Version
as at 10 April 2025

Fisheries (Recordkeeping) Regulations 1990

(SR 1990/219)

Paul Reeves, Governor-General

Order in Council

At Wellington this 27th day of August 1990

Present:
His Excellency the Governor-General in Council

Pursuant to section 89(1)(ka) of the Fisheries Act 1983, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

These regulations are administered by the Ministry for Primary Industries.

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Regulations

1 Title and commencement

(1) These regulations may be cited as the Fisheries (Recordkeeping) Regulations 1990.

(2) These regulations shall come into force on 1 October 1990.

2 Interpretation

(1) In these regulations, unless the context otherwise requires,—

Act means the Fisheries Act 1996

client number means the unique identification number assigned by the chief executive to a person who is included in any class listed in section 189 of the Act

consumer sale means any sale or other disposal of fish to a person who is neither a licensed fish receiver nor a dealer in fish; but does not include any sale or other disposal of fish in an amount exceeding 10 kg

container, in relation to the packaging of fish, includes any barrel, box, bag, carton, can, crate, drum, wrapper, or other receptacle or covering

dealer in fish means a person who is engaged in acquiring fish for the purposes of sale; but does not include—

(a) a licensed fish receiver; or

(b) a commercial fisher; or

(c) a person who—

(i) acquires only fish that is in a cooked state, or in a frozen and pre-packaged state that is primarily suited for consumer sales; and

(ii) does not further process the fish, or divide the fish for further packaging

fish means all species of fish, including crustacea, shellfish, and echinoderms; and includes parts of fish and fish products

fisher identification number means the client number allocated to a person

keep, in relation to any record required by these regulations to be kept by any person, includes obtain or generate the record, as the case may require

offal means parts of a fish that are routinely discarded

packaging means the placing or enclosing of fish in a container

record means—

(a) any book of account (whether in a manual, mechanical, or electronic format) recording receipts of payments or income or expenditure in relation to fish; and

(b) any voucher, bank statement, invoice, tax invoice, credit note, debit note, receipt, or other document (including a cancelled document) that relates to fish or that is relevant in verifying the entries relating to fish in any book of account

registered fish farmer means a fish farmer registered under Part 9A of the Act

source documents, in relation to the operations of any person or entity, means the original records of any transaction that occurs between that person or entity and any third party, or that occurs within the internal operations of that person or entity

weight means the net weight in kilograms of the relevant fish, aquatic life, or seaweed.

(2) Terms defined in the Act or in the Fisheries (Reporting) Regulations 2017 have the meanings so defined.

Regulation 2(1): amended, on 1 October 2001, by regulation 3(5) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 2(1) **Act**: substituted, on 1 October 2001, by regulation 3(1) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 2(1) **client number**: inserted, on 1 October 2001, by regulation 3(1) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 2(1) **commercial fisherman**: revoked, on 1 October 2001, by regulation 3(3) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 2(1) **dealer in fish** paragraph (b): amended, on 1 October 2001, by regulation 3(4) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 2(1) **examiner**: revoked, on 1 October 2001, by regulation 3(3) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 2(1) **fisher identification number**: inserted, on 1 October 2001, by regulation 3(2) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 2(1) **licensed fish receiver**: revoked, on 1 October 2001, by regulation 3(3) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 2(1) **registered fish farmer**: inserted, on 1 January 2006, by regulation 3 of the Fisheries (Recordkeeping) Amendment Regulations 2005 (SR 2005/320).

Regulation 2(1) **weight**: added, on 4 December 1997, by regulation 2 of the Fisheries (Recordkeeping) Amendment Regulations 1997 (SR 1997/290).

Regulation 2(2): added, on 1 October 2001, by regulation 3(6) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 2(2): amended, on 1 October 2017, by regulation 51 of the Fisheries (Reporting) Regulations 2017 (LI 2017/154).

2A Quantities of Foveaux Strait dredge oysters to be recorded in oyster numbers, not weights

The references in these regulations to weight or greenweight are to be read as references to oyster numbers in the case of Foveaux Strait dredge oysters.

Regulation 2A: inserted, on 1 April 1998, by section 26(1) of the Fisheries (Foveaux Strait Dredge Oyster Fishery) Amendment Act 1998 (1998 No 6).

Part 1
Records to be kept

3 Persons required to keep records

The following persons are required to keep records under these regulations:

(a) commercial fishers:

(b) licensed fish receivers:

(c) dealers in fish:

(d) registered fish farmers.

Regulation 3(a): amended, on 1 October 2001, by regulation 4 of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 3(d): added, on 1 January 2006, by regulation 4 of the Fisheries (Recordkeeping) Amendment Regulations 2005 (SR 2005/320).

