source of the Lake Stream from Lake Heron, and proceeding again south-west by right line to Pyramid; then | |
| (10) | proceeding in a generally north-easterly direction along the summit of Wild Mans Brother Range to Mt Arrowsmith; then | 5 |
| (11) | proceeding in a generally northerly direction along the summit of Arrowsmith Range to North Peak; then | |
| (12) | proceeding in a generally south-westerly direction along the summit of Jollie Range to Outlaw Peak; then | |
| (13) | proceeding in a generally westerly direction along the summit of the ridge traversing Crossbow Saddle to Amazon Peak; then | 10 |
| (14) | proceeding in a generally north-westerly direction along the watershed of the McCoy Stream and its tributaries, passing through Mt Goethe to Mt Nicholson; then | 15 |
| (15) | proceeding in a generally northerly direction along the summit of the ridge traversing Rangitata Col to a point on the summit of Main Divide of the Southern Alps, being a point at 43°18.4'S and 170°48.3'E; then | |
| (16) | proceeding in a generally north-easterly direction along the summit of Main Divide of the Southern Alps passing through Mt Westland, Mt Whitcombe, Mt Warner, Mt Bryce, Mt Marion, and Mt Rolleston to Arthur's Pass; then | 20 |
| (17) | proceeding in a generally north-easterly direction along the summit of Main Divide of the Southern Alps, traversing Worsley Pass, Harper Pass, Hope Pass, and Amuri Pass to Lucretia; then | 25 |
| (18) | proceeding in a generally north-easterly direction along the watershed of the Maruia River and its tributaries, traversing Lewis Pass, passing through Trovatore, and traversing Henry Saddle to Zampa; then | 30 |
| (19) | proceeding in a generally north-easterly direction along the summit of the Spenser Mountains, traversing Ada Pass to a point on the summit of the Spenser Mountains, being a point at 42°08.8'S and 172°37.3'E; then | 35 |

New (majority)

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| (20) | proceeding in a generally north-easterly direction along the summit of the Spenser Mountains, traversing Thompson Pass and Waiiau Pass to Belvedere Peak; then | |
| (21) | proceeding in a generally easterly direction along the summit of the Crimea Range, traversing Island Saddle and Island Pass, along the summit of Balaclava Ridge and the watershed of the Wairau River and its tributaries to Trig F; then | 5 |
| (22) | proceeding in a generally north-easterly direction along the watershed of the Wairau River and its tributaries, the summit of Raglan Range, the watersheds of the Branch and Leatham Rivers and their tributaries, traversing the Severn Saddle to Saxton Saddle; then | 10 |
| (23) | proceeding in a generally north-easterly direction along the watersheds of the Leatham and Waihopai Rivers and their tributaries, traversing Acheron Saddle and passing through Blue Mountain and The Pinnacles to Pudding Hill; then | 15 |
| (24) | proceeding in a generally north-easterly direction along the watershed of the Avon River and its tributaries, traversing Avon Saddle, and passing through Mt Abrupt, Mt Hall, and Glenlee North to Ferny Gair; then | 20 |
| (25) | proceeding in a generally north-easterly direction along the watersheds of the Avon River and Omaka River and their tributaries, passing through Mt Horrible, Mt Harkness, Blairich, and Newport Knob to Blairich Pass; then | |
| (26) | proceeding in a generally north-easterly direction along the watershed of Taylor River and its tributaries, passing through Little Ned and traversing Taylor Pass, and passing through Dumgree to Maxwell Pass; then | 25 |
| (27) | proceeding in a generally north-easterly direction along the watersheds of Upper Lagoon and Big Lagoon and their tributaries, traversing Dashwood Pass and Redwood Pass, and passing through Jamies Knob to the mean high-water mark at Whites Bluff, being a point at 41°33.5'S and 174°08.9'E; then | 30 |
| (28) | proceeding south-east by right line to a point at 42°10.0'S and 174°42.0'E; then | 35 |

New (majority)

- (29) proceeding east by right line to a point at 42°10.0'S and 176°00.0'E; then
- (30) proceeding south by right line to a point at 46°00.0'S and 176°00.0'E; then
- (31) proceeding north-west by right line to the point of commencement. 5

This Quota Management Area does not include the area contained within Quota Management Area ANG13.

