

# Sharks |

Operational Procedures

01 October 2014

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## Part 1: Introduction

The following Operational Procedures (OPs) stipulate the management measures for the identification, handling and disposal of sharks as agreed by Deepwater Group Ltd (DWG) Shareholders and administered by DWG. Please note that any references to “sharks” within these OPs refer specifically to sharks in the narrower sense (not all species in the entire class of *Chondrichthyes*, which includes sharks, skates, rays and chimaeras, as referenced in the New Zealand National Plan of Action for the Conservation and Management of Sharks (NPOA-Sharks)).

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### Background and Rationale

There are global concerns over the management of sharks. Sharks require careful management due to their biological vulnerability (e.g. slow growth and low reproductive rates). New Zealand has a number of sharks listed as **Protected Species** and deepwater fisheries interact with some of these. New Zealand has a responsibility to ensure sustainable management and conservation of sharks and as such have specific management measures in place both within the QMS and other regulatory frameworks (e.g. Protected Species legislation). Guidance is given by the NPOA-Sharks.

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### Purpose of these Procedures

The purpose of these DWG Shark Operational Procedures (Shark OPs) is to support the NPOA-Sharks and provide a guide to Government requirements.

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### Objectives of these Procedures

The objectives of these Shark OPs are to:

- Ensure the safe, humane and proper handling of live and dead sharks, where appropriate
- Enable the proper collection and reporting of shark catch
- Support the NPOA-Sharks and reference relevant regulations.

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### Application of these Procedures

These OPs apply to all trawlers over 28 m and all other vessels targeting stocks represented by DWG.

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### Legislative and Regulatory Framework

Key legislation that underpins the management of sharks in NZ includes:

- **Fisheries Act 1996** requires:
  - All reported catch be recorded
  - All QMS-species be landed if taken, except where Schedule 6 applies and provides for their return to the sea (e.g. blue, mako, porbeagle, rig, schoolshark and spiny dogfish).
  - Shark Finning Ban
- **Wildlife Act 1953** states it is an offence to deliberately take, or attempt to take, any Protected Species listed in Schedule 7A.

## Part 2: When Shark Captures Occur

The following outlines what to do when shark captures occur.

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### Protected Species

#### Sharks Protected Under the Wildlife Act

- Great white shark (white pointer shark)
- Basking shark
- Whale shark
- Oceanic whitetip
- Deepwater nurse shark.

Deepwater fishing in NZ occasionally captures basking sharks and very occasionally great white sharks.

#### What to do if a Protected Species Capture Occurs

- Use safe handling and release procedures to remove the shark from fishing gear (refer Safe Handling and Release Practices below).
- Always immediately return the whole and intact shark to the sea (unless a Ministry observer formally takes possession of the shark) and without removing any body part.
- At the bottom of the Catch and Effort reporting form tick the box that you have captured a Protected Species.
- Complete the *Non-Fish/Protected Species Catch Return* and use the correct species code (refer Ministry Reporting and the Law below):
  - Basking shark (BSK)
  - Great white shark (WPS).
- Promptly (within 24 hours) report basking shark captures to DWG as a trigger (see DWG reporting requirements in your Operational Procedures manual or email to [admin@deepwatergroup.org](mailto:admin@deepwatergroup.org)).

#### Reporting of Protected Species and the Law

It is not illegal to accidentally capture a Protected Species but it is illegal to fail to report the capture.

Report all captures at the end of every voyage on the Ministry's Non-Fish/Protected Species Catch Return (NFPSCR) form (Appendix 2). This form must be returned to the Ministry along with the mandatory catch and effort reports (e.g. TCEPR or TCER).

The vessel master should also record the capture event in the vessel's log, including the following information:

- The position of any captures and return of any Protected Species to the sea (latitude and longitude)
  - The species name if known. (*Note: All care should be taken to correctly identify the species. If there is a camera on board, take a clear photograph of the head and of the whole body. Any photos should be kept in case there is follow up.*)
  - Whether the shark was dead or alive when returned to the sea.
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### Regulations regarding Return of QMS Sharks to the Sea (Schedule 6) and Finning of any sharks

#### Schedule 6: QMS Species which may be released

As a general rule, all QMS-species must be landed if taken. However, Schedule 6 provides for exceptions to this rule by listing QMS species which may be released and the conditions within which these releases may occur.

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## Sharks Listed Under Schedule 6

- Blue shark (BWS), Mako shark (MAK) and Porbeagle shark (POS) – may be returned alive or dead (and if dead balanced against ACE)
- Rig (SPO) – may be returned alive only
- School shark (SCH) – may be returned alive only
- Spiny dogfish (SPD) – may be returned alive or dead but must always be balanced against ACE regardless.