4 Records to be kept by commercial fishers

Every commercial fisher shall keep in accordance with the requirements of these regulations the following records:

(a) a record of all fish sold or otherwise supplied by the commercial fisher to a licensed fish receiver, which record shall be in sufficient detail to allow the fish and the licensed fish receiver acquiring the fish to be identified; and

(b) invoices relating to all fish sold or otherwise supplied by the commercial fisher to a licensed fish receiver, which invoices shall include the following information:

(i) the date on which the fish were supplied to the licensed fish receiver:

(ii) the vessel (if any) from which the fish were taken:

(iii) the commercial fisher's client number:

(iv) the species and landed state of the fish:

(v) the weight, the greenweight (if required to be calculated for the purposes of the Fisheries (Reporting) Regulations 2017), and unit price (if any) of the fish:

(vi) the number and type of the containers in which the fish were supplied:

(c) a record of all fish sold or otherwise supplied by the commercial fisher to any person other than a licensed fish receiver, which record shall be signed by the commercial fisher and shall include the following information:

(i) the date on which the fish were supplied to the person:

(ii) the landing point or point of supply of the fish:

(iii) the vessel (if any) from which the fish were taken:

(iv) the client number of the commercial fisher:

(v) the species and landed state of the fish:

(vi) the greenweight in kilograms and the unit price (if any) of the fish:

(d) a record of all fish held or stored in the possession or under the control of the commercial fisher, which record shall be in sufficient detail to allow the fish and the owner of the fish to be identified, and shall include the following information:

(i) the date of deposit and removal of the fish:

(ii) the species, processed state, and greenweight in kilograms of the fish:

(iii) the name of the owner of the fish, where the owner is not the commercial fisher:

(e) a record of all fish disposed of through an alternative method of disposal approved under Part 5A of the Fisheries (Commercial Fishing) Regulations 2001, including the following information:

(i) the approved alternative method of disposal used to dispose of the fish:

(ii) the date on which the fish were disposed of:

(iii) the name and address of the place at which the fish were disposed of, and any receipts received in respect of that disposal (if applicable):

(iv) the greenweight of fish disposed of.

Regulation 4 heading: amended, on 1 October 2001, by regulation 5(1) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 4: amended, on 1 October 2001, by regulation 5(2) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 4(a): amended, on 1 October 2001, by regulation 5(2) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 4(b): amended, on 1 October 2001, by regulation 5(2) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 4(b)(iii): amended, on 1 October 2001, by regulation 5(3) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 4(b)(v): substituted, on 4 December 1997, by regulation 3 of the Fisheries (Recordkeeping) Amendment Regulations 1997 (SR 1997/290).

Regulation 4(b)(v): amended, on 1 October 2017, by regulation 51 of the Fisheries (Reporting) Regulations 2017 (LI 2017/154).

Regulation 4(c): amended, on 1 October 2001, by regulation 5(2) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 4(c)(iv): amended, on 1 October 2001, by regulation 5(2) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 4(c)(iv): amended, on 1 October 2001, by regulation 5(5) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 4(d): amended, on 1 October 2001, by regulation 5(2) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 4(d)(iii): amended, on 1 October 2001, by regulation 5(2) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 4(e): inserted, on 5 October 2023, by regulation 9 of the Fisheries (Commercial Fishing) Amendment Regulations (No 2) 2023 (SL 2023/242).

5 Records, etc, to be kept by licensed fish receivers

Every licensed fish receiver shall—

(a) keep records of the kinds specified in regulations 11 to 18; and

(b) mark fish containers in accordance with regulation 19; and

(c) maintain accounting and other systems and records in accordance with the requirements of regulations 20 to 23; and

(d) furnish to the chief executive annual inventory returns in accordance with the requirements of regulations 24 to 26.

Regulation 5(d): amended, on 1 October 2001, by regulation 6 of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

6 Records to be kept by dealers in fish

(1) Every dealer in fish shall keep in accordance with the requirements of these regulations the following records:

(a) a record of all fish purchased or otherwise acquired by the dealer, which record shall be in sufficient detail to allow the fish and the person from whom the fish was acquired to be identified:

(b) invoices relating to all fish purchased or otherwise acquired by the dealer, which invoices shall include the following information:

(i) the date of the transaction under which the fish was acquired:

(ii) the name and address of the person supplying the fish:

(iii) the species, processed state, net weight in kilograms, and unit price (if any) of the fish:

(c) a record of all fish held by the dealer on behalf of any amateur fisher, which record shall be in sufficient detail to allow the fish and the circumstances in which the fish are held to be identified, and shall include the following information:

(i) the times at which possession of the fish was taken and handed back, and the dates on which the fish was held:

(ii) the manner of disposal of the fish:

