



# Fisheries (Reporting) Amendment Regulations 2006

Anand Satyanand, Governor-General

## Order in Council

At Wellington this 28th day of August 2006

Present:

His Excellency the Governor-General in Council

Pursuant to section 297(1)(h) of the Fisheries Act 1996, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

### Contents

		Page
1	Title	2
2	Commencement	2
3	Principal regulations amended	2
4	Interpretation	2
5	Kinds of returns	3
6	Catch, effort, and landing returns	3
7	Monthly harvest returns	3
8	New regulation 11B inserted	3
	11B Netting catch effort landing returns	3
9	Separate returns required for each vessel or method	4
10	Return books supplied by chief executive	4
11	Method of entering certain details on return	4
12	Offences	5
13	New form 5B inserted in Schedule 2	5

14	Part 1 of Schedule 3 amended	5
15	Part 2 of Schedule 3 amended	5
16	Part 3 of Schedule 3 amended	5
17	Part 6 of Schedule 3 amended	5
	<b>Schedule 1</b>	6
	<b>New form 5B inserted in Schedule 2</b>	
	<b>Schedule 2</b>	8
	<b>New items inserted in table 1 of Part 1 of Schedule 3</b>	
	<b>Schedule 3</b>	9
	<b>New table 20 added to Part 1 of Schedule 3</b>	
	<b>Schedule 4</b>	10
	<b>New items inserted in Part 2 of Schedule 3</b>	
	<b>Schedule 5</b>	11
	<b>New item added to Part 3 of Schedule 3</b>	
	<b>Schedule 6</b>	12
	<b>New item added to Part 6 of Schedule 3</b>	

## **Regulations**

- 1 Title**  
 These regulations are the Fisheries (Reporting) Amendment Regulations 2006.
- 2 Commencement**  
 These regulations come into force on 1 October 2006.
- 3 Principal regulations amended**  
 These regulations amend the Fisheries (Reporting) Regulations 2001.
- 4 Interpretation**  
 Regulation 3 is amended by adding the following subclause:  
 “(4) A landed state that is specified in the first column of Part 3 of Schedule 3 has the same meaning as in a notice given by the chief executive under section 188(1) of the Act, if the landed state—  
     “(a) is not defined in these regulations; but  
     “(b) is defined in the notice.”

**5 Kinds of returns**

Regulation 4 is amended by inserting the following paragraph after paragraph (ea):

“(eb) netting catch effort landing returns.”.

**6 Catch, effort, and landing returns**

Regulation 5(1) is amended by inserting “11B,” after “11A,”.

**7 Monthly harvest returns**

Regulation 7(2)(a)(i) is amended by omitting “or T” and substituting “T, or X”.

**8 New regulation 11B inserted**

The following regulation is inserted after regulation 11A:

**“11B Netting catch effort landing returns**

“(1) A permit holder who takes fish, or on whose behalf fish are taken, by the method of set netting, inshore drift netting, or pair set netting from a vessel must complete and provide to the chief executive netting catch effort landing returns if the vessel—

“(a) is 6 metres or more in overall length; or

“(b) is a vessel for which the chief executive has advised the permit holder in writing that netting catch effort landing returns must be provided.

“(2) The permit holder must—

“(a) complete separate returns for each fishing trip; and

“(b) complete a column of catch and effort information in section 2 of the return for each set as soon as hauling for the set is completed; and

“(c) complete section 3 (relating to trip information) immediately on landing; and

“(d) complete section 4 (relating to catch landing data) immediately on landing, except any part of the last 2 columns that requires information from a licensed fish receiver; and

“(e) complete any remaining part of the last 2 columns of section 4 immediately on receipt of the information required from the licensed fish receiver; and

“(f) complete section 5 (relating to permit holder and vessel details), sign the declaration, and date the return; and

- “(g) provide the return to the chief executive no later than 15 days after the last day of the calendar month in which the fishing trip ends.
- “(3) In subclause (2)(b), a **set** includes all nets that are set—
- “(a) to target the same species; and
  - “(b) within 2 nautical miles of the first net that is set; and
  - “(c) as soon as practicable after the first net is set.
- “(4) A person contravenes this subclause if the person provides a netting catch effort landing return after the date it is due, but no more than 1 calendar month after that date.
- “(5) A person contravenes this subclause if the person provides or fails to provide a netting catch effort landing return more than 1 calendar month after the date it is due.
- “(6) If no fishing trip is made in a calendar month, the permit holder must—
- “(a) state that month and the year in the space next to ‘landing date’ in section 3 of a return; and
  - “(b) clearly mark the return as a nil return; and
  - “(c) complete section 5 (relating to permit holder and vessel details), sign the declaration, and date the return; and
  - “(d) provide the return to the chief executive no later than 15 days after the last day of that month.”