Quota management area ANG13—Lake Ellesmere

- All New Zealand fisheries waters enclosed by a line— 10
- (1) commencing at a point on the mean high-water mark in line with the north-east boundary of Lot 2 DP 74178, being a point at 43°53.3'S and 172°15.1'E; then
- (2) proceeding by right lines to the eastern-most points of Lot 2 DP 74178, Lot 1 DP 19592, RS 10368 SO 368, and Lot 1 DP 13507, the northern-most point of RS 33633 SO 2648, the southern-most points of Lot 3 DP 66187, RS 33577 SO 2871, and Lot 1 DP 68557, the eastern-most points of Section 20 Block IX Selwyn Survey District (SO 1508), Lot 2 DP 59218, Lot 4 DP 60698, Lot 1 DP 17908, and RS 36763 SO 5324, the northern-most points of Lot 3 DP 3588 and Lot 1 DP 60996 (all being plans in Canterbury Land District); then 15
- (3) proceeding in a generally northerly direction along the summit of Rockwood Range until its intersection with the watershed between the Selwyn River and Boundary Stream and their tributaries; then 20
- (4) proceeding in a generally north-westerly direction along the watershed between the Selwyn and Rakaia Rivers and their tributaries, passing through Haycock to Big Ben; then 25
- (5) proceeding in a generally north-easterly direction along the watershed of the Selwyn River and its tributaries, also being the summit of Big Ben Range and Russell Range, to Trig H; then 30
- (6) proceeding in a generally north-easterly direction along the summit of Russell Range to Trig F No 2; then 35

New (majority)

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| (7) | proceeding in a generally north-easterly direction along the watershed of the Hawkins River and its tributaries to Trig E; then | |
| (8) | proceeding by right lines to the southern-most point of Lot 1 DP 23878, the northern-most point of Lot 83 DP 15, the eastern-most point of Section 1 Darfield Village Settlement (SO 1209), and the northern-most point of Lot 1 DP 9497 (all being plans in the Canterbury Land District); then | 5 |
| (9) | proceeding east by right line to Trig U and then Trig Y, both situated near Westmorland; then | 10 |
| (10) | proceeding in a generally south-easterly direction along the summit of the ridge to Marleys Hill; then | |
| (11) | proceeding in a generally south-easterly direction along the watershed of Lyttelton Harbour and its tributaries, passing through Cass Peak, Coopers Knob, traversing Gebbies Pass and McQueens Pass, passing through Remarkable Dykes, Mt Bradley, and Mt Herbert, to Trig ZZ; then | 15 |
| (12) | proceeding in a generally southerly direction along the watersheds of the Kaituna River, Prices Stream, and Waikoko Stream and their tributaries, passing through Trig QQ, Trig SS, and High Bare Peak to Trig D; then | 20 |
| (13) | proceeding by right line to the eastern-most point of Lot 1 DP 19343; then | |
| (14) | proceeding by right line to a point on the mean high-water mark in line with the eastern boundary of Lot 1 DP 19343, being a point at 43°49.7'S and 172°42.5'E; then | 25 |
| (15) | proceeding in a generally south-westerly direction along the mean high-water mark to the point of commencement. | |

Quota management area ANGI4—South Canterbury/Waitaki

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| All New Zealand fisheries waters enclosed by a line— | | 30 |
| (1) | commencing at a point on the mean high-water mark in line with the north-east boundary of Section 6 Buckley Settlement (SO 5504), being a point at 43°58.2'S and 172°00.3'E; then | |

New (majority)

