



Fisheries New Zealand

Tini a Tangaroa

Review of recreational daily bag limits for finfish

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1 Summary

1. Fisheries New Zealand is consulting on proposals to amend recreational daily bag limits set under the Fisheries (Amateur Fishing) Regulations 2013.
2. Recreational daily bag limits are one of the primary tools used to manage recreational fishing by providing for the utilisation of fisheries resources, while protecting against excessive and potentially unsustainable take.
3. Of the more than 1,000 finfish species found within New Zealand waters, only 43 species are subject to a recreational daily bag limit. Those 43 species are those most commonly caught by recreational fishers and make up approximately 91 percent of New Zealand's recreational catch of finfish. However, Fisheries New Zealand notes that other finfish species not currently subject to a daily bag limit are becoming increasingly popular amongst recreational fishers.
4. Recent community concerns regarding the unconstrained recreational take of some finfish species not subject to a daily bag limit has prompted the Minister for Oceans and Fisheries to request a review of recreational daily bag limits for finfish.
5. It is therefore proposed that the Amateur Regulations are amended so that a combined daily bag limit applies to all species unless specifically excluded. There are three options proposed and these are:
 - **Option 1:** Status quo, retain the current daily bag limit settings
 - **Option 2:** Include all finfish species, not currently subject to a daily bag limit, in the combined daily bag limit
 - **Option 3:** Include all finfish species, including those with additional individual species limits, in the combined daily bag limit
6. The Government has an initial preference for Option 3 but is interested to hear the views of tangata whenua, recreational fishers and other stakeholders prior to making decisions.
7. Additionally, stakeholder views are sought on two secondary proposals regarding whether to:
 - retain the existing combined daily bag limit caps across the five recreational fishing areas or standardise the limit across the country; and
 - exclude a subset of small fish species generally taken as bait and set a new combined daily bag limit of 50 for these baitfish species.
8. These changes are unlikely to impact most recreational fishers given that, on average, only 2.5 percent of fishing trips result in fishers taking 18 or more finfish.
9. The review of recreational daily bag limits is also an opportunity to align the recreational daily bag limit for southern bluefin tuna, currently set by Gazette Notice, with other finfish species and bring it under the regulation.
10. Fisheries New Zealand is seeking feedback and submissions on the proposals presented in this paper, or any other alternatives. The closing date for submissions is 18 November 2021.

2 Purpose

11. The purpose of this paper is to seek feedback on proposals to amend recreational daily bag limits for finfish under the [Fisheries \(Amateur Fishing\) Regulations 2013](#) (the Amateur Regulations).
12. The primary proposal of this review is to look at options for ensuring all finfish species are subject to some form of daily bag limit.
13. Currently, daily bag limits set under the Amateur Regulations only apply to specified finfish species. Some individual species limits sit within the combined daily bag limit, other individual limits sit outside the combined total. All other finfish species not subject to a daily bag limit are unconstrained¹. Including all finfish species in the combined daily bag limit is proposed to recognise the growing popularity of other species not subject to daily bag limits and provide for reasonable levels of utilisation.
14. In addition to the primary proposal, Fisheries New Zealand is also seeking feedback on whether to:
 - retain the existing combined daily bag limit caps across the five recreational fishing areas; and
 - exclude a subset of small finfish species generally taken as bait (baitfish²) from the combined daily bag limit for finfish and set a new combined daily bag limit of 50 for these excluded baitfish species.
15. This review of recreational daily bag limits is also an opportunity to align the daily bag limit for southern bluefin tuna, currently set by [Gazette Notice](#) 2019, within the relevant regulations for other finfish species.

3 Recreational fishing rules

16. Recreational fishing rules are set under the Amateur Regulations and apply to all recreational fishers. A “recreational fisher” is a person fishing not for the purpose of sale and in accordance with the Amateur Regulations, and includes those fishing on an amateur fishing charter vessel and commercial fishers taking fish for non-commercial purposes under section 111 of the Fisheries Act 1996. The Amateur Regulations do not apply to fishing done under customary fishing regulations.
17. Recreational fishing rules can include minimum size limits, daily bag limits³, fishing area restrictions or closures, and special restrictions (for example gear restrictions). This paper only considers changes to recreational daily bag limits for finfish.

3.1 Recreational daily bag limits

18. A recreational daily bag limit is how many fish⁴ one person can take each day. There are two types of recreational daily bag limits:
 - **an individual species limit:** The total number of a specific species of fish that one person can take per day; and

¹ Unlimited quantities can be taken legally.

² Baitfish are also species recognised as popular for consumption but for the purpose of this paper we will refer to them as baitfish.

³ Also known as ‘daily catch limits’ and referred to as ‘daily limits’ in the Amateur Regulations.

⁴ Fish includes all species of finfish and shellfish, at any stage of their life history, whether living or dead.

- **a combined daily bag limit:** The total number of any combination of specified fish species that one person can take per day.
19. Individual species and combined daily bag limits can operate together or separately, with individual limits for some species additional to the combined bag limit, and individual limits for others included within the combined bag limit. These limits can also differ depending on region⁵.
 20. Taking or possessing catch above an individual species or combined daily bag limit may be subject to infringement notice (instant fine) or prosecution.