## MPI Factsheets for Sharks

MPI have produced four factsheets regarding the new regulatory environment for sharks:

- Factsheet 1 – Conservation and management of New Zealand sharks – includes information on CITES requirements
- Factsheet 2 – Landing sharks with fins attached
- Factsheet 3 – Landing shark fins subject to a ratio
- Factsheet 4 – Schedule 6 provisions

These are appended at the back of this OP.

## Finning

Finning (the removal of fins and disposal of the body to the sea) is prohibited by law and the use of the processed state FIN (or states of dry or wet fins) is no longer legal. Any fins landed will always be as a by-product state and with the associated trunk also landed. This applies to all QMS and non-QMS sharks.

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## Identification of Non-QMS Species

### The Need for Better Identification

The NPOA-Sharks has noted the need for better identification of landed shark species, in particular non-QMS shark species.

It explains that many sharks are of low economic value compared to other species and therefore tend to be non-target and non-QMS species. This coupled with similar features for many of these sharks and the low encounter rate New Zealand fisherman have with them means crew have difficulty in accurately identifying such shark species when caught. They therefore tend to rely on using generic reporting codes.

While the reporting system is comprehensive, accurate information is important to its success and is dependent on the crews' ability to identify shark species. Crews must be competent to identify species that they are processing for landing.

### MPI Identification Guide and Reporting Codes

To improve identification, MPI have released an updated and comprehensive fish identification guide for all fish species, including sharks.

This is a pictorial guide that includes images and key information to help crew distinguish species. It covers all QMS species, species that are commonly confused with QMS species and species common in bycatch.

It is important that your crew have access to this guide in order to better identify and report the full range of shark species they process, Protected Sharks and any other easily identifiable sharks they may catch

Refer to *Appendix 1* for examples of MPI's ID guide for key non-QMS shark species common in bycatch. However, please be aware this is a limited selection of shark species and you must fully utilise the Ministry's guide.

If your vessel requires a MPI Shark ID book, please contact DWG on 09 379 0556 or e-mail a request to [admin@deepwatergroup.org](mailto:admin@deepwatergroup.org).

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## Safe Handling and Release

### Handling and Release Practices

Where the release of a shark is involved, crew safety is the first priority. However, it is important to remember that mortality of sharks can be reduced by releasing a shark as quickly as possible with a minimum of handling. The best practice policy is that minimal handling is safer for both crew and shark.

**Exactly how a shark should be handled will depend on the size of the shark, how it is caught, and the size of the vessel.**

Some general practices that should be followed (noting the point made above) are:

- Sharks are cartilaginous and their internal organs rely on water pressure for support. The lack of support from a bony rib-cage means dragging the animal over rigid objects (e.g. ship's rail) can cause lethal damage
- If necessary to bring the shark onboard, try to keep the shark on its side to prevent crushing internal organs. Where possible, also cover their eyes with a cloth soaked in seawater. This helps pacify them making it safer to release from the fishing gear and reduces risk of them biting or thrashing at crew
- Ensure crew stand well away from the side of the head where they could be seen by the shark. Even when close to death sharks are known to snap at objects it senses close to its mouth. Most sharks are flexible and can reach their own tails with their mouths (and therefore any person holding them)
- Once it is safe to do so, return the shark to the sea head first and right way up.

### Longliners

- Where it is possible to do so and safely, release the shark while in the water
- If necessary to bring the shark aboard, support the shark holding it by the dorsal fin and tail (alternatively, pectoral fin) and, where possible, support the abdomen
- If the hook is swallowed, cut the snood as close to the hook as is safely possible
- If hooked in the mouth/jaw, either release in the water (with a hook remover or long-handled 'T' bar) or bring the shark onboard and remove the hook
- For smaller sharks, the use of a 'dip-net' to lift sharks aboard is preferred
- With larger sharks, a risk to crew is entanglement in the gear attached to the shark, where a shark could easily pull entangled crew overboard or gear could cause injury to fingers or limbs.