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| (2) | proceeding by right lines to the eastern-most points of RS 38559 SO 9323 and Lot 3 DP 19564, the northern-most point of Lot 1 DP 27460, the western-most point RS 5041 SO 9407, the northern-most point of Section 1 SO 7412, the eastern-most point of Section 3C Grange Settlement (SO 6657), the southern-most point of Lot 1 DP 6984, the northern-most points of RS 41562 SO 15810 and RS 38090 SO 9115, and to a point being the eastern-most point on the eastern boundary of RS 42160 SO 16641 (all being plans in the Canterbury Land District); then | 5

10 |
| (3) | proceeding in a generally northerly direction along the watershed between the Rakaia River and Pudding Hill Stream and their tributaries to Mt Hutt; then | |
| (4) | proceeding in a generally northerly direction along the summit of Mount Hutt Range to Steepface Hill; then | 15 |
| (5) | proceeding in a generally westerly direction along the watershed between the Swift River and Redcliffe Stream and their tributaries, traversing Redcliffe Saddle to Shingle Hill; then | |
| (6) | proceeding in a generally westerly direction along the watershed between Middle Creek and Cascade Glen and their tributaries to a point on the summit of Black Hill Range; then | 20 |
| (7) | proceeding in a generally northerly direction along the summit of Black Hill Range to Donald Hill; then | |
| (8) | proceeding in a generally south-westerly direction along the watershed of the North Branch Ashburton River and its tributaries, traversing Turtons Saddle, passing through Godley Peak to Mt Catherine; then | 25 |
| (9) | proceeding south-west by right line to the source of the Lake Stream from Lake Heron, and proceeding again south-west by right line to Pyramid; then | 30 |
| (10) | proceeding in a generally north-easterly direction along the summit of Wild Mans Brother Range to Mt Arrowsmith; then | |
| (11) | proceeding in a generally northerly direction along the summit of Arrowsmith Range to North Peak; then | |
| (12) | proceeding in a generally south-westerly direction along the summit of Jollie Range to Outlaw Peak; then | 35 |

New (majority)

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|------|---|----|
| (13) | proceeding in a generally westerly direction along the summit of the ridge traversing Crossbow Saddle to Amazon Peak; then | |
| (14) | proceeding in a generally north-westerly direction along the watershed of the McCoy Stream and its tributaries, passing through Mt Goethe to Mt Nicholson; then | 5 |
| (15) | proceeding in a generally northerly direction along the summit of the ridge traversing Rangitata Col to a point on the summit of Main Divide of the Southern Alps, being a point at 43°18.4'S and 170°48.3'E; then | 10 |
| (16) | proceeding in a generally south-westerly direction along the summit of Main Divide of the Southern Alps, passing through Mt Tyndall, Mt Edison, McClure Peak, Mt Moffat, Mt Elie De Beaumont, Mt Tasman, Mt Sefton, Mt Hopkins, and Mt Ward to Mt Strauchon; then | 15 |
| (17) | proceeding in a generally southerly direction along the watershed between the Hunter and Huxley Rivers and their tributaries to Mt Huxley; then | |
| (18) | proceeding in a generally southerly direction along the watershed between the Hunter and Ahuriri Rivers and their tributaries, and again along the watershed between the Dingle Burn and Ahuriri Rivers and their tributaries to Mt Martha; then | 20 |
| (19) | proceeding along the watershed of the Ahuriri River and its tributaries, traversing Lindis Pass to Double Peak; then | |
| (20) | proceeding along the watershed between Dip Creek and Longslip Creek and their tributaries to the summit of Dunstan Range; then | 25 |
| (21) | proceeding in a generally north-easterly direction along the summit of Dunstan Range to its junction with Wether Range; then | 30 |
| (22) | proceeding in a generally southerly direction along the summit of Wether Range to its junction with St Bathans Range; then | |

New (majority)