3.2 Daily bag limits for finfish

21. Under the Amateur Regulations, daily bag limits apply to between 27 and 43 species of finfish (depending on area⁶). These species are those most popular among recreational fishers and commonly caught.
22. The most reliable estimate of recreational harvest comes from the National Panel Survey of Marine Recreational Fishers 2017/18⁷ (NPS), which estimates finfish species subject to a daily bag limit make up approximately 91 percent of New Zealand's recreational catch. The remaining 9 percent are finfish species with no daily bag limits, including small baitfish⁸ species (e.g. pilchards, mackerels) which make up 3.3 percent.
23. The finfish species with no daily bag limits appear to be those not commonly targeted by recreational fishers. This is likely due to several reasons, including their desirability as eating fish as well as catchability. However, with the advent of new technology and catching methods, as well as increased understanding of the eating qualities of previously disregarded species, this is changing.
24. Where a daily bag limit has not been set for a finfish species, recreational fishers can legally take unlimited quantities of this species each day.

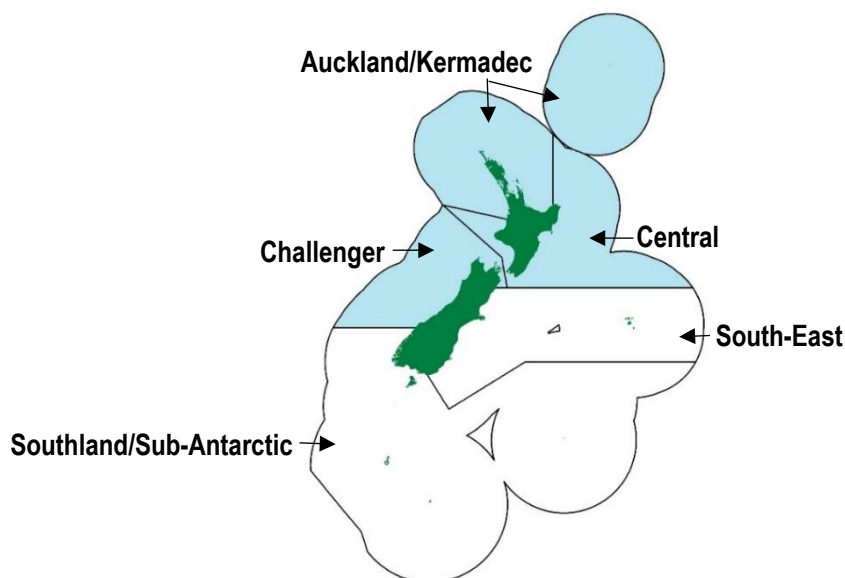


Figure 1: Map of recreational fishing areas. Areas highlighted in blue have a combined daily bag limit of 20 finfish. All other areas have a combined daily bag limit of 30 finfish.

⁵ For more information on regional recreational daily bag limits see <https://www.mpi.govt.nz/fishing-aquaculture/recreational-fishing/fishing-rules/>.

⁶ There are five recreational fishing areas: Auckland/Kermadec, Central, Challenger, South-East and Southland/Sub-Antarctic. Kaikōura and Fiordland areas have their own set of recreational rules within the South-East and Southland/Sub-Antarctic areas, respectively.

⁷ The 2017/2018 National Panel Survey of Marine Recreational Fishers can be found at the following: <https://www.fisheries.govt.nz/travel-recreation/fishing/national-survey-of-recreational-fishers/>.

⁸ Baitfish are small finfish species commonly taken as bait but are also species recognised as popular for consumption.

25. Combined daily bag limits for finfish differ for northern and southern regions, being 20 and 30 respectively (see Figure 1). This has historically reflected the fact that recreational fishers cannot access fishing grounds in the south as frequently due to the exposed coastline, the larger range of species caught when fishing, and the generally lower number of recreational fishers that fish at these locations.
26. The finfish species currently subject to individual and combined daily limits in each recreational fishing area are outlined in the separate document [Recreational daily bag limits and size restrictions for finfish](#). There are no daily limits for finfish species not listed.

3.3 Average recreational catch

27. The finfish species commonly targeted by recreational fishers are caught in a range of different environments (i.e. depths and locations) and using different methods (i.e. rod/line and net). It is uncommon for recreational fishers, on a single day, to return from a fishing trip with a full bag for all species subject to a daily bag limit.
28. Review of recreational fishing data from the 2017/18 NPS suggests that on average, across New Zealand, most recreational fishers take four fish per fishing trip (see Table 1). Furthermore, it is estimated that on only 2.5 percent of fishing trips do fishers take 18 or more finfish. These estimates vary depending on fishing area.

Table 1. Average number of fish caught by recreational fishing area estimated from the National Panel Survey for Marine Recreational Fishers 2017/2018.

| Measure | Recreational Fishing Areas | | | | | All of NZ |
|-----------------------------------|----------------------------|-----------|------------|------------|-----------|-----------|
| | Auckland | Central | Challenger | South-East | Southland | |
| Estimated number of fish caught | 4,736,387 | 1,181,289 | 502,408 | 404,608 | 237,307 | 7,061,999 |
| Estimated number of fishing trips | 1,288,501 | 341,437 | 179,131 | 116,583 | 38,484 | 1,964,136 |
| Estimated average catch per trip | 4 | 4 | 3 | 4 | 6 | 4 |

4 Problem definition

29. In June 2021, Fisheries New Zealand was alerted to reports that large quantities of pink maomao⁹ and other finfish species were being taken by recreational fishers in the Tairua area, Coromandel. Pink maomao, and some other finfish species taken, are currently not subject to a daily bag limit meaning recreational fishers can legally take unlimited quantities.
30. The quantity of fish taken in this instance outnumbered what many members of the public felt was reasonable. This led to several inquiries via fishery officers, as well as statements through social and mainstream media. An online petition was also initiated asking for a daily bag limit covering all finfish.
31. Since then, Fisheries New Zealand has received formal requests from the local Tairua community, iwi representatives and recreational fishing representatives, requesting changes to prevent the unconstrained recreational take of fish species like pink maomao. Ngāti Hei have

⁹ Pink maomao (*Caprodon longimanus*), also known as longfin perch, are reef fish found around northern New Zealand to depths of 100 metres. Pink maomao form large schools in midwater near islands, reefs and pinnacles, often in areas of current flow.

also implemented a voluntary rāhui¹⁰ on the take of pink maomao in an area along the east Coromandel coastline.

