

1982

1988/243



**THE EXCLUSIVE ECONOMIC ZONE (LICENCE FEES AND  
ROYALTIES) REGULATIONS 1988**

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RONALD DAVISON  
Administrator of the Government

ORDER IN COUNCIL

At Wellington this 10th day of October 1988

Present:

HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT IN COUNCIL  
PURSUANT to sections 18 and 22 of the Territorial Sea and Exclusive  
Economic Zone Act 1977, His Excellency the Administrator of the  
Government, 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  
1988.

(2) These regulations shall come into force on the day after the date of  
their notification in the *Gazette*.

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

“Central East” means all New Zealand fisheries waters within the  
Central Fishery Management Area (as defined in a notice  
published in the *Gazette* of 1986 at page 412) enclosed by a line  
commencing at Cape Runaway on the east coast of the North  
Island (at 37°32'S and 177°59.4'E); then proceeding due north  
to a point 33°25'S and 177°59.4'E on the outer boundary of the  
exclusive economic zone; then proceeding in a generally south-  
easterly direction along the outer limits of the exclusive

economic zone to its intersection with the 42°10'S parallel of latitude; then proceeding due west along latitude 42°10'S to a point 42°10'S and 174°42'E; then proceeding in a generally north-westerly direction to Brothers Island light at 41°06'S and 174°26'E; then proceeding in an easterly direction to a point 41°06'S and 174°50'E on the west coast of the North Island; then proceeding in generally southerly, easterly, and northerly directions along the mean high-water mark to the point of commencement; excluding any part of the territorial sea or internal waters within that Area:

“Central Egmont” means all New Zealand fisheries waters within the Central Fishery Management Area (as defined in a notice published in the *Gazette* of 1986 at page 412) enclosed by a line commencing at Tirua Point on the west coast of the North Island (at 38°23'S and 174°38.5'E); then proceeding in a north-westerly direction to a point 37°35'S and 170°03'E on the outer boundary of the exclusive economic zone; then proceeding in a generally south-easterly direction to a point 40°32'S and 174°20'E; then proceeding in a generally south-easterly direction to Brothers Island light (at 41°06'S and 174°26'E); then proceeding in an easterly direction to a point 41°06'S and 174°50'E on the west coast of the North Island; excluding any part of the territorial sea or internal waters within that Area:

“Central West” means all New Zealand fisheries waters within the Central Fishery Management Area (as defined in a notice published in the *Gazette* of 1986 at page 412) lying north and west of a line commencing at 41°06'S and 174°50'E on the west coast of the North Island and proceeding due west to the boundary of the Central Fishery Management Area; excluding—

- (a) The territorial sea and internal waters; and
- (b) An area enclosed by a line commencing at a point 40°40.6'S and 174°44.6'E on the outer boundary of the territorial sea and proceeding in a north-westerly direction to a point 40°34.8'S and 174°37.2'E; then proceeding along a line every point of which is 8 nautical miles seawards of the outer boundary of the territorial sea to the boundary of the Central Fishery Management Area (as so defined); then proceeding in a generally easterly direction to the outer boundary of the territorial sea; then proceeding in a generally southerly direction along the outer boundary of the territorial sea to the point of commencement:

“Challenger” means that part of the Challenger Fishery Management Area (as defined in a notice published in the *Gazette* of 1986 at page 412) lying north of latitude 40°30'S; excluding—

- (a) The territorial sea and internal waters; and
- (b) An area enclosed by a line commencing at a point 40°19.4'S and 173°00.5'E; then proceeding in a south-easterly direction to a point 40°27.8'S and 174°00'E; then proceeding in a generally south-westerly direction along the outer boundary of the territorial sea to the point of commencement:

“Chatham Rise” means all New Zealand fisheries waters within the South-East Fishery Management Area (as defined in a notice published in the *Gazette* of 1986 at page 412) lying east of a line

commencing at a point  $42^{\circ}10'S$  and  $176^{\circ}00'E$  and proceeding due south to a point  $46^{\circ}00'S$  and  $176^{\circ}00'E$ ; but excluding any part of the territorial sea or internal waters within that Area:

“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:

“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:

“South-East Coast” means all New Zealand fisheries waters within the South-East Fishery Management Area (as defined in a notice published in the *Gazette* of 1986 at page 412) lying west of a line commencing at a point  $42^{\circ}10'S$  and  $176^{\circ}00'E$  and proceeding due south to a point  $46^{\circ}00'S$  and  $176^{\circ}00'E$ ; then proceeding in a generally south-westerly direction to an unnamed point which connects to Slope Point by a line intersecting at right angles a line drawn from  $46^{\circ}S$  and  $176^{\circ}E$  to  $49^{\circ}S$  and  $169^{\circ}E$ ; then proceeding in a north-westerly direction to Slope Point (at  $46^{\circ}40.5'S$  and  $169^{\circ}00'E$ ); then proceeding by the mean high-water mark to Clarence Point (at  $42^{\circ}10'S$  and  $173^{\circ}56'E$ ); then proceeding in a straight line along latitude  $42^{\circ}10'S$  to the point of commencement; excluding any part of the territorial sea or internal waters within that Area:

“Southern Islands” means—

(a) All that area enclosed by a line commencing at a point  $49^{\circ}30'S$  and  $165^{\circ}E$ ; then proceeding due east to a point  $49^{\circ}30'S$  and  $168^{\circ}E$ ; then proceeding due south to a point  $51^{\circ}30'S$  and  $168^{\circ}E$ ; then proceeding due west to a point  $51^{\circ}30'S$  and  $165^{\circ}E$ ; then proceeding due north to the point of commencement; and

(b) All that area enclosed by a line commencing at a point  $51^{\circ}30'S$  and  $168^{\circ}E$ ; then proceeding due east to a point  $51^{\circ}30'S$  and  $171^{\circ}E$ ; then proceeding due south to a point  $53^{\circ}30'S$  and  $171^{\circ}E$ ; then proceeding due west to a point  $53^{\circ}30'S$  and  $168^{\circ}E$ ; then proceeding due north to the point of commencement:

“Southland” means the Southland Fishery Management Area (as defined in a notice published in the *Gazette* of 1986 at page 412); excluding any part of the territorial sea or internal waters within that Area:

“Sub-Antarctic” means the Sub-Antarctic Fishery Management Area (as defined in a notice published in the *Gazette* of 1986 at page 412); excluding any part of the territorial sea or internal waters within that Area:

“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 commencement of these regulations.

**4. Licence fees and royalties for foreign fishing craft**—(1) Every person to whom a licence to take a species or class of fish specified in the Schedule to these regulations is granted, or whose licence to take such fish 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 fees or royalties specified in that Schedule.

(2) Notwithstanding subclause (1) of this regulation, where a licence as a fish carrier and a licence as a support 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 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 and Royalties) Regulations 1987\*;
- (b) The Exclusive Economic Zone (Licence Fees and Royalties) Regulations 1987, Amendment No. 1†.