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| (23) | proceeding in a generally south-easterly direction along the watershed of the Omarama Stream and its tributaries, traversing Omarama Saddle to the junction of Ewe Range and Hawkdun Range; then | |
| (24) | proceeding in a generally south-easterly direction along the summit of the Hawkdun Range to Mt Ida; then | 5 |
| (25) | proceeding in a generally easterly direction along the summit of Ida Range to Mt Buster; then | |
| (26) | proceeding in a generally south-easterly direction along the watershed of Kye Burn and its tributaries, traversing Danseys Pass to Mt Alexander; then | 10 |
| (27) | proceeding in a generally south-easterly direction along the summit of the Kakanui Mountains to Mt Pisgah; then | |
| (28) | proceeding in a generally north-easterly direction along the summit of Pisgah Spur and the watershed of the Kakanui River and its tributaries to Trig C No 2; then | 15 |
| (29) | proceeding in a generally easterly direction along the northern watershed of Waiareka Creek and its tributaries, passing through Trigs P, D, and Big Hill to Trig 13631; then | |
| (30) | proceeding in a generally south-easterly direction along the northern watersheds of Landon Creek, Spring Gully, and Shepherds Gully and their tributaries to Trig G; then | 20 |
| (31) | proceeding south-east by right line to Trig F and a continuation of this line to a point on the mean high-water mark, being a point at 45°02.8'S and 171°03.0'E; then | 25 |
| (32) | proceeding south-east by right line to a point at 46°00.0'S and 176°00.0'E; then | |
| (33) | proceeding north-west by right line to the point of commencement. | |

Quota management area ANG15—Otago/Southland

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All New Zealand fisheries waters enclosed by a line—

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| (1) | commencing at the mean high-water mark at St Anne Point, being a point at 44°34.4'S and 167°46.9'E; then |
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New (majority)

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| (2) | proceeding in a generally south-easterly direction along the watersheds of Milford Sound and Arthur River and their tributaries, passing through Mt Danger, Twin Sisters, Aiguille Rouge, Mt Balloon, Mt Kepka, Mt Mitchelson, and Mt Gendarme to Mt Moir; then | 5 |
| (3) | proceeding in a generally south-easterly direction along the watershed of the Hollyford River and its tributaries, passing through Mt Charlton and Pyramid Peak and traversing The Divide to Greenstone Saddle; then | |
| (4) | proceeding in a generally northerly direction along the watershed and the summit of Ailsa Mountains, traversing Emily Pass, and along the summit of Serpentine Range to Nereus Peak; then | 10 |
| (5) | proceeding in a generally north-easterly direction along the watershed of the Dart River and its tributaries to Mt Liverpool; then | 15 |
| (6) | proceeding in a generally north-easterly direction along the watershed of the Matukituki River and its tributaries to Popes Nose; then | |
| (7) | proceeding in a generally north-easterly direction along the summit of Main Divide of the Southern Alps, passing through Mt Castor, Mt Alba, Mt Actor, and Lindsay Peak to Haast Pass; then | 20 |
| (8) | proceeding in a generally north-easterly direction along the summit of Main Divide of the Southern Alps, passing through Mt Brewster and Mt Holdsworth to Mt Strauchon; then | 25 |
| (9) | proceeding in a generally southerly direction along the watershed between the Hunter and Huxley Rivers and their tributaries to Mt Huxley; then | |
| (10) | proceeding in a generally southerly direction along the watershed between the Hunter and Ahuriri Rivers and their tributaries, and again along the watershed between the Dingle Burn and Ahuriri River and their tributaries to Mt Martha; then | 30 |
| (11) | proceeding along the watershed of the Ahuriri River and its tributaries, traversing Lindis Pass to Double Peak; then | 35 |

New (majority)