### Basking Shark

To increase the shark's chances of survival and to promote crew safety:

- Return the shark to the sea as quickly as practicable and as safely as possible
- These are very large animals weighing many tonnes, crew have to be vigilant not to get between the animal and any other large fixed object where movement may trap them
- When the body of the animal is stationary on deck, the tail can flick so crew should be very careful whenever attaching strops
- Never use a wire strop, this will cut the tail from the animal
- Larger diameter rope-strops are best placed further up the tail away from the narrowest part near the tail-fin
- Two methods used successfully on vessels:
  - Use a very wide diameter rope strop (like Samson rope/strop etc) placed well up the tail to carefully drag animal first down the deck then when over the stern ramp remove the strop and refit open strop, (i.e. with no locking-turns) so once in the water the strop falls off
  - Using a very wide diameter rope strop (Samson rope/strop etc.) placed well up the tail carefully lift the tail up, then using a section of netting or old lengthener material a few metres long, tie this around the tail-shaft, then carefully drag the animal tail first down the stern ramp (this places the 'load' along a much longer area, decreasing the risk of cutting the tail with a strop).

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## Other Protected Shark Species

Unless instructed otherwise by a MPI observer, all captures must be returned to the sea (dead or alive) as soon as possible:

- If dead, you must not cut, remove or unnecessarily interfere with any part of the shark
- If alive, it is returned to the sea taking all reasonable care to prevent injury.

## Convention on International Trade in Endangered Species (CITES) – Special documentation for export and trade of Porbeagle shark administered by DOC

Porbeagle sharks have been listed with CITES which means that specific documentation is required for export.

- This requirement also includes any fishmeal containing porbeagle shark.

Further information regarding these requirements is available from DOC at: <http://www.doc.govt.nz/Documents/about-doc/role/international/ties-application-form.pdf>

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## Appendix 1: Identification of Key Non-QMS Shark Species

The following outlines some commonly caught non-QMS and non-protected shark species and how to identify them when reporting fish catch.

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### Baxter's Dogfish (ETB)

**Scientific Name:** *Etmopterus baxteri*

**Other Names:** Giant lanternshark, New Zealand lanternshark, Southern lanternshark

**Ministry Reporting Code:** ETB

**Distinguishing Features:**

- Stout-bodied, uniformly dark and with randomly spaced dermal denticles giving a slight roughened skin
- Bases of first and second dorsal fins naked (no denticles)

**Colour:** Dark brown to blackish, belly darker. Darker but inconspicuous pelvic and caudal fin marks

**Size:** To about 80cm TL





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## Seal Shark (BSH)

**Scientific Name:** *Dalatias licha*

**Other Names:** Black shark

**Ministry Reporting Code:** BSH

**Distinguishing Features:**

- Moderate-sized with a short blunt snout giving the head a “seal-like” appearance
- First dorsal fin rounded, second more pointed, slightly larger; both without fin spines
- Thick lips
- Teeth in lower jaw large, triangular, serrated

**Colour:** Uniformly dark grey-brown to black, occasionally lighter

**Size:** To about 160 cm TL



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## Shovelnose Dogfish (SND)

**Scientific Name:** *Deania calcea*

**Other Names:** Brier shark (Aus.)

**Ministry Reporting Code:** SND

**Distinguishing Features:**

- Slender-bodied with an elongated, flattened snout
- First dorsal fin is longer and lower than the second dorsal fin
- Skin is soft and patches are often lost on trawl-caught fish

**Colour:** Usually uniform mid grey-brown, but may be darker or lighter and slightly darker fins

**Size:** To about 120 cm TL



## Appendix 2: Ministry Non-Fish / Protected Species Catch Return Form

Do **not** photocopy – use only as example

**NPC 1234567**

### Non-fish / Protected Species Catch Return

- Complete **separate returns** for each fishing trip where non-fish / protected species incidental catch occurs.
- Non-fish / protected species include: corals, sponges, bryozoans, seabirds, marine mammals, marine reptiles and protected fish (see explanatory notes for a detailed list of species).
- Non-fish / Protected species incidental catch**  
Complete a **separate row** for each non-fish / protected species caught in a fishing event.

Date tow / set began (dd/mm/yy)	Time tow / set began (24-hr clock)	Form number from catch effort return	Species code	Estimated weight of corals, sponges or bryozoans (kg)	Seabirds / Mammals / Reptiles / Protected fish		
					Number alive, uninjured	Number alive, injured	Number dead
/ /	:			0kg			
/ /	:			0kg			
/ /	:			0kg			
/ /	:			0kg			
/ /	:			0kg			
/ /	:			0kg			
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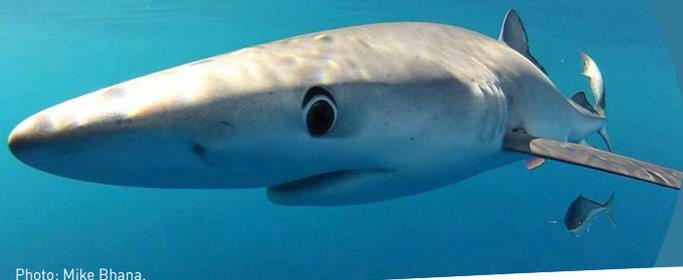
*Use additional pages if you run out of space to record non-fish / protected species incidental catch from this trip.*