32. Fisheries New Zealand acknowledges these concerns and note that they highlight the growing popularity of some finfish species that are not subject to a daily bag limit and the need to update rules around daily bag limits.
33. In response, the Minister for Oceans and Fisheries has requested a review of recreational daily bag limits for finfish. This consultation proposes changes to daily bag limits that are intended to ensure the utilisation of all finfish fisheries remain within reasonable limits.
34. This review is also an opportunity to make an administrative change to align the recreational daily bag limit for southern bluefin tuna with other finfish species by bringing it under the Amateur Regulations.

5 Changing recreational fishing rules

35. Recreational fishing is regulated by the Amateur Regulations which are made under the [Fisheries Act 1996](#) (the Act). The purpose of the Act¹¹ is to provide for the utilisation of fisheries resources while ensuring sustainability. Ensuring sustainability means maintaining the potential of fisheries resources to meet the needs of future generations while managing the adverse effects of fishing on the environment.
36. Public consultation is a matter of good practice and a requirement before any changes can be made to the relevant fisheries regulations. This document is seeking feedback from people and organisations who have an interest in the proposals or are likely to be directly impacted by the proposals.
37. In addition, engagement with tangata whenua and Māori, in accordance with the principles of the Treaty of Waitangi, will be undertaken at Iwi Fisheries Forums around the country.

6 Proposals and Analyses

38. The flowchart attached as Appendix One steps through the primary and secondary proposals and the diagrams in Appendix Two provide examples of the proposed changes. It is recommended that readers refer to these appendices when considering the proposals.

6.1 Primary proposal

39. Recreational daily bag limits are one of the primary tools used to manage recreational fisheries, providing for a reasonable level of utilisation and in some cases limiting recreational take to assist in the sustainable management of particular fish stocks. Table 2 below provides a summary of the options proposed.

¹⁰ A rāhui is the customary practice of restricting access to, or use of, an area or resource for the purposes of kaitiakitanga and tikanga. It may be applied for a variety of reasons, including for conservation or sustainability.

¹¹ [Section 8](#) of the Fisheries Act 1996.

Table 2: Recreational daily bag limit primary proposal

| Measure | Option | Description |
|-------------|--------|--|
| Daily limit | 1 | Status quo Retain the current bag limit settings |
| | 2 | Include all finfish species, not currently subject to a daily bag limit, in the combined daily bag limit Amend the Amateur Regulations so that all unconstrained finfish species are included in the existing combined daily bag limits for finfish. Species with individual species limits outside of existing combined limits would remain additional to the combined daily bag limit. |
| | 3 | Include all finfish species, including those with additional individual species limits, in the combined daily bag limit Amend the Amateur Regulations so that all unconstrained finfish species and all individual species limits are included in the existing combined daily bag limits for finfish. |

6.2 Option 1 – Status quo

40. Option 1 is to retain the current individual species and combined daily bag limit settings across the five recreational fishing areas (as shown in Appendix Two).

6.2.1 Benefits and Impacts of Option 1

41. Under Option 1, utilisation opportunities relating to the 27-43 species of finfish subject to daily limits (depending on region) and all other unconstrained species would remain unchanged for recreational fishers.
42. This option, however, does not reflect that finfish species, not subject to a daily bag limit, are increasingly being targeted. Under this option recreational fishers can legally take unlimited quantities of these species, as witnessed with pink maomao in Tairua recently. If the current daily bag limit settings are retained, there is likely to be continued community concerns relating to cases of unreasonable take and the sustainability of some finfish species could be put at risk.

6.3 Option 2 – Include all finfish species, not currently subject to a daily bag limit, in the combined daily bag limit

43. Option 2 is to include all finfish species, not currently subject to a daily bag limit, in the combined daily bag limit for finfish. Species with an individual species limit that sits outside of existing combined limits would, however, not be included (as shown in Appendix Two). This option would apply to all recreational fishing areas.
44. The finfish species in the combined daily bag limits for the Auckland/Kermadec, Central, Challenger, South-East and Southland/Sub-Antarctic recreational fishing areas are specified in Schedules 6, 7, 8, 9 and 11 of the Amateur Regulations, respectively. To implement this option, these schedules and relevant parts of the Amateur Regulations would need to be amended to impose a general reference to all finfish. In doing so, clarification would be needed to exempt those species with individual species limits outside the combined daily bag limit.

45. The intention of subjecting all finfish to either the combined daily bag limit or an individual species limit is to ensure all finfish species have a maximum bag limit and that recreational take from these fisheries remains at reasonable levels.
46. Existing offences for individual species and combined daily bag limits would be retained under this option.