(iii) the species, processed state, and weight in kilograms of the fish:

(d) a record of all fish sold or otherwise disposed of by the dealer (other than by way of consumer sale), which record shall include the following information:

(i) the date on which the fish was disposed of:

(ii) the species, processed state, and weight in kilograms of the fish:

(iii) the person to whom the fish was sold or otherwise disposed of:

(e) a record of all fish held or stored in the possession or under the control of the dealer, which record shall be in sufficient detail to allow the fish and persons supplying and acquiring the fish to be identified, and shall include the following information:

(i) the date of deposit and removal of the fish:

(ii) the species, processed state, and weight in kilograms of the fish:

(iii) the name of the owner of the fish, where the owner is not the dealer:

(f) statements of fish inventory held at the end of each financial year of the dealer, and all records of stock-takings from which any such statement has been or is to be prepared, which statements and records shall include the following information:

(i) the date on which the inventory was made and the date on which any stock-taking occurred:

(ii) the species, processed state, and weight in kilograms of fish held at the time of the inventory and the time of any stock-taking.

(2) Records that are required to be kept in accordance with this regulation must be completed at the time the dealer in fish acquires, purchases, or disposes of the fish, as the case may be.

Regulation 6(1)(c): amended, on 1 October 2001, by regulation 7 of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 6(2): added, on 26 July 2001, by regulation 3 of the Fisheries (Recordkeeping) Amendment Regulations 2001 (SR 2001/152).

7 Manner and form in which records kept

(1) Any records required to be kept under these regulations shall—

(a) be kept in such manner and format that they can be readily retrieved and made available for examination:

(b) subject to subclause (2), be held at either—

(i) the place of business of the person required to keep the records; or

(ii) any other premises that are appropriate having regard to where the records are initially prepared and where they are subsequently accounted for:

(c) be retained for a period of not less than 7 years after the completion of the transactions or period to which they relate.

(2) Where records to which these regulations apply are kept at a place outside New Zealand, the person responsible for keeping the records shall send to and keep at an appropriate place in New Zealand such records as will disclose with reasonable accuracy the product and documentation flow of the activities to which the records relate at intervals not exceeding 3 months.

8 Manner and form of source documents

(1) Except where otherwise specified by the chief executive by notice, for each transaction for which records are required to be kept under these regulations—

(a) a minimum of 2 source documents for that transaction shall be generated; and

(b) each party to the transaction shall obtain and keep 1 copy of the appropriate source document.

(2) All source documents shall be clearly dated with the date on which the relevant fish was sold, purchased, or otherwise transferred.

(3) All source documents shall be retained and available for inspection, including source documents that are cancelled.

(4) Where any information that is required by these regulations to be included in any source document is of such a nature that it is not applicable in any particular case, that fact shall be clearly indicated on the source document.

(5) A notice given under subclause (1) is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements), unless it applies only to 1 or more named persons.

(6) A notice that is not secondary legislation must be in writing and given to each person to whom it applies.

Legislation Act 2019 requirements for secondary legislation made under this regulation		
Publication	The maker must publish it in the *Gazette*	LA19 ss 73, 74(1)(a), Sch 1 cl 14
Presentation	It is not required to be presented to the House of Representatives because a transitional exemption applies under Schedule 1 of the Legislation Act 2019	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the secondary legislation.

Regulation 8(1): amended, on 28 October 2021, by regulation 47(1) of the Legislation Act (Sub-delegated Secondary Legislation) Regulations 2021 (LI 2021/248).

Regulation 8(1): amended, on 1 October 2001, by regulation 8 of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 8(5): inserted, on 28 October 2021, by regulation 47(2) of the Legislation Act (Sub-delegated Secondary Legislation) Regulations 2021 (LI 2021/248).

Regulation 8(6): inserted, on 28 October 2021, by regulation 47(2) of the Legislation Act (Sub-delegated Secondary Legislation) Regulations 2021 (LI 2021/248).

9 Inspection of records, etc

Any person who is required to keep or who has control of any records required to be kept under these regulations shall, on request at any reasonable time by the chief executive or an examiner, forthwith (and without charge) produce the records requested and make them available for inspection.

Regulation 9: amended, on 1 October 2001, by regulation 9 of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

10 Chief executive may give directions as to manner of keeping records

Where the chief executive considers that any person who is required to keep records under these regulations is not or has not been completing or keeping those records in an appropriate manner,—

(a) the chief executive may, by notice in writing, direct the person as to the manner in which the records are to be completed or kept; and

(b) the person shall thereafter ensure that records completed or kept by the person comply with that direction.

