

**Reprint
as at 10 January 2020**



Fisheries (Seabird Mitigation Measures—Surface Longlines) Circular 2018

(LI 2018/213)

Fisheries (Seabird Mitigation Measures—Surface Longlines) Circular 2018: revoked, on 10 January 2020, by clause 10 of the Fisheries (Seabird Mitigation Measures—Surface Longlines) Circular 2019 (*Gazette* 2019-go5782).

This circular is issued by the Manager, Offshore Fisheries Team, of the Ministry for Primary Industries under regulation 58A of the Fisheries (Commercial Fishing) Regulations 2001, after complying with the requirements of regulation 58A(2) of those regulations.

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Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

This circular is administered by the Ministry for Primary Industries.

Circular

1 Title

This circular is the Fisheries (Seabird Mitigation Measures—Surface Longlines) Circular 2018.

2 Commencement

This circular comes into force on 5 December 2018.

3 Interpretation

In this circular,—

aerial extent means the distance from the back of a vessel to the place where the streamer line backbone enters the water under normal setting speed in calm sea

nautical dawn means the time at sunrise when the centre of the sun is at a depression angle of 12° below the ideal horizon for the place

nautical dusk means the time at sunset when the centre of the sun is at a depression angle of 12° below the ideal horizon for the place

set, in relation to a surface longline, means releasing the surface longline into the water

streamer line means a type of seabird-scaring device also known as a tori line

surface longline means a line—

- (a) to which hooks (whether baited or not) are attached; and
- (b) that is suspended by floats; and
- (c) that is not attached to the sea floor.

4 Restrictions on use of surface longlines

A commercial fisher must not set surface longlines in New Zealand fisheries waters during the period of time between half an hour before nautical dawn and half an hour after nautical dusk on the same day unless the line is weighted in accordance with clause 5.

5 Weighting of surface longlines

For the purposes of clause 4, for each hook attached to a surface longline, weights must be attached to that line as follows:

- (a) 1 weight equal to or greater than 40 g must be attached within 50 cm of the hook; or
- (b) 1 or more weights equal to or greater than a total of 45 g must be attached within 1 m of the hook; or
- (c) 1 or more weights equal to or greater than a total of 60 g must be attached within 3.5 m of the hook; or

- (d) 1 or more weights equal to or greater than a total of 98 g must be attached within 4 m of the hook.

6 Streamer line must be used when surface longlines set

A commercial fisher must not set a surface longline in New Zealand fisheries waters unless—

- (a) the vessel carrying the surface longline also carries a streamer line; and
- (b) the streamer line is, at all times, configured and used in accordance with clauses 7 to 9, when the surface longline is set.

7 Specifications for all streamer lines

- (1) The streamer line must be attached to the vessel.
- (2) A streamer line must use streamers that are—
 - (a) brightly coloured; and
 - (b) resistant to damage from ultraviolet light.
- (3) A streamer line must be configured so that streamers with a minimum length of 1 m are attached at intervals of no more than 1 m along at least the aerial extent of the streamer line.
- (4) If the streamer line in use breaks or is damaged, it must be repaired or replaced so that the vessel meets the specifications in this clause and clauses 8 and 9 before any further hooks enter the water.
- (5) A streamer line must be strong enough to maintain the aerial extent of the line over the sinking baited hooks.

8 Specifications for streamer lines on vessels less than 35 m in length

- (1) This clause applies to a vessel that is less than 35 m in overall length.
- (2) A streamer line must—
 - (a) be set in a way that achieves an aerial extent of at least 75 m; and
 - (b) be suspended from a point on the vessel that is—
 - (i) at least 6 m above the surface of the sea in calm conditions; and
 - (ii) as close to the stern as practicably possible; and
 - (c) be deployed in a way that creates sufficient drag to maximise aerial extent and maintain the aerial extent of the line over the sinking baited hooks.
- (3) Streamers that are long enough to reach the surface of the sea in calm conditions must—
 - (a) be attached at intervals of no more than 5 m along at least the first 75 m of the streamer line; and
 - (b) be attached to the streamer line in a way that prevents the streamers from wrapping around the streamer line.

- (4) A streamer may be modified along the first 15 m of the streamer line to minimise the risk of entanglement.
- (5) If 2 streamer lines are used, they must be deployed on opposing sides of the main line of baited hooks.

9 Specifications for streamer lines on vessels equal to or greater than 35 m in length

- (1) This clause applies to a vessel that is equal to or greater than 35 m in overall length.
- (2) A streamer line must—
 - (a) be set in a way that achieves an aerial extent of at least 100 m; and
 - (b) be at least 200 m long; and
 - (c) be suspended from a point on the vessel that is—
 - (i) at least 7 m above the surface of the sea in calm conditions; and
 - (ii) as close to the stern as practicably possible.
- (3) Streamers that are long enough to reach the surface of the sea in calm conditions must—
 - (a) be attached at intervals of no more than 5 m along at least the first 55 m of the streamer line; and
 - (b) be attached to the streamer line with swivels that prevent the streamers from wrapping around the streamer line.
- (4) If 2 streamer lines are used, baited hooks must be deployed within the area bounded by the 2 streamer lines.

10 Circular does not apply to additional or secondary device

This circular does not apply to an additional or secondary seabird-scaring device.

11 Revocation

The Fisheries (Seabird Mitigation Measures—Surface Longlines) Circular 2014 (LI 2014/213) is revoked.

Dated at Wellington this 10th day of October 2018.

Tiffany Bock,
Manager, Offshore Fisheries Team, Ministry for Primary Industries.

Explanatory note

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

This circular, which comes into force on 5 December 2018, is made under regulation 58A of the Fisheries (Commercial Fishing) Regulations 2001.

This circular contains mandatory mitigation measures that apply to commercial fishers using the method of surface longlining. These measures are designed to mitigate the effect of fishing-related seabird mortality.

This circular requires that, when setting surface longlines, commercial fishers must—

- use and configure streamer lines in accordance with the specifications in the circular; and
- either set lines at night or weight lines in accordance with the specifications in the circular.

Streamer lines meeting the requirements of this circular are approved seabird-scaring devices for the purposes of regulation 58(1) of the Fisheries (Commercial Fishing) Regulations 2001.

This circular replaces the Fisheries (Seabird Mitigation Measures—Surface Longlines) Circular 2014.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 7 November 2018.

Reprints notes

1 *General*

This is a reprint of the Fisheries (Seabird Mitigation Measures—Surface Longlines) Circular 2018 that incorporates all the amendments to that circular as at the date of the last amendment to it.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Fisheries (Seabird Mitigation Measures—Surface Longlines) Circular 2019 (*Gazette* 2019-go5782): clause 10