- Enter a cross in **one** of the circles to show the MFish catch effort form type used during the trip.  
 TCEPR  CELR  LCER  TLCER  NCELR  Other  → If other, enter the form type used

#### 5. Permit holder and vessel details

Name of permit holder <input style="width: 90%;" type="text"/> Client number of permit holder <input style="width: 100%;" type="text"/> Name of vessel <input style="width: 90%;" type="text"/> Registration number of vessel <input style="width: 100%;" type="text"/>	I declare that the information I have given on this return is correct and complete, and that I have read and understood the explanatory notes supplied with this return. Signature of permit holder or authorised person <input style="width: 90%;" type="text"/> Date signed <input style="width: 100px; text-align: center;" type="text"/> / <input style="width: 100px; text-align: center;" type="text"/> / 20
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Send completed returns to PO Box 297, Wellington 6140.



# 1 Conservation and management of New Zealand sharks

Over 113 species of sharks have been reported in New Zealand waters. Sharks are now known to be an important part of marine ecosystems and New Zealand's *National Plan of Action – Sharks* (available at [www.mpi.govt.nz](http://www.mpi.govt.nz)) recognises this.

## SHARK FINNING BAN

From 1 October 2014, it is **ILLEGAL TO REMOVE THE FINS FROM A SHARK AND DISCARD THE BODY OF THE SHARK AT SEA**. The Fisheries (Commercial Fishing) Regulations 2001 require that any shark fins landed must be naturally attached to the body of the shark (see fact sheet 2).

The Regulations provide exceptions to the “fins attached” requirement for eight species of shark. These exceptions take two forms, the first is for blue shark and it allows the fins to be removed from the body but requires that the fins be attached to the trunk after processing (before landing). The second exception is for seven other QMS species, for which the fins may be landed separately but in accordance with a gazetted ratio (see fact sheet 3).

Note that you are not required to land any fins.

Approach	Species	
Fins naturally attached	Spiny dogfish	SPD
	All non-QMS species	
Fins artificially attached	Blue shark	BWS
Ratio	Elephant fish	ELE
	Ghost shark	GSH
	Mako shark	MAK
	Pale ghost shark	GSP
	Porbeagle shark	POS
	Rig	SPO
	School shark	SCH

The management of individual shark species depends on the scale of catch, as well as other factors such as how vulnerable they are to fishing. You are likely to come across the following categories –

### • QUOTA MANAGEMENT SPECIES

–Blue shark	BWS
–Elephant fish	ELE
–Ghost shark	GSH
–Mako shark	MAK
–Pale ghost shark	GSP
–Porbeagle shark	POS
–Rig	SPO
–School shark	SCH
–Spiny dogfish	SPD

Nine species of shark are managed under the Quota Management System (QMS). Catches of these species must be retained like any other QMS species, unless they are listed on Schedule 6 of the Fisheries Act 1996. A separate fact sheet is available explaining the conditions under which Schedule 6 applies and providing information on the appropriate recording of Schedule 6 releases (see fact sheet 4).

### • NON-QUOTA SPECIES

The remainder of shark species are not managed under the QMS. Reporting obligations still apply for these species, but they do not have to be retained and landed.

You are encouraged to use best practice handling methods to release sharks alive wherever possible.

## FOR MORE INFORMATION

Fact sheet 2 – Landing sharks with fins attached

Fact sheet 3 – Landing shark fins subject to a ratio

Fact sheet 4 – Requirements for returning sharks to the sea (Schedule 6)

A copy of the regulations is available at: <http://legislation.govt.nz>

The content of this Fact Sheet is information only. The requirements are set out in the Fisheries (Commercial Fishing) Regulations 2001 and the *Shark (Fin to Greenweight Ratios) Circular 2014*. The Ministry for Primary Industries does not accept any responsibility or liability for any error of fact or opinion, nor any consequences of any decision based on this information.