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| (12) | proceeding along the watershed between Dip Creek and Longslip Creek and their tributaries to the summit of Dunstan Range; then | |
| (13) | proceeding in a generally north-easterly direction along the summit of Dunstan Range to its junction with Wether Range; then | 5 |
| (14) | proceeding in a generally southerly direction along the summit of Wether Range to its junction with St Bathans Range; then | |
| (15) | proceeding in a generally south-easterly direction along the watershed of the Omarama Stream and its tributaries, traversing Omarama Saddle to the junction of Ewe Range and Hawkdun Range; then | 10 |
| (16) | proceeding in a generally south-easterly direction along the summit of the Hawkdun Range to Mt Ida; then | 15 |
| (17) | proceeding in a generally easterly direction along the summit of Ida Range to Mt Buster; then | |
| (18) | proceeding in a generally south-easterly direction along the watershed of Kye Burn and its tributaries, traversing Danseys Pass to Mt Alexander; then | 20 |
| (19) | proceeding in a generally south-easterly direction along the summit of the Kakanui Mountains to Mt Pisgah; then | |
| (20) | proceeding in a generally north-easterly direction along the summit of Pisgah Spur and the watershed of the Kakanui River and its tributaries to Trig C No 2; then | 25 |
| (21) | proceeding in a generally easterly direction along the northern watershed of Waiareka Creek and its tributaries and passing through Trigs P, D, and Big Hill to Trig 13631; then | |
| (22) | proceeding in a generally south-easterly direction along the northern watersheds of Landon Creek, Spring Gully, and Shepherds Gully and their tributaries to Trig G; then | 30 |
| (23) | proceeding south-east by right line to Trig F and a continuation of this line to a point on the mean high-water mark, being a point at 45°02.8'S and 171°03.0'E; then | |

New (majority)

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| (24) | proceeding south-east by right line to a point at 46°00.0'S and 176°00.0'E; then | |
| (25) | proceeding south-west by right line to a point at 48°19.0'S and 170°31.0'E; then | |
| (26) | proceeding south-west by right line to a point at 49°00.0'S and 169°00.0'E; then | 5 |
| (27) | proceeding due west by right line to a point at 49°00.0'S and 161°26.2'E; then | |
| (28) | proceeding in a generally northerly direction following the western boundary of the exclusive economic zone of New Zealand to 44°15.6'S and 162°12.9'E; then | 10 |
| (29) | proceeding by right line to the point of commencement at St Anne Point. | |

Quota management area ANG16—West Coast

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| | All New Zealand fisheries waters enclosed by a line— | 15 |
| (1) | commencing at the mean high-water mark at Kahurangi Point at 40°46.6'S and 172°13.0'E; then | |
| (2) | proceeding in a generally south-easterly direction along the summit of Saxon Ridge, Mackay Downs, Goulard Downs, Tubman Range, and Goulard Range to Mt Goulard; then | 20 |
| (3) | proceeding in a generally south-easterly direction along the summit of Goulard Range, Domett Range, traversing the Aorere Saddle and continuing along the Domett Range to Aorere Peak; then | |
| (4) | proceeding in a generally south-easterly direction along the summit of Peel Range and Pyramid Ridge to Mt Arthur; then | 25 |
| (5) | proceeding in a generally south-westerly direction along the summit of Arthur Range to Kiwi Saddle; then | |
| (6) | proceeding in a generally south-westerly direction along the watershed of the Wangapeka River and its tributaries, passing through Mt Luna and traversing the Wangapeka Saddle, and along the summit of the Matiri Range to Nugget Knob; then | 30 |
| (7) | proceeding in a generally south-easterly direction along the watershed of the Wangapeka River and its tributaries, the | |

New (majority)