6.4 Option 3 – Include all finfish, including those with additional individual species limits, in the combined daily bag limit

47. Option 3 is to include all finfish species and all individual species limits in the combined daily limit for finfish (as shown in Appendix Two). This option would apply to all recreational fishing areas.
48. The finfish species with individual species limits within or additional to the combined daily bag limits for recreational fishing areas are specified in Subpart 1 of Parts [3](#), [4](#), [5](#), [6](#) and [7](#) of the Amateur Regulations. To implement this option, these parts, in addition to the Schedules 6 – 9 and 11 of the Amateur Regulations, would need to be amended.
49. The intention of this proposal is to provide an additional sustainability backstop for those highly regarded recreational species that have an individual daily bag limit. This would still allow individual limits, within combined bag limits, to be adjusted if required for sustainability reasons. This proposal also simplifies the regulatory regime for recreational daily bag limits while also ensuring all finfish species are subject to an overall daily bag limit that provides for reasonable levels of utilisation.
50. Existing offences for individual species and combined daily bag limits would be retained under this option.
51. The Government has an initial preference for Option 3 but is interested to hear the views of tangata whenua, recreational fishers and other stakeholders prior to making decisions.

6.5 Mutual benefits and impacts of Options 2 and 3

52. The benefits of ensuring a limit for all finfish species is that it addresses current community concerns in relation to particular species. It also future proofs against any new species that increase in popularity to the point that recreational catch may not be reasonable or sustainable.
53. Under both options recreational fishers will still be able to take a reasonable number of fish that is unlikely to be restrictive for many recreational fishers. The 2017/18 NPS suggests that it is uncommon for recreational fishers to take the full combined daily bag limit from a single fishing trip. The average number of fish taken by recreational fishers, from a single day out fishing, is four for northern regions and five for southern regions (refer to Table 1).
54. Furthermore, the survey data suggests that only 2.5 percent of all fishing trips result in fishers taking 18 or more finfish, demonstrating that this proposal would be unlikely to restrict most current recreational fishing activity.
55. Existing individual species limits are beneficial because they provide a particular sustainability function for highly regarded recreational species and these will be retained under both options (the difference being whether these are within or outside the combined daily bag limit).
56. Unless specifically excluded (see Proposal B) both options would result in small finfish species commonly taken as bait being included in combined daily bag limits. This could impact on the ability of recreational fishers to take key target species that they would normally catch as bait at the start of their fishing trip.

6.6 Benefits and impacts of Option 3

57. Consolidating daily bag limits, as proposed under Option 3, will provide an additional sustainability backstop for those highly regarded recreational species that have individual species limits while also making it easier for recreational fishers to understand the daily bag limit rules and comply with these rules.
58. However, consolidating daily bag limits will reduce the total number of finfish (subject to a daily bag limit) that a recreational fisher can catch each day to a greater degree than Option 2. Recreational fishers will still be able to take up to 20 or 30 total fish per day within respective recreational fishing areas, but the individual species limits currently additional to the combined daily bag limit (such as individual species limits for snapper and hapuku/bass) could no longer be taken in addition.
59. For the Auckland/Kermadec area, this would also mean reducing the individual species limit for grey mullet from 30 fish per day to 20. Fisheries New Zealand notes that grey mullet is already part of the combined daily bag limit for all other recreational fishing areas. The current higher bag limit in the Auckland/Kermadec area is likely due to the species being more prevalent in northern parts of the country. Recreational fishing data from the 2017/18 NPS estimates that on average recreational fishers in the Auckland area take seven grey mullet per fishing trip and that for less than 2.5 percent of all fishing trips do fishers take more than 20 grey mullet.¹²
60. There is also a risk, under any proposal to reduce the total number of finfish that recreational fishers can take, that they could be incentivised to increase their fishing effort and take their daily bag limit (or close to it) more often. More frequent collection of daily bag limits is unlikely to create a sustainability concern. However, ongoing monitoring of all finfish species will be important to ensure recreational take remains appropriate to the status of the individual fisheries.

6.7 Secondary proposals

61. Fisheries New Zealand is also seeking feedback on two related secondary proposals outlined in Table 3.

Table 3: Secondary proposals relating to Options 2 and 3

In addition to changes proposed in Option 2 and Option 3, Fisheries New Zealand is consulting on the following proposals:

- A** **Should existing combined daily bag limit caps be retained across the five recreational fishing areas?**
- It is proposed that the existing combined daily bag limits of 20 in the Auckland/Kermadec, Central and Challenger areas, and 30 in South-east and Southland/Sub-Antarctic areas are retained. The alternative is that a standardised national limit of 20 applies.
-
- B** **Should a subset of small finfish species be excluded from the finfish combined daily bag limit and included within their own combined daily bag limit of 50?**
- It is proposed that the Amateur Regulations are amended so that specified species (small fish generally taken as bait) are exempt from the finfish combined daily bag limits and have their own combined daily bag limit of 50 for all recreational fishing areas.
-

¹² Noting that for NPS survey areas 6 (Western Hauraki Gulf), 20 (Manukau Harbour and entrance area) and 21 (Tirua point to Manukau entrance area) within the Auckland/Kermadec fishing area, there is a greater proportion (less than 25 percent) of fishing trips where recreational fishers are taking 20 or more grey mullet.

6.8 Proposal A – Should existing combined daily bag limit caps be retained across the five recreational fishing areas?

62. It is proposed that the existing combined daily bag limit caps across the five recreational fishing areas (20 in the Auckland/Kermadec, Central and Challenger areas, and 30 in South-east and Southland/Sub-Antarctic areas) are retained.
63. The differing combined daily bag limit caps were historically set to reflect the fact that recreational fishers could not access fishing grounds in the south as frequently due to the exposed coastline, the larger range of species caught when fishing, and the generally lower number of recreational fishers that fish at these locations. The 2017/18 NPS suggests that recreational fishers that fish in the southern fishing areas¹³ still only make up a small proportion of New Zealand's total recreational fisher population (10%).
64. Alternatively, a nationally consistent approach with a combined daily bag of 20 for finfish may be considered more appropriate. Fisheries New Zealand is interested in your feedback on this proposal.