Regulation 10 heading: amended, on 1 October 2001, by regulation 10(1) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 10: amended, on 1 October 2001, by regulation 10(2) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 10(a): amended, on 1 October 2001, by regulation 10(2) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Part 2
Licensed fish receivers

Source documents

11 Prescribed source documents

(1) Every licensed fish receiver shall, in respect of each transaction of the licensed fish receiver that relates to fish or fish products, generate and keep in accordance with regulations 12 to 18 such of the following kinds of source documents as are appropriate to that transaction:

(a) unloading dockets:

(b) purchase invoices:

(c) stock transfer documents:

(d) internal retail transfer records:

(e) retail sales documents:

(f) sales invoices:

(g) export documentation.

(2) The source documents referred to in subclause (1) shall (in respect of each different kind of source document) be prenumbered in continuous series of not less than 50 documents.

(3) Any source document that complies with the requirements of any of regulations 12 to 18 (as the case may require) shall be a document of the relevant kind described in subclause (1), by whatever name it is known or described.

12 Unloading dockets

(1) An unloading docket shall be kept where—

(a) a licensed fish receiver or a person acting as an agent of a licensed fish receiver takes possession of fish from a commercial fisher; and

(b) it is not practicable for a purchase invoice to be issued at the time the licensed fish receiver or agent takes possession of the fish.

(1A) An unloading docket must be completed at the time when possession of the fish is taken.

(2) An unloading docket shall include the following information:

(a) the date of the transaction:

(b) the vessel (if any) from which the fish were taken or received:

(c) if applicable, the client number of the permit holder under whose permit the fish were taken:

(d) the person by whom the fish were taken, if different from the person referred to in paragraph (c):

(e) the number and type of the containers in which the fish were received:

(f) the species, landed state, and (where practicable) weight in kilograms of the fish received:

(g) a reference to the eventual purchase invoice in respect of the fish, where appropriate.

Regulation 12(1): substituted, on 1 October 1991, by regulation 2 of the Fisheries (Recordkeeping) Regulations 1990, Amendment No 1 (SR 1991/157).

Regulation 12(1)(a): amended, on 1 October 2001, by regulation 11(1) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 12(1A): inserted, on 1 October 2001, by regulation 11(2) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 12(2)(c): substituted, on 1 October 2001, by regulation 11(3) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

13 Purchase invoices

(1) A purchase invoice shall be kept where a commercial fisher sells or otherwise supplies fish to a licensed fish receiver, whether or not—

(a) the fish are sold or supplied by the commercial fisher on behalf of another person; or

(b) the commercial fisher retains ownership of the fish; or

(c) there is any cost to the licensed fish receiver.

(2) A purchase invoice shall be completed—

(a) immediately on receipt of the fish by the licensed fish receiver (or agent thereof); or

(b) where an unloading docket has been completed in respect of the transaction, as soon as is reasonably practicable after receipt of the fish.

(3) A purchase invoice shall include the following information:

(a) the date of the transaction to which it relates:

(b) the vessel (if any) from which the fish were taken or received:

(c) the client name and number of the permit holder under whose permit the fish were taken:

(d) the species, landed state, weight, greenweight (if required to be calculated for the purposes of the Fisheries (Reporting) Regulations 2017), and unit price (if any) of the fish:

(e) any deductions (in landed weight and greenweight) for fish received but not paid for, and any allowance in weight for ice:

(f) where applicable, a reference to the number of any unloading docket given in respect of the fish:

(g) where the purchase invoice contains information from more than 1 unloading docket, the period during which fish to which the purchase invoice relates were received:

(h) where an unloading docket has not been kept in respect of the fish, the number and type of the containers in which the fish were received:

(i) separate greenweight entries for each species with a code required to be used on monthly harvest returns (which differs from the code required to be used for the same species on any other report) as specified in circulars issued under regulation 47(1)(a)(v) of the Fisheries (Reporting) Regulations 2017.

Regulation 13(1): amended, on 1 October 2001, by regulation 12(1) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 13(1)(a): amended, on 1 October 2001, by regulation 12(1) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 13(1)(b): amended, on 1 October 2001, by regulation 12(1) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 13(3)(c): substituted, on 1 October 2001, by regulation 12(2) Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 13(3)(d): substituted, on 4 December 1997, by regulation 4 of the Fisheries (Recordkeeping) Amendment Regulations 1997 (SR 1997/290).

Regulation 13(3)(d): amended, on 1 October 2017, by regulation 51 of the Fisheries (Reporting) Regulations 2017 (LI 2017/154).

Regulation 13(3)(h): added, on 1 October 1991, by regulation 3 of the Fisheries (Recordkeeping) Regulations 1990, Amendment No 1 (SR 1991/157).

Regulation 13(3)(i): replaced, on 10 April 2025, by regulation 4 of the Fisheries (Recordkeeping) Amendment Regulations 2025 (SL 2025/37).