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|------|---|----|
| | Rolling River and its tributaries, passing through Replica Hill and Sentinel Hill to a point on the summit of Lookout Range; then | |
| (8) | proceeding in a generally south-easterly direction along the watershed of the Dart River to a point on the Hope Range, being the starting point of the watershed between the Tadmor and Hope Rivers; then | 5 |
| (9) | proceeding in a generally south-easterly direction along the watershed between the Tadmor and Hope Rivers and their tributaries, traversing the Tadmor Saddle and continuing along the watershed to the Hope Saddle; then | 10 |
| (10) | proceeding in a generally south-easterly direction along the watershed between the Rainy and Buller Rivers and their tributaries to a point on the watershed at 41°46.4'S and 172°49.2'E; then | 15 |
| (11) | proceeding south by right line to the source of the Buller River from Lake Rotoiti; then | |
| (12) | proceeding in a generally southerly direction along the watershed of Lake Rotoiti and its tributaries to Mt Robert; then | |
| (13) | proceeding in a generally south-westerly direction along the summit of Robert Ridge to a point on the ridge at 41°53.9'S and 172°43.9'E; then | 20 |
| (14) | proceeding in a generally north-westerly direction along the watershed of Lake Rotoroa and its tributaries, also being the summit of Muntz Range, to Trig h; then | 25 |
| (15) | proceeding south-west by right line to the source of the Gowan River from Lake Rotoroa, and again south by right line to Mt Pickering; then | |
| (16) | proceeding in a generally southerly direction along the summit of the Braeburn Range, traversing the Tiraumea Saddle and along the summit of Ella Range to Mt Dorothy; then | 30 |
| (17) | proceeding in a generally south-easterly direction along the ridge traversing David Saddle to a point on the summit of the Spenser Mountains, being a point at 42°08.8'S and 172°37.3'E; then | 35 |

New (majority)

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|------|--|----|
| (18) | proceeding in a generally south-westerly direction along the summit of the Spenser Mountains, traversing Ada Pass to Zampa; then | |
| (19) | proceeding in a generally south-westerly direction along the watershed of the Maruia River and its tributaries, traversing Henry Saddle, passing through Trovatore and traversing Lewis Pass to Lucretia; then | 5 |
| (20) | proceeding in a generally south-easterly direction along the summit of Main Divide of the Southern Alps, traversing Amuri Pass, Hope Pass, Harper Pass, and Worsley Pass to Arthur's Pass; then | 10 |
| (21) | proceeding in a generally south-westerly direction along the summit of Main Divide of the Southern Alps, passing through Mt Rolleston, Mt Marion, Mt Bryce, Mt Warner, Mt Whitcombe, and Mt Westland to a point on the summit of Main Divide of the Southern Alps, being a point at 43°18.4'S and 170°48.3'E; then | 15 |
| (22) | proceeding in a generally south-westerly direction along the summit of Main Divide of the Southern Alps, passing through Mt Tyndall, Mt Edison, McClure Peak, Mt Moffat, Mt Elie De Beaumont, Mt Tasman, Mt Sefton, Mt Hopkins, and Mt Ward to Mt Strauchon; then | 20 |
| (23) | proceeding in a generally south-westerly direction along the summit of Main Divide of the Southern Alps, passing through Mt Holdsworth and Mt Brewster to Haast Pass; then | 25 |
| (24) | proceeding in a generally south-westerly direction along the summit of Main Divide of the Southern Alps, passing through Lindsay Peak, Mt Actor, Mt Alba, and Mt Castor to Popes Nose; then | |
| (25) | proceeding in a generally south-westerly direction along the watershed of the Matukituki River and its tributaries to Mt Liverpool; then | 30 |
| (26) | proceeding in a generally south-westerly direction along the watershed of the Dart River and its tributaries to Nereus Peak; then | 35 |

New (majority)