6.8.1 Benefits and Impacts of Proposal A

65. Retaining the current combined daily bag limit caps will not exacerbate the impacts on recreational fishers from the primary proposal. This approach would recognise that the original rationale for the difference in limits regionally remains valid. This is supported also by evidence in the 2017/18 NPS (see paragraph 61 above).
66. From an enforcement and education perspective the benefits of retaining the existing variation between areas versus a nationally consistent approach are likely to be minor. This is because there is general variation in recreational fishing rules across areas and this necessitates regional enforcement and education initiatives.

6.9 Proposal B – Should a subset of small baitfish species be excluded from the finfish combined daily bag limit and included in their own combined daily bag limit of 50?

67. In addition to changes proposed under Option 2 and Option 3, an option has also been included to make an exemption for a subset of small finfish species that are commonly taken as bait and to set a new combined daily bag limit of 50 for these excluded baitfish species.
68. It is proposed that the baitfish species in Table 4 are exempt from the finfish combined daily bag limit, but are to be subject to their own separate combined daily bag limit of 50.

Table 4. Baitfish species proposed to be excluded from the combined daily bag limit for finfish.

| Common name(s) | Scientific name(s) |
|---------------------------------------|--|
| Yellow-eyed mullet (Aua) | <i>Aldrichetta forsteri</i> |
| Slender/Stout sprat (Kupae) | <i>Sprattus antipodum</i> <i>Sprattus muelleri</i> |
| Jack/Horse/Chilean mackerel (Hauture) | <i>Trachurus declivis</i> <i>Trachurus novaezelandiae</i> <i>Trachurus murphyi</i> |
| Pilchard (Mohimohi) | <i>Sardinops sagax</i> |

¹³ Southern areas include South-East and Southland/Sub-Antarctic recreational fishing areas.

| | |
|------------------------|---|
| Piper/Garfish (Takeke) | <i>Hyporhamphus ihi</i> <i>Euleptorhamphus viridis</i> |
| Anchovy (Kokowhaawhaa) | <i>Engraulis australis</i> |
| Koheru/Scad | <i>Decapterus koheru</i> <i>Decapterus muroadsi</i> |

69. To implement this proposal, an additional combined daily bag limit and accompanying Schedule specifying the excluded baitfish species (as per those listed in Table 4) would be included in the Amateur Regulations. New offences and penalties for the baitfish combined daily bag limit would also need to be included and these would be aligned with those that already exist for general finfish combined daily bag limits¹⁴.
70. The intention of this proposal is to support current recreational catch levels for these species while mitigating the risk of unconstrained take. Under this proposal recreational fishers would be able to take up to 50 specified baitfish species in addition to the 20 or 30 finfish species under the finfish combined daily bag limit.
71. Fisheries New Zealand is interested in receiving feedback on this proposal and whether the suggested list of baitfish is appropriate. Alternative approaches to the proposal could include:
- Not setting a daily bag limit for these baitfish species, thereby allowing for unconstrained access;
 - Setting a different combined daily bag limit for these baitfish species, noting this could be higher or lower than the 50 proposed; or
 - Splitting the proposed baitfish species so that some species are constrained within a combined daily bag limit and others are unconstrained (not subject to a daily bag limit).

6.9.1 Benefits and Impacts of Proposal B

72. Excluding a subset of small baitfish species from the finfish combined daily bag limit and setting a combined daily bag limit of 50 for these excluded species is unlikely to impact recreational take of these species.
73. Although generally taken as bait, the proposed excluded species are also recognised by some fishers as good eating fish and such species are increasingly being targeted. Introducing a combined daily bag limit for these excluded baitfish species would support current levels of recreational fishing while also protecting these species from excessive and potentially unsustainable take.

¹⁴ The existing infringement notice regime provides for penalties of: \$250 for taking or possessing more than the combined daily bag limit, but not more than 2 times the daily limit; and \$500 for taking or possessing more than 2 times the combined daily bag limit, but not more than 3 times the daily limit. Breaches may also be prosecuted through the courts. A person who takes or possesses more than the combined daily limit, but not more than three times is liable on conviction to a fine not exceeding \$10,000. A person who takes or possesses more than 3 times the combined daily limit commits a serious non-commercial offence and is liable on conviction to a fine not exceeding \$20,000. Significantly more serious breaches may be prosecuted under the Fisheries Act, for taking or possessing fish otherwise than in accordance with the Act this is subject to a maximum penalty of \$250,000.