14 Stock transfer documents

(1) A stock transfer document shall be kept by a licensed fish receiver where the licensed fish receiver transfers fish from the premises to which it was delivered on purchase or acquisition to any other premises (whether owned or operated by the licensed fish receiver or any another person).

(2) A stock transfer document shall be completed at the time of the despatch of the fish, and—

(a) 1 copy shall be retained by the person in charge of the premises from which the fish is transferred; and

(b) 1 copy shall be forwarded to and retained by the person in charge of the premises of destination.

(3) A stock transfer document shall include the following information:

(a) the date on which the fish is transferred:

(b) the premises from which the fish is transferred, and the premises to which the fish is being transferred:

(c) the name of the person carrying the fish to its destination:

(d) the species and processed state of the fish:

(e) the weight in kilograms of the fish when in containers, and also the net weight of the fish:

(f) the number of containers.

15 Internal retail transfer records

(1) An internal retail transfer record shall be kept by a licensed fish receiver who operates a retail outlet as part of the licensed fish receiver's premises in respect of all fish entering the retail outlet, whether or not the fish—

(a) originates from the receiving or processing activities of the licensed fish receiver; or

(b) originates from an outside source; or

(c) is in a processed or an unprocessed state.

(1A) An internal retail transfer record must be completed at the time when the fish enter the retail outlet.

(2) An internal retail transfer record shall include the following information:

(a) the date on which the fish entered the premises:

(b) the species, processed state, and net weight in kilograms of the fish:

(c) where the fish enters the premises from an outside source,—

(i) the name of the person selling or supplying the fish; and

(ii) the identifying number of any purchase invoice or other source document relating to the fish.

Regulation 15(1A): inserted, on 1 October 2001, by regulation 13 of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

16 Retail sales documents

(1) A retail sales document shall be kept by a licensed fish receiver who operates a retail sales outlet as part of the licensed fish receiver's premises in respect of all sales of fish through the retail outlet.

(1A) A retail sales document must be completed at the time when the fish are sold.

(2) A retail sales document shall include the following information:

(a) the date of the sale:

(b) the species, processed state, and weight in kilograms of the fish sold:

(c) the price per kilogram and total value of the sale.

Regulation 16(1A): inserted, on 1 October 2001, by regulation 14 of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

17 Sales invoices

(1) A sales invoice shall be kept by a licensed fish receiver where—

(a) the licensed fish receiver sells or otherwise supplies fish to any person; and

(b) the sale or supply is not a retail sale for which a retail sales document is required under regulation 16.

(2) A sales invoice shall be prepared—

(a) at the time the fish is transferred from the licensed fish receiver's premises, or from the licensed fish receiver's custody, possession, or control; or

(b) where a packing slip containing all the information referred to in subclause (3) (except the pricing information referred to in paragraph (g) of that subclause) has been completed, as soon as reasonably practicable thereafter.

(3) A sales invoice shall include the following information:

(a) the licensed fish receiver's name and address:

(b) the name and address of the person buying or otherwise acquiring the fish:

(c) the date of the sale or supply:

(d) the species and processed state of the fish:

(e) the number of containers:

(f) the gross weight in kilograms of the fish when in the containers, and its net weight:

(g) the unit price or prices of the fish.

18 Export documentation

A licensed fish receiver who is licensed to export fish shall retain for the purposes of these regulations all export documentation required to be prepared in accordance with the requirements of the Meat Act 1981, Animal Products Act 1999, and the Customs and Excise Act 2018 in respect of any sales or transfers of fish destined for export.

Regulation 18: amended, on 1 October 2018, by section 443(4) of the Customs and Excise Act 2018 (2018 No 4).

Regulation 18: amended, on 1 November 1999, by section 8(2) of the Animal Products (Ancillary and Transitional Provisions) Act 1999 (1999 No 94).

Container markings

19 Markings on containers

(1) Every container in which fish is packaged on a licensed fish receiver's premises shall be marked, either directly or by an attached label, with the following particulars:

(a) both the common name and the scientific name of the fish:

(b) the date of packaging (which may be in code):

(c) either—

(i) the name of the licensed fish receiver; or

(ii) the name of the person or undertaking on whose behalf the fish was processed and packaged, preceded in prominent letters by the words "Packed for".

(2) In the case of Foveaux Strait dredge oysters, a licensed fish receiver must ensure that the oysters received from each landing are marked or labelled so as to be able to be identified separately from those received from any other landing, at all times from the receipt of the oysters until such time as the number of oysters received from that landing has been recorded in a source document other than an unloading docket.

Regulation 19(2): added, on 1 April 1998, by section 26(2) of the Fisheries (Foveaux Strait Dredge Oyster Fishery) Amendment Act 1998 (1998 No 6).