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|------|---|----|
| (27) | proceeding in a generally southerly direction along the summit of Serpentine Range, traversing Emily Pass, and along the summit of Ailsa Mountains and the watershed of the Hollyford River and its tributaries to Greenstone Saddle; then | |
| (28) | proceeding in a generally north-westerly direction along the watershed of the Hollyford River and its tributaries, traversing The Divide and passing through Pyramid and Mt Charlton to Mt Moir; then | 5 |
| (29) | proceeding in a generally north-westerly direction along the watershed of Arthur River and Milford Sound and their tributaries, passing through Mt Gendarme, Mt Mitchelson, Mt Kepka, Mt Balloon, Aiguille Rouge, Twin Sisters, and Mt Danger to the mean high-water mark at St Anne Point, being a point at 44°34.4'S and 167°46.9'E; then | 10 |
| (30) | proceeding west by right line to a point at 44°15.6'S and 162°12.9'E; then | 15 |
| (31) | proceeding in a generally north-easterly direction following the western boundary of the exclusive economic zone of New Zealand to a point at 38°09.0'S and 169°32.0'E; then | |
| (32) | proceeding south-east by right line to the point of commencement at Kahurangi Point. | 20 |

New (majority)

Schedule 3
New Schedule 4A inserted in principal Act

s 30(4)

Schedule 4A
Compensation for certain Fourth Schedule stocks
transferred to the Crown

ss 500(2)(a), 506(1)

Stock	\$ per tonne (exclusive of GST)	\$ per quota share (exclusive of GST)
Snake Bank cockles	3,000	3.00 × quota weight equivalent
Coromandel scal- lops	32,000	32.00 × quota weight equivalent
Freshwater eels	8,440	8.44 × quota weight equivalent
Kingfish	5,300	5.30 × quota weight equivalent
Kahawai	780	0.78 × quota weight equivalent
Blue mackerel	580	0.58 × quota weight equivalent
Butterfish	5,500	5.50 × quota weight equivalent
Southern bluefin tuna	17,720	17.72 × quota weight equivalent

New (majority)

s 30(5)

Schedule 4
Minimum annual holdings of annual catch
entitlement for South Island freshwater eel inserted

ANG11	4
ANG12	4
ANG13	4
ANG14	4
ANG15	4
ANG16	4

Schedule 5 ss 32D-32F
**South Island freshwater eel provisional catch
 history allocations**

Part 1
 Quota management area ANG11

Legal name	Client number	Provisional catch history allocation (tonnes)
Black, Hamish McPherson	8860041	14.710
Brice, David Vivian	8460263	0.400
Challenger Fishing being Gilbert, Brian Robert	8463409	11.613
Clark Partnership Ltd	8680002	1.856
Gilbert, Brian Robert	8460854	3.557
Marlborough Seafoods Limited	8463353	14.721
Tuna Fishing Partnership being Pacey, James Thomas & Pacey, Noeline Amber	8760274	17.480

New (majority)

Part 2
Quota management area ANG12

Legal name	Client number	Provisional catch history allocation (tonnes)
Arps, Colin Larry	8470074	12.182
Beech, Rex Paul	8490168	3.975
Broad, Terence Leonard	8483373	3.585
Clark Partnership Ltd	8680002	8.604
Estate of Murray William Mackie	8481486	0.134
Gould Aqua Farms being Gould, Trevor James & Gould, Noeline Ellen	8670006	0.193
Lubbers, Theo	8471453	9.881
Marlborough Seafoods Limited	8463353	2.512
Nordstrom, Kenneth John	9470033	0.773
Nordstrom, Robert Bruce	8471798	0.500
Pacey, William Rana	8471848	12.881
Pullan, Garry Martin	8471978	9.581
Smith, Clem George	8472230	0.005
Taylor, Murray John	8472373	1.399
Tuna Fishing Partnership being Pacey, James Thomas & Pacey, Noeline Amber	8760274	4.720

New (majority)

Part 3
Quota management area ANG13

Legal name	Client number	Provisional catch history allocation (tonnes)
Cridge, Stuart Elliot Ken	8470517	11.000
Goode, Roger Howard	8470881	8.000
Gould Aqua Farms being Gould, Trevor James & Gould, Noeline Ellen	8670006	21.000
Hamilton, Leonard Charles	8470967	17.000
Nordstrom, Kenneth John	9470033	12.000
Nordstrom, Kenneth John & Nordstrom, Robert Bruce	9370017	11.500
Nordstrom, Robert Bruce	8471798	11.000
Pullan, Garry Martin	8471978	10.000
Smith, Clem George	8472230	13.000
Vogel, Mark Lindsay	8472506	9.000