## **9 Separate returns required for each vessel or method**

Regulation 28 is amended by inserting “11B,” after “11A,”.

## **10 Return books supplied by chief executive**

Regulation 29(2) is amended by inserting the following paragraph after paragraph (da):

“(db) in the case of return books for netting catch effort landing returns, returns in form 5B of Schedule 2:”.

## **11 Method of entering certain details on return**

Regulation 36(3)(a) is amended by revoking subparagraph (i) and substituting the following subparagraph:

“(i) the conversion factors stated in a notice or certificate given by the chief executive under section 188(1) or (2) of the Act; or”.

**12 Offences**

- (1) Regulation 42(b) is amended by inserting “11B(2), (4), or (6),” after “11A(3),”.
- (2) Regulation 42(c) is amended by inserting “11B(5),” after “11A(4),”.

**13 New form 5B inserted in Schedule 2**

Schedule 2 is amended by inserting the form 5B set out in Schedule 1 of these regulations after form 5A.

**14 Part 1 of Schedule 3 amended**

- (1) Paragraph (b) above table 1 of Part 1 of Schedule 3 is amended by omitting “tables 3 to 13” and substituting “the other tables”.
- (2) The heading to the third column of table 1 of Part 1 of Schedule 3 is amended by omitting “**tables 3 to 19 of this Part**” and substituting “**any other table**”.
- (3) Table 1 of Part 1 of Schedule 3 is amended by inserting the items set out in Schedule 2 of these regulations in their appropriate alphabetical order.
- (4) Part 1 of Schedule 3 is amended by adding the table 20 set out in Schedule 3 of these regulations.

**15 Part 2 of Schedule 3 amended**

Part 2 of Schedule 3 is amended by inserting the items set out in Schedule 4 of these regulations in their appropriate alphabetical order.

**16 Part 3 of Schedule 3 amended**

Part 3 of Schedule 3 is amended by adding the item set out in Schedule 5 of these regulations.

**17 Part 6 of Schedule 3 amended**

Part 6 of Schedule 3 is amended by adding the item set out in Schedule 6 of these regulations.

---

# Schedule 1

## New form 5B inserted in Schedule 2

### Form 5B

### Netting Catch Effort Landing Return

Form number **NCE**

- Complete **separate** returns for each fishing trip.
- Complete a **separate column** of catch and effort information for **each set**. One set may include setting a net, immediately steaming to other places within 2 nautical miles, and setting more nets. If you move more than 2 nautical miles from the first net, you must start a new column.

Fishing method																	
Target species																	
Date: at start of set (dd/mm/yy)	/	/	/	/	/	/	/	/	/	/							
Time: at start of set (24-hr clock)	:		:		:		:		:								
Latitude: at start of set (degrees minutes)	°	S	°	S	°	S	°	S	°	S							
Longitude: at start of set (degrees minutes E/W)	°	E/W	°	E/W	°	E/W	°	E/W	°	E/W							
Fishing duration (Start of set to end of haul)	hrs	mins	hrs	mins	hrs	mins	hrs	mins	hrs	mins							
Number and Total length of nets set	nets	m	nets	m	nets	m	nets	m	nets	m							
Mesh size (mm)	mm		mm		mm		mm		mm								
Net height (number of meshes)	meshes		meshes		meshes		meshes		meshes								
Non-fish / protected species catch?	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No							
Write the species code and <b>estimated greenweight</b> of each <b>quota and non-quota</b> species caught during each set. <i>For example, if you catch 200kg of rig, write:</i> <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="width: 20px; height: 20px;">S</td><td style="width: 20px; height: 20px;">P</td><td style="width: 20px; height: 20px;">O</td><td style="width: 20px; height: 20px;">2</td><td style="width: 20px; height: 20px;">0</td><td style="width: 20px; height: 20px;">0</td><td style="width: 20px; height: 20px;">.0kg</td></tr></table>	S	P	O	2	0	0	.0kg		.0kg		.0kg		.0kg		.0kg		.0kg
	S	P	O	2	0	0	.0kg										
		.0kg		.0kg		.0kg		.0kg		.0kg							
		.0kg		.0kg		.0kg		.0kg		.0kg							
		.0kg		.0kg		.0kg		.0kg		.0kg							
	.0kg		.0kg		.0kg		.0kg		.0kg								
<b>More than 8 species?</b> List the 8 species that you caught most of (by greenweight).		.0kg		.0kg		.0kg		.0kg		.0kg							
Weight of <b>all other</b> species caught this set	All other species	.0kg	All other species	.0kg	All other species	.0kg	All other species	.0kg	All other species	.0kg							

*Use additional pages if you run out of space to record fishing from this trip.*

## Form 5B—continued

3. Enter first day of trip  /  /  landing date  /  /  and point of landing  Form number **NCE**

4. **Catch landing data** → include all species taken during this trip. Also include all species held from previous trips that are now being landed to an LFR.