Accounting, purchasing, sales, and inventory systems

20 Accounting systems

(1) The accounting system maintained by a licensed fish receiver in respect of fish handled by that licensed fish receiver shall include the following records:

(a) records of accounting codes:

(b) accounting instruction manuals:

(c) where the accounting system is computerised, the programme documentation that describes the accounting system used in each financial year.

(2) Where a licensed fish receiver is also a quota holder or a permit holder or an annual catch entitlement owner, the accounting system and records for the licensed fish receiver's catching function shall be kept distinct from those for the fish receiving and handling function.

(3) The chief executive may, by notice in writing to a licensed fish receiver, require such adaptations to the licensed fish receiver's accounting system in relation to fish as—

(a) may be necessary to allow adequate identification of any fish or particulars relating to fish for the purposes of these regulations; and

(b) are reasonable in the light of, and do not exceed the requirements of, sound commercial practice.

(4) The chief executive may,—

(a) on application by a licensed fish receiver, approve a variation in any requirement made under subclause (3), provided a recognised method of accounting is used to achieve the same ends as the method proposed under that subclause:

(b) at any time withdraw a requirement under that subclause.

Regulation 20(2): amended, on 1 October 2001, by regulation 15(1) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 20(3): amended, on 1 October 2001, by regulation 15(2) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 20(4): amended, on 1 October 2001, by regulation 15(2) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

21 Purchasing systems

(1) For the purposes of enabling the identification of fish that are purchased by a licensed fish receiver, and particulars relating to such fish,—

(a) all purchases made by the licensed fish receiver, whether the consideration is in cash or otherwise, shall be recorded on an appropriate source document:

(b) the licensed fish receiver's purchase system shall provide for adequate identification of the source, species, state, weight, and price of all purchases of fish:

(c) the systems operated by the licensed fish receiver shall provide an adequate audit trail that links purchase records to bank and general ledger accounts, with payments for purchases of fish clearly distinguished from other payments:

(d) records in relation to all fish purchased under the heading of bait shall clearly identify the species, state, and weight of such fish.

(2) Records that are required to be completed under this regulation must be completed as soon as practicable.

Regulation 21(2): added, on 1 October 2001, by regulation 16 of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

22 Sales systems

(1) For the purposes of enabling the identification of fish that are sold by a licensed fish receiver, and particulars relating to such fish,—

(a) all sales made by the licensed fish receiver, whether the consideration is in cash or otherwise, shall be recorded on an appropriate source document:

(b) the licensed fish receiver's sales system shall provide for adequate identification of the source, species, state, weight, and price of all sales of fish:

(c) the systems operated by the licensed fish receiver shall provide an adequate audit trail that links sales records to bank and general ledger accounts, with payments for sales of fish clearly distinguished from other payments:

(d) records in relation to all fish sold under the heading of bait shall clearly identify the species, state, and weight of such fish:

(e) records in relation to any species of fish (other than offal) that is dumped or disposed of by any means other than sale shall record the date, species, state, and weight of the fish.

(2) Records that are required to be completed under this regulation must be completed as soon as practicable.

Regulation 22(1)(e): amended, on 1 October 1991, by regulation 4 of the Fisheries (Recordkeeping) Regulations 1990, Amendment No 1 (SR 1991/157).

Regulation 22(2): added, on 1 October 2001, by regulation 17 of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

23 Inventory systems

(1) A licensed fish receiver shall, in respect of each set of premises used by the licensed fish receiver for the storage of fish, maintain a full recording system of fish held and transferred in and out of storage, which system shall—

(a) distinguish fish from other products held and transferred:

(b) where fish are stored on behalf of another person, clearly identify that person and set out identifying details of the fish.

(1A) Records that are required to be entered into the recording system under subclause (1) must be entered as soon as practicable after the information concerned has been received.

(2) The licensed fish receiver shall either label or physically segregate fish held in storage in such a manner as to allow clear identification of ownership of the fish.

(3) The licensed fish receiver shall cause stock lists of fish held in storage to be made at intervals not exceeding 1 month, which stock lists shall record the date of the stocktaking and shall include, in relation to all fish held in storage, the following information—

(a) the ownership of the fish:

(b) the premises in which the fish are located:

(c) the number and type of packages and packaged weight of the fish:

(d) the species, state, and net weight of the fish.

Regulation 23(1A): inserted, on 1 October 2001, by regulation 18 of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Annual inventory returns

[Revoked]

Heading: revoked, on 4 December 1997, by regulation 5(1) of the Fisheries (Recordkeeping) Amendment Regulations 1997 (SR 1997/290).

