



**THE EXCLUSIVE ECONOMIC ZONE (LICENCE FEES AND ROYALTIES) REGULATIONS 1985**

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DAVID BEATTIE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 30th day  
of September 1985

Present:

THE HON. K. T. WETERE PRESIDING IN COUNCIL

PURSUANT to sections 18 and 22 of the Territorial Sea and Exclusive Economic Zone Act 1977, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Exclusive Economic Zone (Licence Fees and Royalties) Regulations 1985.

(2) These regulations shall come into force on the 1st day of October 1985.

**2. Interpretation**—(1) In these regulations,—

“Fish carrier” means a foreign fishing craft that is licensed to be used in the exclusive economic zone for the transportation of fish (and for the storage and refrigeration of fish for the purposes of transportation) but not for any other purpose relating to fishing;

“Fish-carrying capacity”, in relation to a fish carrier, means the amount (in tonnes) of the fish that the fish carrier is permitted by the conditions of its licence to carry in the exclusive economic zone:

“Fisheries Management Area E” means all that part of the exclusive economic zone lying south of a line commencing in the west at a point on the outer limit of the exclusive economic zone at the 49°S parallel of latitude; and then proceeding due East to a point 49°S and 169°E; and then proceeding due North to a point 48° 30' S and 169°E; and then proceeding due East to a point 48° 30' S and 171°E; and then proceeding due North to a point 47°S and 171°E; and then proceeding due East to a point 47°S and 176°E; and then proceeding due North to a point 45° 30' S and 176°E; and then proceeding due East to a point on the eastern outer limit of the exclusive economic zone at the 45° 30' S parallel of latitude:

“Licence” means a licence granted under section 15 of the Territorial Sea and Exclusive Economic Zone Act 1977 or a licence renewed under section 16 of that Act:

“Southern Islands Area” means—

(a) All that area enclosed by a line commencing at a point 49° 30' S and 165°E; and then proceeding due East to a point 49° 30' S and 168°E; and then proceeding due South to a point 51° 30' S and 168°E; and then proceeding due West to a point 51° 30' S and 165°E; and then proceeding due North to the point of commencement; and

(b) All that area enclosed by a line commencing at a point 51° 30' S and 168°E; and then proceeding due East to a point 51° 30' S and 171°E; and then proceeding due South to a point 53° 30' S and 171°E; and then proceeding due West to a point 53° 30' S and 168°E; and then proceeding due North to the point of commencement:

“Support craft” means a foreign fishing craft that is licensed to be used in the exclusive economic zone for any activity relating to fishing except for the taking of fish or as a fish carrier.

(2) Where—

(a) The gross registered tonnage of a support craft consists of a whole number of tons and a fraction of a ton; or

(b) The fish-carrying capacity of a foreign fishing craft consists of a whole number of tonnes and a fraction of a tonne—

the fraction shall be deemed for the purposes of these regulations to be a whole.

**3. Application**—These regulations shall apply in respect of every licence granted or renewed on or after the 1st day of October 1985.

**4. Licence fees and royalties for foreign fishing craft**—(1) Every person to whom a licence specified in the first column of the Schedule to these regulations is granted or whose licence is renewed shall pay to the Crown in respect of the granting or renewal of the licence or the taking of fish, as the case may require, the appropriate fee and royalties specified in the second column of that Schedule.

(2) Notwithstanding subclause (1) of this regulation, where a licence as a fish carrier and a licence as a supply craft have been granted for the same period in respect of one foreign fishing craft—

- (a) One fee only shall be payable for the issue of both licences; and
- (b) The fee payable shall be the higher of the amounts calculated in accordance with the First Schedule to these regulations for the 2 licences or, if the amounts are equal, the fee payable shall be one of those amounts only.

**5. Place of payment**—All fees and royalties payable under these regulations shall be paid to the Director-General of Agriculture and Fisheries at Wellington.

**6. Revocations**—The following regulations are hereby revoked:

- (a) The Exclusive Economic Zone (Licence Fees for Foreign Fishing Craft) Regulations 1983 (S.R. 1983/194);
  - (b) The Exclusive Economic Zone (Licence Fees for Foreign Fishing Craft) Regulations 1983, Amendment No. 1 (S.R. 1984/313).
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## SCHEDULE

Reg. 4

## LICENCE FEES AND ROYALTIES

Licence	Fee or Royalty
1. Licence to take squid by jigging	\$169 per tonne of squid that may be taken by the craft in accordance with the conditions of the licence.
2. Licence to take squid by trawling in Southern Islands Area	\$134 per tonne of squid that may be taken by the craft in accordance with the conditions of the licence.
3. Licence to take squid by trawling other than in Southern Islands Area	\$95 per tonne of squid that may be taken by the craft in accordance with the conditions of the licence.
4. Licence to take albacore and yellowfin tuna by longlining	\$7,500 per vessel.
5. Licence to take southern bluefin tuna by longlining	\$84,000 per vessel.
6. Licence to take finfish (other than tuna) by trawling or bottom-longlining in Fisheries Management Area E	\$42 per tonne of finfish (other than tuna) that may be taken by the craft in accordance with the conditions of the licence.
7. Licence to take finfish (other than tuna) by trawling or bottom-longlining other than in Fisheries Management Area E	\$61 per tonne of finfish (other than tuna) that may be taken by the craft in accordance with the conditions of the licence; plus \$139 per tonne of orange roughy ( <i>Hoplostethus atlanticus</i> ) taken.
8. Licence as a fish carrier	\$5 per tonne of fish-carrying capacity of the craft for each voyage to the exclusive economic zone.
9. Licence as a support craft	\$2.50 per gross registered ton of the craft for each voyage to the exclusive economic zone.

P. G. MILLEN,  
Clerk of the Executive Council.

## EXPLANATORY NOTE

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

These regulations set the fees and royalties payable in respect of licences for foreign fishing craft to fish in the exclusive economic zone. They apply in respect of licences granted or renewed on or after 1 October 1985. The changes to the charges are—

- (a) For squid taken by jigging the charge is \$169 per tonne of fish allocated. Previously the charge was payable as \$25,350 per vessel, plus \$169 per tonne allocated over 150 tonne. There is therefore no increase in the basic charge of \$169 per tonne but the minimum charge of \$25,350 per vessel is removed:
- (b) The charge for squid taken by trawling is increased from \$114 to \$134 per tonne allocated in respect of the Southern Islands Area, and decreased from \$114 to \$95 per tonne allocated in respect of other areas:
- (c) The charge for a licence to take southern bluefin tuna by longlining is increased from \$74,000 to \$84,000 per vessel:
- (d) The charge for a licence to take fish other than tuna by trawling in Fisheries Management Area E is increased from \$40 to \$42 per tonne allocated, and is extended to include bottom longlining that previously had a charge of \$84 per tonne allocated:
- (e) The charge for a licence to take fish other than tuna by trawling other than in Fisheries Management Area E is increased from \$59 to \$61 per tonne allocated, and is extended to include bottom longlining that previously had a charge of \$84 per tonne allocated. There is an additional charge of \$139 per tonne of orange roughy taken. Previously that charge was \$11 per tonne.

The charges for albacore and yellowfin tuna longlining, and the charges for fish carriers and support craft are not changed.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 1 October 1985.

These regulations are administered in the Ministry of Foreign Affairs.