7 Additional matter – Southern bluefin tuna

74. In 2019, a recreational bag limit of one southern bluefin tuna per person per day was introduced by Gazette Notice under Section 11 of the Act.¹⁵ This review of recreational daily bag limits provides an opportunity to move the southern bluefin tuna daily bag limit from a Gazette Notice to regulation, thereby providing for consistency with other recreational rules.
75. Feedback from compliance officers has been that fishers have been complying with the existing southern bluefin tuna bag limit, however, the use of a Gazette Notice limits potential enforcement actions.
76. Under the Gazette Notice, fishers who take more than the daily bag limit of southern bluefin tuna can either be issued with a warning or face prosecution. If convicted, the penalty for failing to comply with any sustainable measure implemented by notice in the New Zealand Gazette can be up to \$100,000¹⁶. Fishers who breach the daily limit for this species cannot currently be given an infringement notice (instant fine).
77. Fisheries New Zealand believes it is more appropriate to include southern bluefin tuna under the Amateur Regulations rather than a standalone Gazette Notice. We therefore propose to align the southern bluefin tuna daily bag limit with other finfish species and bring it under the Amateur Regulations.
78. This proposal will not change the existing settings of the bag limit of one southern bluefin tuna per person, per day but will better align the offence and penalty settings for possible breaches. Nevertheless, Fisheries New Zealand welcomes any feedback.
79. To implement this proposal, Subpart 1 of Parts 3 - 7 of the Amateur Regulations would need to be amended. New offences and penalties for the southern bluefin tuna daily bag limit would also need to be included and these would be aligned with those that already exist for other individual species limits.¹⁷

8 Education and enforcement

80. If any changes to the regulations are made, Fishery Officers will educate local communities and recreational fishers about the new rules. To support education initiatives, updates will be made to relevant signage and information brochures. Enforcement of the new rules will not pose significant compliance costs and will be able to be met through planned compliance activities.

9 Next Steps

81. Following consultation, the Minister for Oceans and Fisheries (the Minister) will decide on changes to recreational daily bag limits for finfish. Should the Minister agree to any changes, this will require amendments to the Amateur Regulations which are subject to Cabinet processes before implementation.
82. Subsequent decisions made by the Minister on these proposals will be posted on the Fisheries New Zealand website and submitters will be notified.

¹⁵ Fisheries (Southern Bluefin Tuna Amateur Fishing) Notice 2019 (Notice No. MPI 1013) available at: <https://gazette.govt.nz/notice/id/2019-go1993>.

¹⁶ Section 228 of the Fisheries Act 1996.

¹⁷ Refer to footnote 15 which outlines the relevant infringement notice regime.

10 Questions for submitters

83. When providing feedback, we recommend submitters refer to the proposal flowchart in Appendix One and consider the following questions:

- Do you agree with how we have defined the problem? If not, why not?

Questions relating to the primary proposals

- Do you agree that the proposed options are the correct options to consider? If not, why not? Are there any other options we should consider?
- Do you support the proposed inclusion of all finfish species in the combined daily bag limit for all recreational fishing areas by either:
 - Including all finfish species, not currently subject to a daily bag limit, in the combined daily bag limit

OR

- Including all finfish species, including those with additional individual species limits, in the combined daily bag limit?
- Are there any other benefits or impacts of including all finfish species in the combined daily bag limit in addition to those identified?

Questions relating to secondary proposals

- Do you support retaining the different combined daily bag limit caps across the five recreational fishing areas? Why?
- Do you support excluding a subset of small finfish species generally taken as bait from the finfish combined daily bag limit and setting a combined daily bag limit of 50 for the excluded species? Why?
- Do you support the baitfish species proposed to be excluded? If not, why not? Are there any other species that should be excluded?
- Are there any other benefits or impacts for these proposals in addition to those identified?

Question relating to southern bluefin tuna

- Do you support including the southern bluefin tuna daily bag limit under the Amateur Regulations to align the offence and penalty settings for possible breaches?

84. We welcome your views on these proposals. Submitters are encouraged to use the [consultation submission form](#) and provide detailed, verifiable information and rationale to support your views.

11 Submission Information

85. Fisheries New Zealand welcomes written submissions on the proposals set out in this consultation paper. All written submissions must be received by Fisheries New Zealand on 5pm, 18 November 2021.