24 Annual stocktake for purposes of making annual inventory return

[Revoked]

Regulation 24: revoked, on 4 December 1997, by regulation 5(1) of the Fisheries (Recordkeeping) Amendment Regulations 1997 (SR 1997/290).

25 Licensed fish receivers to furnish annual inventory returns

[Revoked]

Regulation 25: revoked, on 4 December 1997, by regulation 5(1) of the Fisheries (Recordkeeping) Amendment Regulations 1997 (SR 1997/290).

26 Director-General may require further annual inventory return

[Revoked]

Regulation 26: revoked, on 4 December 1997, by regulation 5(1) of the Fisheries (Recordkeeping) Amendment Regulations 1997 (SR 1997/290).

Part 2A
Registered fish farmers

Part 2A: inserted, on 1 January 2006, by regulation 5 of the Fisheries (Recordkeeping) Amendment Regulations 2005 (SR 2005/320).

Source documents

Heading: inserted, on 1 January 2006, by regulation 5 of the Fisheries (Recordkeeping) Amendment Regulations 2005 (SR 2005/320).

26A Purchase invoices and sales invoices

(1) Every registered fish farmer must generate and keep, in accordance with this regulation,—

(a) purchase invoices for all stock purchased by the registered fish farmer; and

(b) sale invoices for all stock sold by the registered fish farmer.

(2) A purchase invoice must include the following information:

(a) either—

(i) the client number of the purchaser and the vendor (if applicable); or

(ii) the name of the purchaser and the vendor:

(b) the address of the purchaser and the vendor:

(c) the date on which the stock is acquired:

(d) a description of the stock (specifying its state and species, and its number or weight):

(e) the price of the stock per size, grade, and (if applicable) weight.

(3) A sales invoice must include the following information:

(a) either—

(i) the client number of the vendor and the purchaser (if applicable); or

(ii) the name of the vendor and the purchaser:

(b) the address of the vendor and the purchaser:

(c) the date on which the stock is sold:

(d) a description of the stock (specifying its state and species, and its number or weight):

(e) the price of the stock per size, grade, and (if applicable) weight.

(4) Purchase invoices and sales invoices must be completed as soon as practicable after the transaction they relate to.

Regulation 26A: inserted, on 1 January 2006, by regulation 5 of the Fisheries (Recordkeeping) Amendment Regulations 2005 (SR 2005/320).

High-risk species

Heading: inserted, on 1 January 2006, by regulation 5 of the Fisheries (Recordkeeping) Amendment Regulations 2005 (SR 2005/320).

26B Additional records to be kept relating to high-risk species

(1) Every registered fish farmer must generate and keep, in relation to high-risk species, an annual inventory, mortality records, and stock transfer documents.

(2) The records referred to in subclause (1) must be prepared in accordance with, and contain the information required by, regulations 26C to 26E.

(3) In this regulation, **high-risk species** means—

(a) paua (*Haliotis australis* and *Haliotis iris*) exceeding 25 mm in length; and

(b) spiny rock lobster (*Jasus edwardsii*).

Regulation 26B: inserted, on 1 January 2006, by regulation 5 of the Fisheries (Recordkeeping) Amendment Regulations 2005 (SR 2005/320).

26C Annual inventory

(1) An annual inventory must be—

(a) based on a physical stock; and

(b) completed—

(i) within 12 months after the commencement of this regulation; and

(ii) then at intervals of not more than 12 months.

(2) An annual inventory must contain the following information:

(a) the registered fish farmer's name or client number:

(b) a unique identifier for each site that the fish farmer is authorised to farm high-risk species:

(c) the date of the annual inventory:

(d) the name (including the scientific name) of the high-risk species farmed:

(e) the stage, age, and growth class for each species:

(f) the weight or number or both of each species:

(g) a description of how the weight or number or both of each species have been assessed.

Regulation 26C: inserted, on 1 January 2006, by regulation 5 of the Fisheries (Recordkeeping) Amendment Regulations 2005 (SR 2005/320).

26D Mortality records

(1) The information referred to in subclause (2)(c) must be entered in the mortality records as soon as practicable after the mortality it relates to.

(2) Mortality records must contain the following information:

(a) the registered fish farmer's name or client number:

(b) a unique identifier for each site at which the fish farmer is authorised to farm a high-risk species:

(c) the number or weight of all stock losses due to mortalities, unexplained loss, or destruction by event.

Regulation 26D: inserted, on 1 January 2006, by regulation 5 of the Fisheries (Recordkeeping) Amendment Regulations 2005 (SR 2005/320).

26E Stock transfer records

(1) Stock transfer records must contain information about stock transferred from one fish farm to another fish farm that is farmed by the same registered fish farmer.

(2) The information referred to in subclause (3) must be entered in the stock transfer records as soon as practicable after the transfer of the stock.