Fishstock <small>Species code + Area</small>	Landed state	Number of containers		Container type	Container content weight	Destination type	Licensed Fish Receiver client number	Greenweight (kg)	Tax invoice number <i>when advised by LFR</i>
		from latest trip	from other trips						
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	
					.0kg			.0kg	

5. **Permit holder and vessel details**

Name of permit holder  Name of vessel   
 Client number of permit holder  Registration number of vessel   
 Signature of permit holder or authorised person   
 Date signed  /  /  20

This return is page number  for this trip. Is this return the last page for this trip? → Yes  No

*Send completed returns to PO Box 297, Wellington (NZ).*

r 14(3)

**Schedule 2****New items inserted in table 1 of Part 1 of Schedule 3**

<b>Species or class of fish</b>	<b>Quota management area reference number set out in table 2 of this Part</b>	<b>Other area reference number set out in any other table</b>	<b>Fishstock code to be used (species/area)</b>
Deepwater clam	1		PZL1
	2		PZL2
	3		PZL3
	4		PZL4
	5, 6		PZL5
	7		PZL7
	8		PZL8
	9		PZL9
	Knobbed whelk	1	
2			KWH2
3			KWH3
4			KWH4
5			KWH5
6			KWH6
		7A	KWH7A
		7B	KWH7B
8			KWH8
9		KWH9	

---



**Schedule 3** r 14(4)  
**New table 20 added to Part 1 of Schedule 3**

Table 20

Knobbed whelk reference numbers for purposes of table 1

The areas referred to by name in this table are the quota management areas described in Schedule 2 of the Fisheries (Declaration of New Stocks Subject to Quota Management System) Notice (No 2) 2005.

<b>Area name</b>	<b>Area reference number used in fishstock code</b>
Nelson/Marlborough	7A
West Coast	7B

---

r 15

**Schedule 4**  
**New items inserted in Part 2 of Schedule 3**

<b>Common name</b>	<b>Species code</b>	<b>Scientific name</b>
Deepwater clam	PZL	<i>Panopea zelandica</i>
Knobbed whelk	KWH	<i>Austrofuscus glans</i>

---

**Schedule 5**  
**New item added to Part 3 of Schedule 3**

r 16

**Sole or principal landed state**

**Corresponding landed state code**

Wings (rays and skates)

WRS

---

r 17

## Schedule 6

### New item added to Part 6 of Schedule 3

<b>Destination</b>	<b>Destination type code</b>
Fish of the species or classes subject to the quota management system established under Part 4 of the Act that are—	X
(a) listed in Schedule 6 of the Act; and	
(b) not listed in Part 6A of this schedule; and	
(c) returned to the water in accordance with the requirements set out for the relevant species or class of fish in Schedule 6 of the Act	

Diane Morcom,  
Clerk of the Executive Council.

---

#### Explanatory note

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

These regulations, which come into force on 1 October 2006, amend the Fisheries (Reporting) Regulations 2001. The amendments—

- provide that a sole or principal landed state that is not defined in the regulations, but is defined in a conversion factors notice, has the same meaning as in the notice;
- add a new type of return (a netting catch effort landing return), which must be provided by a permit holder taking fish by set netting, inshore drift netting, or pair set netting from a vessel that is 6 metres or more in length, or for which the chief executive has required such returns;
- add a new destination type code for fish under the quota management system that are listed in Schedule 6 of the Fisheries Act 1996 (other than spiny dogfish) and are returned to the water in accordance with the requirements set out in that schedule, and exempt those fish from having to be recorded on a monthly harvest return;
- replace a specific reference to the Fisheries (Conversion Factors) Notice 2000 with a generic reference to a conversion factors notice given under section 188(1) of the Fisheries Act 1996;

- add fishstock codes for species newly introduced into the quota management system: deepwater clam and knobbed whelk:
  - add a new landed state code for rays and skates that are landed as wings.
- 

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 31 August 2006.

These regulations are administered by the Ministry of Fisheries.

---

