



Fisheries (Alteration of Quota Management Areas— Freshwater Eel) Order 2016

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 20th day of June 2016

Present:

His Excellency the Governor-General in Council

This order is made under sections 13(9), 14(8), 25(1), and 67B(1) of the Fisheries Act 1996—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister for Primary Industries made after complying with sections 12, 25, 25B, and 67B of that Act.

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Order**1 Title**

This order is the Fisheries (Alteration of Quota Management Areas—Freshwater Eel) Order 2016.

2 Commencement

- (1) This order comes into force on 1 October 2016.
- (2) However, clauses 9 to 14 come into force on 1 February 2017.

3 Application

- (1) This order applies on and from the first day of the fishing year starting on 1 October 2016.
- (2) However, clauses 9 to 14 apply on and from the first day of the fishing year starting on 1 February 2017.

*Division of freshwater eel stocks with fishstock codes ANG11, ANG12, ANG14, ANG15, and ANG16***4 Alteration of quota management areas by division of multi-species stocks for freshwater eel**

- (1) This clause relates to the quota management areas referred to as ANG11, ANG12, ANG14, ANG15, and ANG16 in relation to freshwater eel in the Fisheries (Quota Management Areas, Total Allowable Catches, and Catch Histories) Notice 1986 (the **original notice**), as it was immediately before it was amended by clause 5 of this order.
- (2) Each quota management area is altered by dividing the multi-species stock of freshwater eel to which the area relates into one stock for long-finned freshwater eel (*Anguilla dieffenbachii*) and one stock for short-finned freshwater eel (*Anguilla australis* and *Anguilla reinhardtii*).
- (3) See the original notice, as amended by clause 5 of this order, for the quota management stocks and related quota management areas resulting from the alteration.

5 Consequential amendments to original notice

(1) This clause amends the Fisheries (Quota Management Areas, Total Allowable Catches, and Catch Histories) Notice 1986.

(2) Replace the second clause 3(2A) (which relates to freshwater eel) with:

(2B) The quota management areas referred to by name and reference number in Schedule 1 in relation to freshwater eel, long-finned freshwater eel, and short-finned freshwater eel are the quota management areas described in Part 3 of Schedule 1 of the Fisheries Act 1996.

(3) In Schedule 1, replace the item relating to freshwater eel with:

Freshwater eel	Lake Ellesmere	ANG13
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(4) In Schedule 1, after the item relating to ling, insert:

Long-finned freshwater eel	Nelson/Marlborough	LFE11
(<i>Anguilla dieffenbachii</i>)	North Canterbury	LFE12
	South Canterbury/ Waitaki	LFE14
	Otago/Southland	LFE15
	West Coast	LFE16

(5) In Schedule 1, after the item relating to sea perch, insert:

Short-finned freshwater eel	Nelson/Marlborough	SFE11
(<i>Anguilla australis</i> and <i>Anguilla reinhardtii</i>)	North Canterbury	SFE12
	South Canterbury/ Waitaki	SFE14
	Otago/Southland	SFE15
	West Coast	SFE16

6 Amendments to Schedule 1 of Fisheries Act 1996

(1) This clause amends the Fisheries Act 1996.

(2) In Schedule 1, Part 3, replace “Freshwater eel (ANG) management areas” with “Freshwater eel (ANG), long-finned freshwater eel (LFE), and short-finned freshwater eel (SFE) management areas”.

(3) In Schedule 1, Part 3, replace “Quota management area ANG11” with “Quota management area ANG11, LFE11, or SFE11”.

(4) In Schedule 1, Part 3, replace “Quota management area ANG12” with “Quota management area ANG12, LFE12, or SFE12”.

(5) In Schedule 1, Part 3, replace “Quota management area ANG14” with “Quota management area ANG14, LFE14, or SFE14”.

(6) In Schedule 1, Part 3, replace “Quota management area ANG15” with “Quota management area ANG15, LFE15, or SFE15”.

- (7) In Schedule 1, Part 3, replace “*Quota management area ANG16*” with “*Quota management area ANG16, LFE16, or SFE16*”.

7 Amendments to Schedule 3 of Fisheries Act 1996

- (1) This clause amends the Fisheries Act 1996.
- (2) In Schedule 3, item relating to freshwater eel, replace “ANG11 to ANG16” with “ANG13”.
- (3) In Schedule 3, item relating to long-finned freshwater eel, before “LFE20”, insert “LFE11, LFE12, LFE14, LFE15, LFE16,”.
- (4) In Schedule 3, item relating to short-finned freshwater eel, before “SFE20”, insert “SFE11, SFE12, SFE14, SFE15, SFE16,”.