(3) Stock transfer records must contain the following information:

(a) either—

(i) the registered fish farmer's client number; or

(ii) the registered fish farmer's name:

(b) the registered fish farmer's address:

(c) unique identifiers of the fish farms as shown on the fish farmer register:

(d) the date on which the stock is transferred:

(e) a description of the stock (specifying the state and species, and numbers or weight or both):

(f) the name of the person transporting the fish to its destination.

Regulation 26E: inserted, on 1 January 2006, by regulation 5 of the Fisheries (Recordkeeping) Amendment Regulations 2005 (SR 2005/320).

Part 3
Miscellaneous

27 Chief executive may waive requirements in certain cases

(1) Where the chief executive is satisfied in relation to any person or class of person required to keep records under these regulations that—

(a) compliance with any requirement of these regulations would cause undue hardship or would be impracticable; or

(b) the purpose behind any requirement imposed by these regulations could be equally well achieved by any other mode or system of records,—

the chief executive may exempt any person or class of persons from the need to comply with that requirement.

(2) Any exemption granted by the chief executive under subclause (1)—

(a) may be subject to such conditions, or be for such limited period, as the chief executive may specify:

(b) may apply to any particular person or class or description of persons:

(c) may apply in respect of fish generally, or any species or class or description of fish:

(d) may apply in respect of any particular premises or any class or description of premises.

(3) An exemption granted under this regulation is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements), unless it applies only to 1 or more named persons.

(4) An exemption that is not secondary legislation must be in writing and given to each person to whom it applies.

Legislation Act 2019 requirements for secondary legislation made under this regulation		
Publication	The maker must notify it in the *Gazette* or in any New Zealand publication that relates primarily to commercial fishing	LA19 ss 73, 74(1)(a), Sch 1 cl 14
Presentation	It is not required to be presented to the House of Representatives because a transitional exemption applies under Schedule 1 of the Legislation Act 2019	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the secondary legislation.

Regulation 27 heading: amended, on 1 October 2001, by regulation 19(1) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 27(1): amended, on 1 October 2001, by regulation 19(2) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 27(2): amended, on 1 October 2001, by regulation 19(2) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 27(2)(a): amended, on 1 October 2001, by regulation 19(2) of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 27(3): replaced, on 28 October 2021, by regulation 48 of the Legislation Act (Sub-delegated Secondary Legislation) Regulations 2021 (LI 2021/248).

Regulation 27(4): inserted, on 28 October 2021, by regulation 48 of the Legislation Act (Sub-delegated Secondary Legislation) Regulations 2021 (LI 2021/248).

28 Offences and penalties

(1) Every person commits an offence who—

(a) contravenes or fails to comply with any provision of these regulations; or

(b) makes any false or misleading statement or entry in relation to a record required by these regulations; or

(c) contravenes or fails to comply with any direction, restriction, or requirement given, made, or imposed under these regulations.

(2) Every person who commits an offence against subclause (1) is liable on conviction to a fine not exceeding $100,000.

Regulation 28: substituted, on 1 October 2001, by regulation 20 of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Regulation 28(2): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

29 Penalties

[Revoked]

Regulation 29: revoked, on 1 October 2001, by regulation 21 of the Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189).

Marie Shroff,
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 30 August 1990.

Notes

1 General

This is a consolidation of the Fisheries (Recordkeeping) Regulations 1990 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 Legal status

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 Editorial and format changes

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 Amendments incorporated in this consolidation

Fisheries (Recordkeeping) Amendment Regulations 2025 (SL 2025/37)

Fisheries (Commercial Fishing) Amendment Regulations (No 2) 2023 (SL 2023/242): regulation 9

Legislation Act (Sub-delegated Secondary Legislation) Regulations 2021 (LI 2021/248): regulations 47, 48

Customs and Excise Act 2018 (2018 No 4): section 443(4)

Fisheries (Reporting) Regulations 2017 (LI 2017/154): regulation 51

Criminal Procedure Act 2011 (2011 No 81): section 413

Fisheries (Recordkeeping) Amendment Regulations 2005 (SR 2005/320)

Fisheries (Recordkeeping) Amendment Regulations (No 2) 2001 (SR 2001/189)

Fisheries (Recordkeeping) Amendment Regulations 2001 (SR 2001/152)

Animal Products (Ancillary and Transitional Provisions) Act 1999 (1999 No 94): section 8(2)

Fisheries (Foveaux Strait Dredge Oyster Fishery) Amendment Act 1998 (1998 No 6): section 26

Fisheries (Recordkeeping) Amendment Regulations 1997 (SR 1997/290)

Fisheries (Recordkeeping) Regulations 1990, Amendment No 1 (SR 1991/157)

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