# Conservation and management of New Zealand sharks

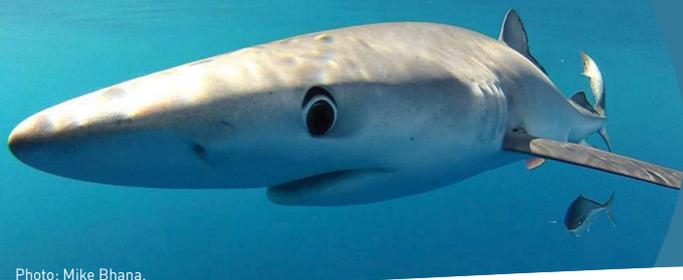
- **PROTECTED SPECIES** – catches of these species both in the EEZ and on the high seas cannot be retained by law, but all catches must be reported on the “non-fish protected species catch return”:
  - Basking shark BSK
  - Great white shark (White pointer shark) WPS
  - Oceanic whitetip shark OWS
  - Deepwater nurse shark ODO
  - Whale shark WSH

- **CITES-LISTED SPECIES NOT OTHERWISE PROTECTED:**

- Porbeagle shark POS
- Smooth, scalloped and great hammerhead sharks HHS

Porbeagle and hammerhead sharks were recently listed in Appendix II of the Convention on International Trade in Endangered Species. Any landings from the high seas now require a “CITES introduction from the sea” permit before bringing any sharks into NZ fisheries waters. Exports of these sharks or their products now requires a “CITES export/re-export” permit.

Note that sharks caught in the New Zealand EEZ but not exported are not subject to CITES regulation. The CITES documentation process is administered by the Department of Conservation. For more information see <http://www.doc.govt.nz/cites>



## 2 Landing sharks with fins attached

The Fisheries (Commercial Fishing) Regulations 2001 require that for all non-quota management system (QMS) species, spiny dogfish, and blue shark, any fins to be landed must be attached to the remainder of the shark.

### Blue shark

If you are planning to land the fins of any blue shark they must be attached to the trunk of the shark.

If you are retaining blue shark fins, you may land the shark either green (whole) or as the new primary landed state of **“SHARK FINS ATTACHED”** (SFA). This landed state is described as the shark being processed to the dressed state (see Figure 1 over the page) and then the fins re-attached by some artificial means. This includes (but is not limited to) stitching them on, or storing both the dressed trunk and the fins in the same bag (one shark per bag).

This rule will allow the small fishery for blue shark meat to continue, by allowing processing at sea to maximise the value of the fish, but still allowing for retention of the fins.

Note that you are not required to land the fins; you may land a different primary landed state of blue shark. It is only if you wish to retain the fins that you must land it in either the **“SHARK FINS ATTACHED”** state or green. You will also be allowed to return unwanted blue shark to the sea under Schedule 6 provisions (see fact sheet 4).

### Spiny dogfish and all non-QMS species

For spiny dogfish and non-QMS species, any fins landed must be **naturally** attached to the remainder of the shark. This means that there must be some portion of uncut skin connecting the fins to the body. If you are retaining fins, you may land these sharks either as green (whole) or as the new primary landed state **“SHARK FINS ATTACHED”**. This is defined for spiny dogfish and all non-QMS species as the fish being processed to the headed and gutted state with the primary fins naturally attached (i.e. the pectoral fins, dorsal fins and some or all of the caudal (tail) fin).

You may cut the fins to allow them to be folded flat against the fish, or to allow for bleeding, but they must remain naturally attached to the trunk of the shark if they are being landed.

Note that this does not preclude landing another primary landed state. It is only if you wish to retain the fins that you must land it in the **“SHARK FINS ATTACHED”** state.

Non-QMS species can also be legally returned to the sea (dead or alive) if you don't wish to retain them (reported on landing returns against destination type code 'D'). Spiny dogfish can be returned (dead or alive) and reported on landing returns under the destination type code 'M'.

### FOR MORE INFORMATION

Fact sheet 1 – Conservation and management of New Zealand sharks

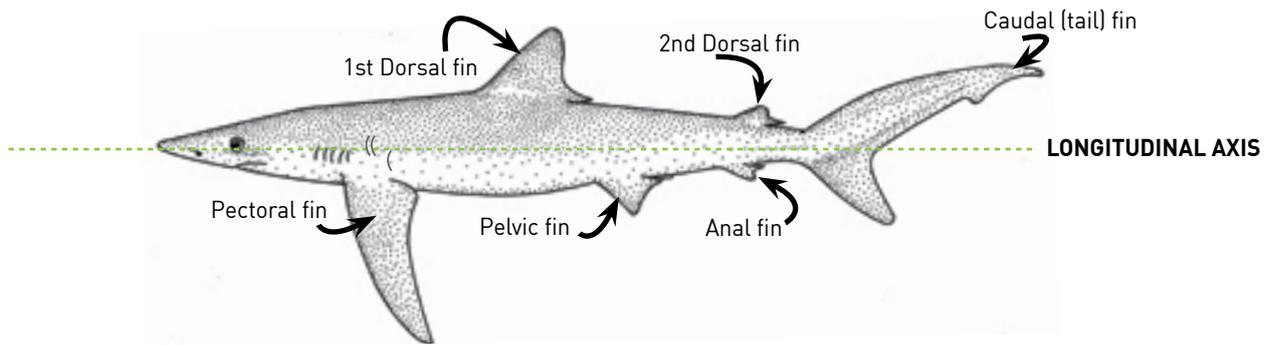
Fact sheet 3 – Landing shark fins subject to a ratio