8 Amendments to Schedule 5A of Fisheries Act 1996

- (1) This clause amends the Fisheries Act 1996.
- (2) In Schedule 5A, repeal the items relating to ANG11, ANG12, ANG14, ANG15, and ANG16.
- (3) In Schedule 5A, insert the following items in their appropriate alphabetical order:

LFE11
LFE12
LFE14
LFE15
LFE16
SFE11
SFE12
SFE14
SFE15
SFE16

Division of freshwater eel stock with fishstock code ANG13

9 Alteration of quota management area by division of multi-species stock for freshwater eel

- (1) This clause relates to the quota management area referred to as ANG13 in relation to freshwater eel in the Fisheries (Quota Management Areas, Total Allowable Catches, and Catch Histories) Notice 1986 (the **original notice**), as it was immediately before it was amended by clause 10 of this order.
- (2) The quota management area is altered by dividing the multi-species stock of freshwater eel to which the area relates into one stock for long-finned freshwater eel (*Anguilla dieffenbachii*) and one stock for short-finned freshwater eel (*Anguilla australis* and *Anguilla reinhardtii*).

- (3) See the original notice, as amended by clause 10 of this order, for the quota management stocks and related quota management areas resulting from the alteration.

10 Consequential amendments to original notice

- (1) This clause amends the Fisheries (Quota Management Areas, Total Allowable Catches, and Catch Histories) Notice 1986.
- (2) In clause 3(2B), replace “freshwater eel, long-finned freshwater eel, and short-finned freshwater eel” with “long-finned freshwater eel and short-finned freshwater eel”.
- (3) In Schedule 1, revoke the item relating to freshwater eel.
- (4) In Schedule 1, item relating to long-finned freshwater eel, after the item relating to LFE12, insert:

Lake Ellesmere	LFE13
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- (5) In Schedule 1, item relating to short-finned freshwater eel, after the item relating to SFE12, insert:

Lake Ellesmere	SFE13
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11 Amendments to Schedule 1 of Fisheries Act 1996

- (1) This clause amends the Fisheries Act 1996.
- (2) In Schedule 1, Part 3, replace “within quota management area ANG13” with “within quota management area ANG13, LFE13, or SFE13”.
- (3) In Schedule 1, Part 3, replace “*Quota management area ANG13*” with “*Quota management area ANG13, LFE13, or SFE13*”.

12 Amendments to Schedule 2 of Fisheries Act 1996

- (1) This clause amends the Fisheries Act 1996.
- (2) In Schedule 2, repeal the item relating to freshwater eel.
- (3) In Schedule 2, insert the following items in their appropriate alphabetical order:

Long-finned freshwater eel (<i>Anguilla dieffenbachii</i>)	LFE13
Short-finned freshwater eel (<i>Anguilla australis</i> and <i>Anguilla reinhardtii</i>)	SFE13

13 Amendments to Schedule 3 of Fisheries Act 1996

- (1) This clause amends the Fisheries Act 1996.
- (2) In Schedule 3, repeal the item relating to freshwater eel.
- (3) In Schedule 3, item relating to long-finned freshwater eel, after “LFE12,”, insert “LFE13,”.

- (4) In Schedule 3, item relating to short-finned freshwater eel, after “SFE12,”, insert “SFE13.”.

14 Amendments to Schedule 5A of Fisheries Act 1996

- (1) This clause amends the Fisheries Act 1996.
- (2) In Schedule 5A, repeal the item relating to ANG13.
- (3) In Schedule 5A, insert the following items in their appropriate alphabetical order:

LFE13

SFE13

Michael Webster,
Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This order alters quota management areas by dividing stocks of freshwater eel in the South Island into long-finned and short-finned stocks. The order amends Schedule 1 of the Fisheries Act 1996 by adding the new quota management areas created as a result of the alterations. The new quota management areas for long-finned and short-finned freshwater eel share, and so use, the descriptions of the existing quota management areas for all freshwater eel.

The order also amends Schedules 2, 3, and 5A of the Fisheries Act 1996 as a result of the division of the stocks.

The alteration and amendments for the division of the stocks with fishstock codes ANG11, ANG12, ANG14, ANG15, and ANG16 come into force on 1 October 2016, which is the start of the fishing year for those stocks. The alteration and amendments for the division of the stock with fishstock code ANG13 come into force on 1 February 2017, which is the start of the fishing year for that stock.

Regulatory impact statement

The Ministry for Primary Industries produced a regulatory impact statement on 11 May 2016 to help inform the decisions taken by the Government relating to the contents of this instrument.

A copy of the regulatory impact statement can be found at—

- <https://mpi.govt.nz/law-and-policy/legal-overviews/regulatory-impact-statements/>
- <http://www.treasury.govt.nz/publications/informationreleases/ris>

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**Fisheries (Alteration of Quota Management Areas—
Freshwater Eel) Order 2016**

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This order is administered by the Ministry for Primary Industries.

Wellington, New Zealand:

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