



MINISTRY OF FISHERIES
Te Tautiaki i nga tini a Tangaroa

Offences and Penalties (Fishers)

Catch inspections will be undertaken from time to time by Fishery Officers or Honorary Fishery Officers. Please keep your authorisation available for inspection. Your co-operation will be appreciated.

Breaking the provisions of Regulation 27A can result in penalties of up to \$10,000 and up to \$20,000 for some species and quantities. Infringement notices with penalties of up to \$500 can also apply.

Fishing of a commercial nature, for financial gain or trade, will be subject to the provisions of the Fisheries Act, which allows for forfeiture of property and fines of up to \$250,000.

For further details of Regulation 27A, or a copy of the Customary Conditions Notice please contact your local Authorised Representative or the Ministry of Fisheries at one of the following locations:

Offences and Penalties (Authorised Representatives)

There are a range of offences with a \$10,000 penalty that applies. These include:

- Authorisation not in the form as per the regulations
- Authorised Representatives name and contact details not notified to Ministry of Fisheries
- Authorisation issued for areas where Kaimoana or South Island regulations apply
- Authorisation issued for commercial, pecuniary gain or trade
- No unique serial number allocated to the authorisation
- Date/time not shown on form
- All sections (except optional) not completed
- Authorised Representatives fails to keep copy of authorisation
- Authorised Representatives fails to produce a copy of the authorisation when requested to by a Fishery Officer
- Authorised Representatives is not an authorised representative and purports to issue an authorisation as if they were.

www.fish.govt.nz

Sustainable fisheries within a healthy aquatic ecosystem

Interim Rules for Customary Fishing

Regulation 27A Of The Fisheries (Amateur Fishing)
Regulations 1986

Auckland
608 Rosebank Road
Avondale
P O Box 19747
Avondale Postal Centre
Phone: (09) 820-1990

Blenheim
State Highway 1
Main Road
Private Bag 1007
Phone: (03) 579-1088

Christchurch
Unit 2
585 Wairakei Road
P O Box 8324
Phone: (03) 358-0812

Dunedin
1st Floor
45 Filleul Street
Private Bag 1926
Phone: (03) 474-0333

Gisborne
142 Peel Street
Phone: (06) 869-0870

Hamilton
Ruakura Research Centre
East Street
Private Bag 3123
Phone: (07) 859-3126

Invercargill
137 Spey Street
P O Box 1065
Phone: (03) 211-0060

Kaitiaki
Braidwood House
5 Allen Bell Drive
P O Box 404
Phone: (09) 408-6024

Masterton
75-77 Ngamutawa Road
P O Box 344
Phone: (06) 370-3590

Napier
Waghorne Street
Ahuriri
P O Box 12034
Phone: (06) 835-1065

Nelson
118 Vickerman Street
Port Nelson
Private Bag 14
Phone: (03) 548-1069

New Plymouth
31 Wynyard Street
Bell Block
P O Box 344
Phone: (06) 755-9311

Opotiki
23 Church Street
P O Box 65
Phone: (07) 315-5232

Tauranga
11 Nikau Crescent
Private Bag 12031
Mount Maunganui
Phone: (07) 571-2820

Wellington - Petone
16 Armidale Street
P O Box 38090
Phone: (04) 576-8040

Whangarei
32 Herekino Street
Private Bag 9013
Phone: (09) 470-0580

Whitianga
1 Monk Street
Private Box 267
Phone: (07) 866-0549



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Freephone 0800 367 785

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Customary Fishing

Until either the Kaimoana or South Island Customary Fishing Regulations are implemented in an area, Regulation 27A of the Fisheries (Amateur Fishing) Regulations 1986 will apply to all customary fishing for hui or tangi. This brochure is a guide to explain how authorisations for customary fishing can be obtained and used under Regulation 27A.

Regulation 27A does not remove your right to take fish under the provisions of the Amateur Fishing Regulations but, if you wish to fish outside the general regulations, for a hui or a tangi, you must have an authorisation to do so under Regulation 27A.

(This guide does not replace the provisions of Regulation 27A and is not a complete summary of the law. It explains how authorisations for customary fishing can be obtained and used under Regulation 27A. You should be aware that there may be changes from time to time).

What is Regulation 27A all about?

Regulation 27A provides for the taking of fish for the purposes of a hui, or a tangi. Within the terms of this regulation, hui has been interpreted to mean specific traditional hui.

The Chief Executive has made conditions on how the fish may be taken. These conditions are considered necessary for the overall conservation and management of the fisheries.

Regulation 27A:

- Applies until Tangata Kaitiaki/Tiaki are appointed under the Fisheries (Kaimoana Customary Fishing) Regulations 1998 or the Fisheries (South Island Customary Fishing) Regulations 1999.
- Applies to all fish species in New Zealand coastal waters and includes freshwater eels.
- Does not apply to freshwater fish (trout, whitebait) managed by other government departments or agencies.
- **Will continue to be the only mechanism for taking freshwater fish for customary purposes, such as eels and lamprey, in the North and Chatham Islands, even after the more comprehensive Kaimoana fishing regulations are put in place.**

Conditions applying to Regulation 27A

The following conditions apply to the taking of fish for a hui or a tangi:

- You must obtain a written authorisation before you go fishing and you must have the authorisation with you while you are fishing.
- Your written authorisation must be issued by an authorised representative of a marae committee, Maori committee, Runanga or Maori Trust Board that represents the tangata whenua of the area you wish to fish.
- You must not sell, exchange, trade or fundraise using any of the fish taken under the authorisation for money or other items under any circumstances.
- Authorised representative **must be satisfied** that the fish will not be sold, exchanged or traded before issuing an authorisation.
- All fishing gear used and left unattended must be marked with the authorisation number (buoy, float or surface tag).
- No fishing inside an area notified under either the Kaimoana or South Island Customary regulations.
- Authorisation must accompany any fish taken under an authorisation to the venue where it will be used.

Your written authorisation must state:

- Who the holder is
- Who can take the fish (names of all harvesters)
- Which species can be taken
- The maximum number of each species that can be taken (number or greenweight - sacks, bins or bags cannot be used as a measure)
- The area where the fish can be taken from
- The place at which the fish must be landed
- The dates and times within a 48 hour period on which fishing can occur
- The hui or tangi, and the place, where the fish will be used
- The signature, name and contact phone of the person who gave the authorisation to take the fish

Other Conditions

The authorised representative may choose to impose further conditions relating to the size of the fish to be taken and the methods to be used to take the fish. The harvester may be asked to report actual quantities taken. If included, these conditions form part of the legal requirements of the authorisation.

Authorisation Forms

Authorised representatives of a marae committee, Maori committee, Runanga or Maori Trust Board that represents the tangata whenua of an area, may issue authorisations for customary fishing within their rohe. It is up to those organisations to determine who will have the authority to issue authorisations. Authorised representatives name and contact details must be notified to the nearest Ministry of Fisheries office.

There are a number of offences and penalties that apply to authorised representatives. Fishers and authorised representatives should make sure they are familiar with these.

The Ministry of Fisheries has printed books of authorisation forms. All authorisations must be in writing and specify all the information required by the conditions on the taking of fish under Regulation 27A.

The tangata whenua organisations and/or authorised representatives can obtain books of authorisation forms, free of charge, from their nearest Ministry of Fisheries office.