Fact sheet 4 – Requirements for returning sharks to the sea (Schedule 6)

A copy of the regulations is available at: <http://legislation.govt.nz>

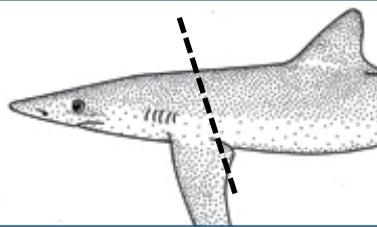
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## FIGURE 1: BLUE SHARK (BWS) DRESSED (DRE)



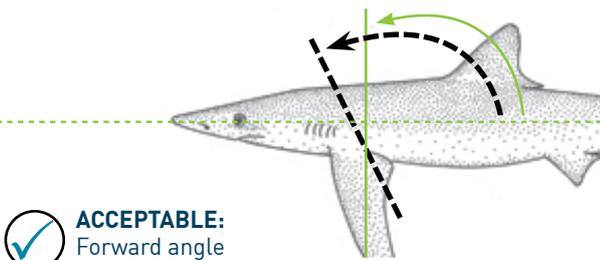
The body of a fish from which the head, gut and fins have been removed with:

1) the anterior cut being a straight line passing immediately behind the posterior insertions of both pectoral fins.

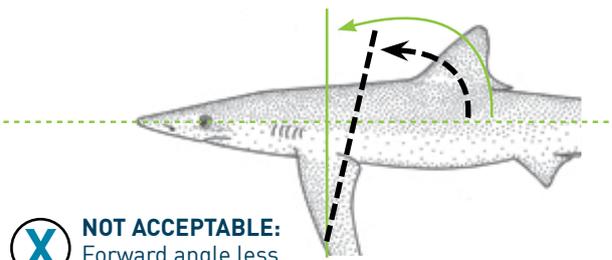


*(The posterior insertion of the pectoral fin means the point along the body of a fish at which the rear [posterior] edge of the pectoral fin emerges.)*

2) the forward angle of the anterior cut not less than 90 degrees in relation to the longitudinal axis of the fish.