Reg. 4

SCHEDULE  
LICENCE FEES AND ROYALTIES  
Part I

| Species or class of fish   | Area in which species or class of fish may be taken   | Fee or<br>royalty<br>\$ per<br>tonne |
|--|---|--------------------------------------|
| Alfonsino<br>( <i>Beryx splendens</i> ;<br><i>Beryx decadactylus</i> )   | Chatham Rise, Southland, and Sub-Antarctic ..   | 200                                  |
| Barracouta<br>( <i>Thyrissites atun</i> )  | Central West, Challenger, Chatham Rise,<br>Southland, and Sub-Antarctic .. ..   | 165                                  |
| Blue Cod<br>( <i>Parapercis colias</i> )   | Southland and Sub-Antarctic .. ..   | 300                                  |
| Blue Moki<br>( <i>Latridopsis ciliaris</i> )   | Chatham Rise, Southland, and Sub-Antarctic ..   | 150                                  |
| Gemfish<br>( <i>Rexea solandri</i> )   | Chatham Rise, Southland, and Sub-Antarctic ..   | 200                                  |
| Grey Mullet<br>( <i>Mugil cephalus</i> )   | Central East, Central Egmont, Challenger, Chatham<br>Rise, South-East Coast, Southland, and Sub-<br>Antarctic .. .. ..              | 200                                  |
| Hake<br>( <i>Merluccius australis</i> )  | Central West, Challenger, and Southland ..  | 166                                  |
| Hapuku/Bass<br>( <i>Polyprion oxygeneios</i> ;<br><i>Polyprion moene</i> )                                     | Southland and Sub-Antarctic .. ..   | 500                                  |
| Hoki<br>( <i>Macruronus<br/>novaezelandiae</i> )   | All areas .. .. ..  | 100                                  |
| Jack Mackerel<br>( <i>Trachurus<br/>novaezelandiae</i> ; <i>Trachurus<br/>declivis</i> )                       | Central West and Challenger .. ..   | 70                                   |
| John Dory<br>( <i>Zeus faber</i> )   | Chatham Rise, South-East Coast, Southland, and<br>Sub-Antarctic .. .. ..  | 450                                  |
| Ling<br>( <i>Genypterus blacodes</i> )   | Chatham Rise, Southland, and Sub-Antarctic ..   | 160                                  |
| Oreo Dories<br>( <i>Allocyttus sp.</i> ;<br><i>Pseudocyttus maculatus</i> ;<br><i>Neocyttus rhomboidalis</i> ) | Sub-Antarctic .. .. ..  | 100                                  |
| Red Cod<br>( <i>Pseudophycis bacchus</i> )   | Chatham Rise, Southland, and Sub-Antarctic ..   | 250                                  |
| Silver Warehou<br>( <i>Seriotelella punctata</i> )   | Chatham Rise, Southland, and Sub-Antarctic ..   | 150                                  |
| Snapper<br>( <i>Chrysophrys auratus</i> )  | Chatham Rise, South-East Coast, Southland, and<br>Sub-Antarctic .. .. ..  | 600                                  |
| Squid<br>( <i>Nototodarus sp.</i> ;<br><i>Sepioteuthis bilineata</i> )   | Southern Islands .. .. ..   | 171                                  |
| Squid<br>( <i>Nototodarus sp.</i> ;<br><i>Sepioteuthis bilineata</i> )   | Any other part of New Zealand fisheries waters not<br>being Southern Islands, or the territorial sea or<br>internal waters .. .. .. | 285                                  |
| Stargazer<br>( <i>Kathetostoma giganteum</i> )   | Chatham Rise .. .. ..   | 110                                  |
| Trevally<br>( <i>Caranx georgianus</i> )   | Chatham Rise, South-East Coast, Southland, and<br>Sub-Antarctic .. .. ..  | 200                                  |

SCHEDULE—*continued*

| Species or class of fish   | Area in which species or class of fish may be taken   | Fee or<br>royalty<br>\$ per<br>tonne |
|--|---|--------------------------------------|
| Any other species or<br>class of fish (except<br>albacore or tuna to<br>which Part II of this<br>Schedule applies) | Sub-Antarctic .. .. .   | 40                                   |
|  | Any other part of New Zealand fisheries waters not<br>being territorial sea or internal waters .. | 69                                   |

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*Part II*

|   |   |
|---|---|
| Licence to take by longlining<br>albacore ( <i>Thunnus alalunga</i> ) or<br>yellowfin tuna ( <i>Thunnus albacares</i> ) | \$7,500 per vessel  |
| Licence to take by longlining<br>southern bluefin tuna ( <i>Thunnus<br/>maccoyi</i> ) .. .. .                           | \$135,000 per vessel  |
| Licence as a fish carrier ..  | \$8 per tonne of fish-carrying<br>capacity of the fish carrier for<br>each voyage to the exclusive<br>economic zone |
| Licence as a support craft ..   | \$4 per gross registered ton of the<br>craft for each voyage to the<br>exclusive economic zone.                     |

MARIE SHROFF,  
Clerk of the Executive Council.

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## EXPLANATORY NOTE

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

These regulations, which revoke and replace the Exclusive Economic Zone (Licence Fees and Royalties) Regulations 1987, set the fees and royalties payable in respect of licences for foreign fishing craft to fish in the exclusive economic zone.

Fees and royalties are imposed for the first time in respect of blue cod, blue moki, grey mullet, john dory, oreo dories, snapper, and trevally.

Certain existing fees and royalties are increased as follows:

- (a) The amount payable in respect of gemfish is increased from \$155 to \$200 per tonne:
- (b) The amount payable in respect of ling is increased from \$130 to \$160 per tonne:
- (c) The amount payable in respect of longlining for albacore or yellowfin tuna is increased from \$6,000 to \$7,500 per vessel:
- (d) The amount payable in respect of longlining for southern bluefin tuna is increased from \$127,000 to \$135,000 per vessel:
- (e) The amount payable in respect of a licence as a fish carrier is increased from \$5 to \$8 per tonne of fish-carrying capacity:
- (f) The amount payable in respect of a licence as a support craft is increased from \$2.50 to \$4 per gross registered ton of the craft.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 13 October 1988.

These regulations are administered in the Ministry of Foreign Affairs.