New (majority)

Part 4
Quota management area ANG14

Legal name	Client number	Provisional catch history allocation (tonnes)
Beech, Rex Paul	8490168	4.213
Bowis, Logan James	8470241	0.079
Broad, Terence Leonard	8483373	7.163
Clark Partnership Ltd	8680002	21.166
Estate of Murray William Mackie	8481486	11.612
Goodall, Alan James	8480880	4.349
Gould Aqua Farms being Gould, Trevor James & Gould, Noeline Ellen	8670006	2.955
Langley, Trevor Allan	8481372	0.683
Millar, Basil James	8481670	2.103
Mosburn Enterprises Limited	8491716	6.692
Pacey, William Rana	8471848	2.035
Richardson, David Roy	8492033	1.730
Van Erkel, Cederic Norman	8680017	2.903

New (majority)

Part 5
Quota management area ANG15

Legal name	Client number	Provisional catch history allocation (tonnes)
Aggerholm, Asovale	8490013	1.906
Beech, Rex Paul	8490168	11.111
Bell, Raymond	8480175	0.203
Benjamin, Paul Robert	8680012	6.753
Booth, Neil Gavin	8680014	8.220
Boyle, Gerald Paterick	8680015	0.202
Broad, Terence Leonard	8483373	1.298
Brunton, Kenneth Evan	8493090	7.629
Campbell, Ross Anthony	8490376	31.911
Carr, Barry Francis	8680011	0.817
Carr, Ronald George	8480386	5.180
Clark Partnership Ltd	8680002	0.091
Davis, Clifford James	8680007	0.521
Dawson, April Blanch	8493367	4.387
Dawson, Russell George	8490568	2.537
Dougherty, Russell David	8480622	1.640
Faddes, Russell John Alfred	8680010	3.632
Goodall, Alan James	8480880	5.996
Iremonger, Alexander Charles	8491194	2.181
Langley, Trevor Allan	8481372	6.963
McLeod, Graeme Arthur	8491626	9.724
Mossburn Enterprises Limited	8491716	38.383
Richardson, David Roy	8492033	26.093
Russell, Calvin James	8482098	3.730
Saxon, James Leslie	8482134	1.345
Stratford, Barry John & Stratford, Janice Valerie	8492312	19.059
Swain, Murray John	8493205	14.934
Thompson, Victor Donald	8492420	25.007
Van Erkel, Cederic Norman	8680017	6.359
White, Peter James	8680016	5.517

New (majority)

Part 6
Quota management area ANG16

Legal name	Client number	Provisional catch history allocation (tonnes)
Bailey, Donal James	8462837	4.950
Beck, Arnold Winston	8460163	2.934
Cairns, Douglas Hillary	8460355	0.442
Challenger Fishing being Gilbert, Brian Robert	8463409	4.606
Evans, Alun John	8460692	21.852
Gilbert, Brian Robert	8460854	2.515
Harker, Peter John	8460989	12.675
Jope, Gary Arnold	8461262	1.803
Munro, Daryl Peter	8462827	10.190
Reay, Bruce	8482004	11.596
Thompson, Victor Donald	8492420	14.049
Tuna Fishing Partnership being Pacey, James Thomas & Pacey, Noeline Amber	8760274	5.348
Veale, Peter William	8462496	17.436
Westbay Seafoods Ltd	8461835	4.653

Fisheries Amendment (No 2)

Legislative history

22 June 1999	Introduction, first reading (Bill 304-1)
13 July 1999	Second reading and referral to Primary Production Committee
15 June 2000	Reported from the Primary Production Committee (Bill 304-2)