86. Written submissions should be emailed to: FMSubmissions@mpi.govt.nz
or sent to:

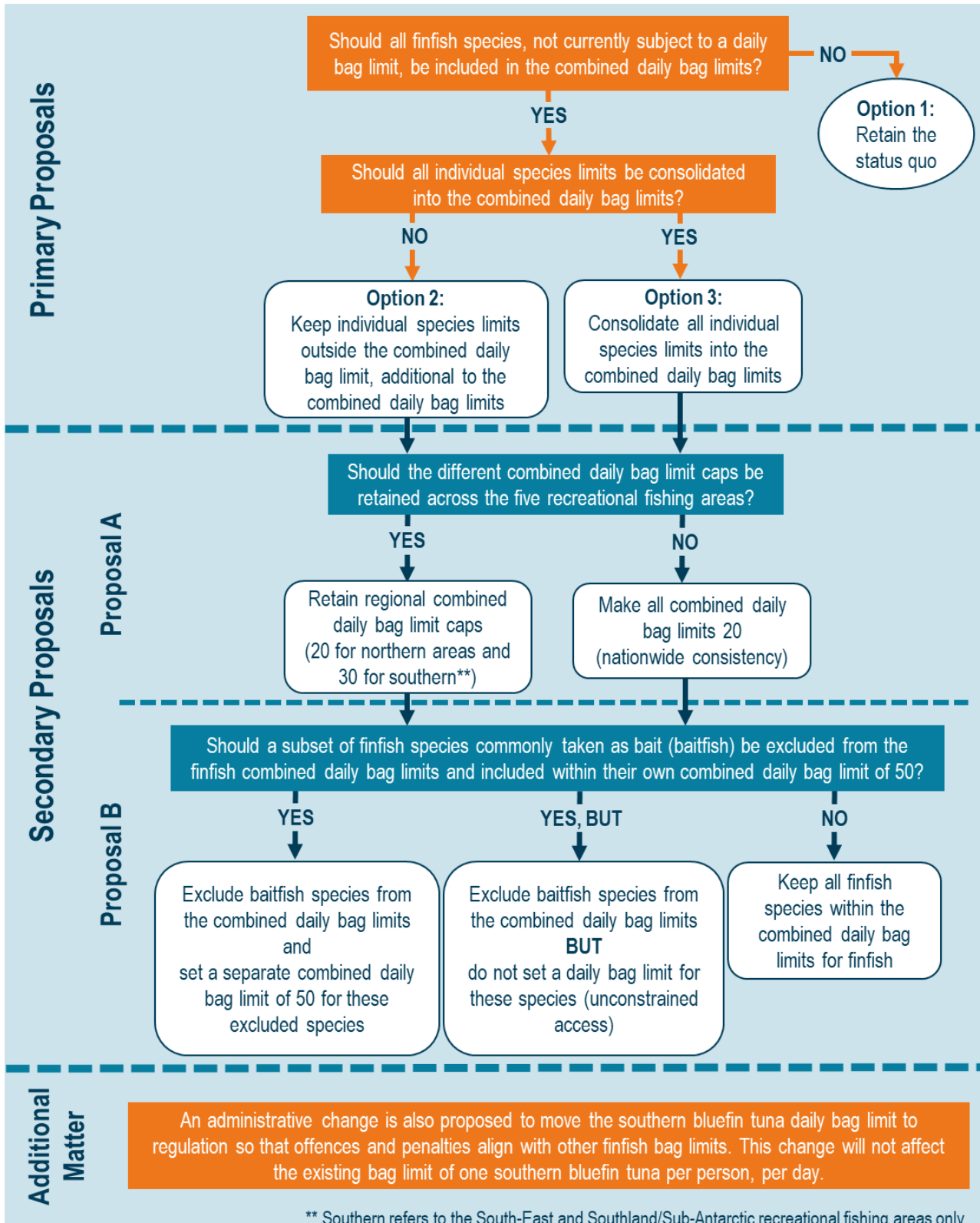
Inshore Fisheries Management
Fisheries New Zealand
P O Box 2526
Wellington 6140.

87. All submissions are subject to the Official Information Act 1982 and can be released (along with the personal details of the submitter) under the Act. If you have specific reasons for wanting to have your submission or personal details withheld, please set out your reasons in the submission. Fisheries New Zealand will consider those reasons when making any assessment for the release of submissions if requested under the Official Information Act.



Fisheries New Zealand

Proposed changes to recreational daily bag limits for finfish



Appendix Two – Examples of proposed changes



Fisheries New Zealand

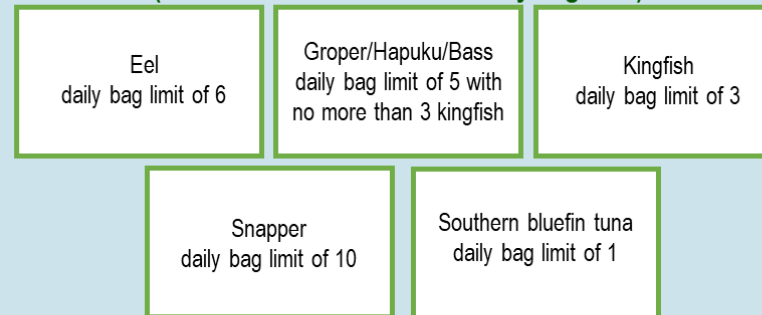
Example of Option 1 (Status Quo)

Using the Central recreational fishing area rules for the purposes of illustration

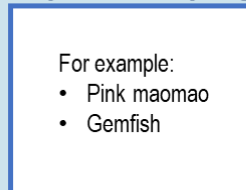
**Combined daily bag limit of 20 finfish
(individual species limits exist therein)**

| Finfish Species | Maximum daily limit per active fisher |
|-----------------------------------|---------------------------------------|
| Blue cod - Taranaki to Titahi Bay | 10 |
| Blue cod - Titahi Bay South | 20 |
| Blue moki | 20 |
| Bluenose | 5 |
| Butterfish | 20 |
| Elephant fish | 20 |
| Flatfish (except Sand flounder) | 20 |
| Grey mullet | 20 |
| John dory | 20 |
| Kahawai | 20 |
| Parore | 20 |
| Porae | 20 |
| Red cod | 20 |
| Red gurnard | 20 |
| Red moki | 20 |
| Red snapper | 20 |
| Rig | 20 |
| Sand flounder | 20 |
| School shark | 20 |
| Tarakihi | 20 |
| Trevally | 20 |

**Individual species limits
(additional to the combined daily bag limit)**



**All other finfish species
(not subject to a daily bag limit)**





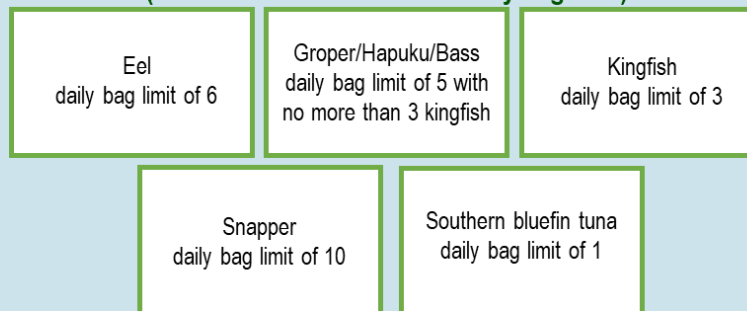
Example of Option 2 (include all finfish species, not currently subject to a daily bag limit, in the combined daily bag limit)

Using the Central recreational fishing area rules for the purposes of illustration