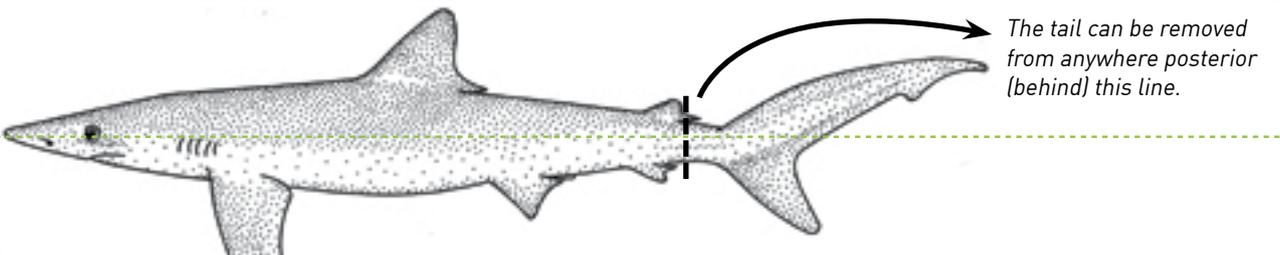


✓ **ACCEPTABLE:**  
Forward angle greater than 90°

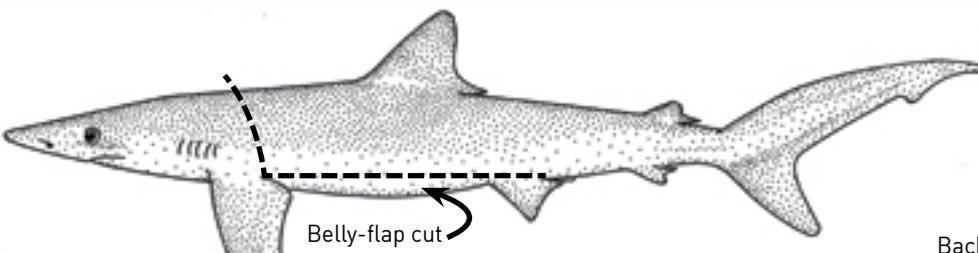


✗ **NOT ACCEPTABLE:**  
Forward angle less than 90°

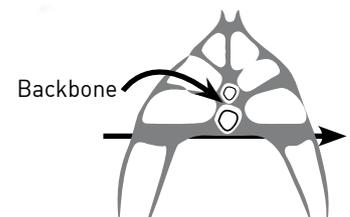
3) no part of the tail cut forward of the posterior base of the anal fin.

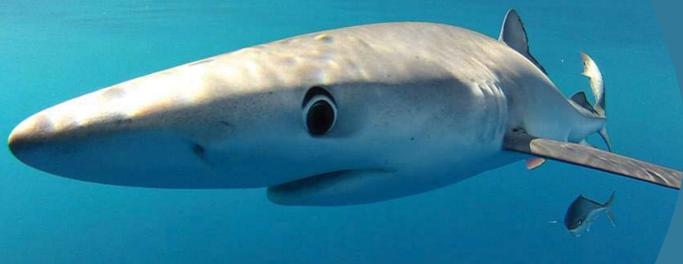


4) the belly-flap may be removed by a cut, no part of which is dorsal to the cartilaginous backbone.



**CROSS-SECTION:**  
No part of belly-flap cut to be above this line





# 3 Landing shark fins subject to a ratio

The Fisheries (Commercial Fishing) Regulations 2001 prohibit shark finning and require that any shark fins landed must be naturally attached to the remainder of the shark (or artificially in the case of blue shark). However, an exception to the fins attached requirement is provided for seven QMS species to allow at-sea processing to continue.

These seven QMS species are:

- Elephant fish           ELE
- Ghost shark            GSH
- Mako shark             MAK
- Pale ghost shark       GSP
- Porbeagle shark       POS
- Rig                      SPO
- School shark           SCH

For these species, the weight of all fins landed must not exceed a specified percentage of the greenweight of the shark. For example, if the ratio for a particular species is set at 3.5, if sharks are landed that have a total greenweight of 100 kgs, the fins of that species landed cannot weigh more than 3.5 kgs. They may weigh less than that. The ratios will be applied to landings on a trip-by-trip basis.

The species which may have fins landed separately, the specific ratios for each species, and the “primary fins” which have been used to set the ratios are defined in a *Shark Circular* which can be found at:

[www.mpi.govt.nz](http://www.mpi.govt.nz)

Note that landing other fins may result in being over the gazetted ratio for a species.

### How will the ratio work?

For species where you normally process the catch at sea and keep both a trunk (for example, dressed) and

also the fins, not a lot should change, but you will need to **STORE AND LAND THE FINS SEPARATELY BY SPECIES.**

Fins must be landed wet. This will be a legal requirement from 1 October 2014, and will allow monitoring to make sure you are not retaining any more shark fins than the trunks they come from.

Future reviews of ratios will be based on direct sampling over the coming years.

For the main inshore shark species, the ratios have been set so that if you follow normal processing practices, you shouldn't exceed the ratio with your landings of shark fins. The ratios for each species have been set based on statistical analysis of at-sea sampling data. However, you will need to monitor your landings more closely so you can be confident you aren't exceeding the weight ratio, especially as you become familiar with the new rules.

**FOR MAKO AND PORBEAGLE**, there are some differences in cut and which of the fins are retained across different fleets. **THE RATIO IS SET BASED ON RETAINING THE WHOLE TAIL (CAUDAL) FIN.** This has been done to try and avoid any accidental non-compliance (which could occur if the

ratio was set lower), but you will still need to monitor your landings more closely to ensure you don't exceed it, especially if your vessel normally lands the whole tail. You can choose to land just the lower tail lobe. Close monitoring will occur to make sure no high-grading is occurring within the ratio.

Over the next two years, there will be ongoing monitoring and continued data collection to ensure that the ratios are set appropriately. Monitoring and enforcement will differentiate between slight variation around the ratios, which is to be expected, and a consistent trend of too many shark fins compared to shark bodies.

It is your responsibility to ensure you are within the ratio, but if you think the ratio is set incorrectly for a particular species, talk with MPI and/or a commercial stakeholder organisation such as Fisheries Inshore.