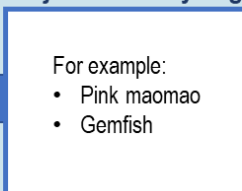
Combined daily bag limit of 20 finfish
(individual species limits exist therein)

| Finfish Species | Maximum daily limit per active fisher |
|-----------------------------------|---------------------------------------|
| Blue cod - Taranaki to Titahi Bay | 10 |
| Blue cod - Titahi Bay South | 20 |
| Blue moki | 20 |
| Bluenose | 5 |
| Butterfish | 20 |
| Elephant fish | 20 |
| Flatfish (except Sand flounder) | 20 |
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| Red moki | 20 |
| Red snapper | 20 |
| Rig | 20 |
| Sand flounder | 20 |
| School shark | 20 |
| Tarakihi | 20 |
| Trevally | 20 |

Individual species limits
(additional to the combined daily bag limit)



All other finfish species
(not subject to a daily bag limit)





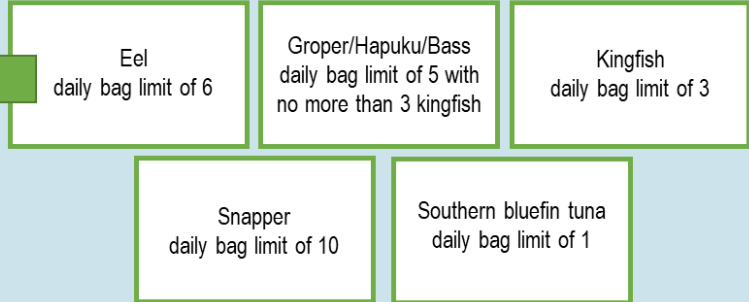
Example of Option 3 (include all finfish species, including those with additional individual species limits, in the combined daily bag limit)

Using the Central recreational fishing area rules for the purposes of illustration

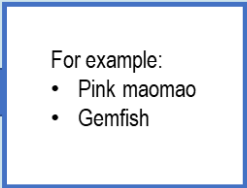
Combined daily bag limit of 20 finfish
(individual species limits exist therein)

| Finfish Species | Maximum daily limit per active fisher |
|-----------------------------------|---------------------------------------|
| Blue cod - Taranaki to Titahi Bay | 10 |
| Blue cod - Titahi Bay South | 20 |
| Blue moki | 20 |
| Bluenose | 5 |
| Butterfish | 20 |
| Elephant fish | 20 |
| Flatfish (except Sand flounder) | 20 |
| Grey mullet | 20 |
| John dory | 20 |
| Kahawai | 20 |
| Parore | 20 |
| Porae | 20 |
| Red cod | 20 |
| Red gurnard | 20 |
| Red moki | 20 |
| Red snapper | 20 |
| Rig | 20 |
| Sand flounder | 20 |
| School shark | 20 |
| Tarakihi | 20 |
| Trevally | 20 |

Individual species limits
(additional to the combined daily bag limit)



All other finfish species
(not subject to a daily bag limit)



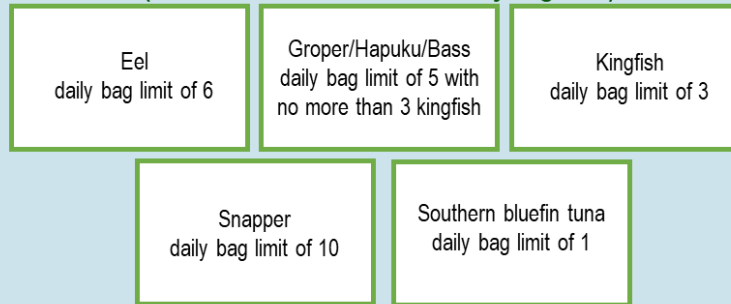


Example of Proposal B (exclude baitfish species from the finfish combined daily bag limit and set a combined daily bag limit of 50 for these excluded species)
Using the Central recreational fishing area rules for the purposes of illustration

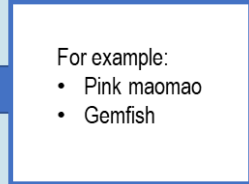
Combined daily bag limit of 20 finfish
 (individual species limits exist therein)

| Finfish Species | Maximum daily limit per active fisher |
|-----------------------------------|---------------------------------------|
| Blue cod - Taranaki to Titahi Bay | 10 |
| Blue cod - Titahi Bay South | 20 |
| Blue moki | 20 |
| Bluenose | 5 |
| Butterfish | 20 |
| Elephant fish | 20 |
| Flatfish (except Sand flounder) | 20 |
| Grey mullet | 20 |
| John dory | 20 |
| Kahawai | 20 |
| Parore | 20 |
| Porae | 20 |
| Red cod | 20 |
| Red gurnard | 20 |
| Red moki | 20 |
| Red snapper | 20 |
| Rig | 20 |
| Sand flounder | 20 |
| School shark | 20 |
| Tarakihi | 20 |
| Trevally | 20 |

**Individual species limits
 (additional to the combined daily bag limit)**



**All other finfish species
 (not subject to a daily bag limit)**



**Excluded baitfish species
 (Combined daily bag limit of 50)**

| Finfish Species | Maximum daily limit per active fisher |
|-----------------------------|---------------------------------------|
| Yellow-eyed mullet | 50 |
| Slender/stout sprat | 50 |
| Jack/horse/Chilean mackerel | 50 |
| Pilchard | 50 |
| Garfish/piper | 50 |
| Anchovy | 50 |
| Koheru/scad | 50 |