If you land any fins, you will need to report the actual weight of the fins for each species in the “greenweight” column on the landing returns.

Retaining the fins from one shark and the trunk from a different shark (high grading) is an offence under the shark finning regulations.

The content of this Fact Sheet is information only. The requirements are set out in the Fisheries (Commercial Fishing) Regulations 2001 and the *Shark (Fin to Greenweight Ratios) Circular 2014*. The Ministry for Primary Industries does not accept any responsibility or liability for any error of fact or opinion, nor any consequences of any decision based on this information.

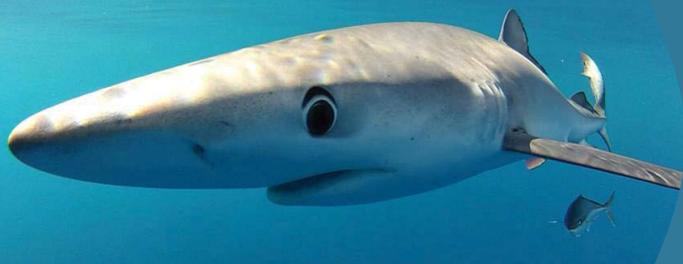
### FOR MORE INFORMATION

Fact sheet 1 – Conservation and management of New Zealand sharks

Fact sheet 2 – Landing sharks with fins attached

Fact sheet 4 – Requirements for returning sharks to the sea (Schedule 6)

A copy of the regulations is available at: <http://legislation.govt.nz>



# 4 Requirements for returning sharks to the sea (Schedule 6)

**Schedule 6 of the Fisheries Act 1996 sets out QMS species that may be returned to the sea, so long as the specified conditions are met.**

As part of the regulatory package to ban shark finning, MPI has made changes to Schedule 6 for several species of shark to allow them to be returned to the water. This provides a legal option for fishers who accidentally catch a shark for which they have no market.

In many cases, the best option is to try and avoid catching the sharks altogether if they are not marketable species. There may be different ways to avoid shark catches, depending on the species and the fishery. Some research is currently being done for surface longline fisheries.

Schedule 6 returns to the sea provide another option if you have already caught the shark. This fact sheet has been produced to explain the Schedule 6 provisions for shark species and detail the associated reporting requirements.

## Live release only

The following species of sharks may only be returned to the sea **ALIVE**, if they are **LIKELY TO SURVIVE** and returned as soon as practicable:

- Rig SPO
- School shark SCH

Any returns of these species must be reported on landing returns with the Destination Type Code "X" and will not be counted against your Annual Catch Entitlement (ACE).

## Live or dead – pelagic sharks

For the following species:

- Mako shark MAK
- Porbeagle shark POS
- Blue shark BWS

Sharks may be returned to the sea **ALIVE**, if they are **LIKELY TO SURVIVE** and returned as soon as practicable. Any sharks returned to the sea **ALIVE** must be reported on landing returns with the Destination Type Code "X" and will not be counted against ACE.

As of 1 October 2014, these sharks may also be returned to the sea if they are **DEAD** or **UNLIKELY TO SURVIVE** provided they are correctly reported. Any sharks returned to the sea dead or unlikely to survive must be reported on landing returns with the Destination Type Code "Z". These returns will be counted against ACE. You need to accurately estimate the weight of the sharks discarded this way.

## Live or dead – spiny dogfish

Spiny dogfish may be returned to the sea either live or dead. There is no differentiation between live and dead fish. Any spiny dogfish returned to the sea must be reported on landing returns with the Destination Type Code "M" and will be counted against ACE.

## FOR MORE INFORMATION

Fact sheet 1 – Conservation and management of New Zealand sharks

Fact sheet 2 – Landing sharks with fins attached

Fact sheet 3 – Landing shark fins subject to a ratio

A copy of the regulations is available at: <http://legislation.govt.nz>

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# Requirements for returning sharks to the sea (Schedule 6)

## SUMMARY OF OPTIONS BY SPECIES OF SHARK

SPECIES		LIVE RETURN	Destination Code	Balanced with ACE	DEAD RETURN	Destination Code	Balanced with ACE
School shark	SCH	Yes	X	No	Only observer- authorised discards	J	Yes
Rig	SPO	Yes	X	No	Only observer- authorised discards	J	Yes
Mako shark	MAK	Yes	X	No	Yes	Z	Yes
Porbeagle shark	POS	Yes	X	No	Yes	Z	Yes
Blue shark	BWS	Yes	X	No	Yes	Z	Yes
Spiny dogfish	SPD	Yes	M	Yes	Yes	M	Yes