



MINISTRY OF FISHERIES
Te Tautiaki i nga tini a Tangaroa



Customary Fishing

How do you get a Customary Fishing Authorisation?

To get an authorisation you have to contact the Tangata Tiaki/Kaitiaki responsible for the Rāpaki Mātaitai.

The Tangata Tiaki/Kaitiaki may ask for other information and may write additional details on the authorisation form.

The Tangata Tiaki/Kaitiaki will decide if an authorisation is appropriate or consistent with tikanga for the Rāpaki Mātaitai moana. The Tangata Tiaki/Kaitiaki does not have to issue an authorisation.

Your Responsibilities when Fishing under an Authorisation.

- All fishing must be carried out according to the conditions set out on the authorisation.
- Fish must be used for the purpose and at the venue specified on the authorisation.
- You cannot make changes to the authorisation. If changes are required you will have to contact the Tangata Tiaki/Kaitiaki who issued the authorisation before you undertake any fishing.
- When you are fishing you must carry the authorisation with you and show it to a Fishery Officer or Honorary Fishery Officer on request.
- The fish you are in possession of must relate to the fish, area and other details indicated on the authorisation.

In summary, the person fishing must have the authorisation with them at the time of fishing and must adhere to all conditions of the authorisation.

Rāpaki Mātaitai Reserve

www.fish.govt.nz

Sustainable fisheries within a healthy aquatic ecosystem

Tangata Tiaki at Rāpaki
Ministry of Fisheries, Christchurch

www.ngaitahu.iwi.nz

0 8 0 0 4 RULES (0800 478 537)

for information on fishing rules

0 8 0 0 4 POACHER (0800 476 224)

to report illegal fishing



MINISTRY OF FISHERIES
Te Tautiaki i nga tini a Tangaroa

June 2002

He Mihi

Ko Io-Whatatā, ko Io Whatamai
Ko Hekeheke-i-nuku, ko Hekeheke-i-papa
Ko Te Kore Te Kore ka ahu mai kā Pō Takiwā
Nō kā Pō Takiwā, ka ahu mai kā Ao katoa
Ka puta ki waho i roto i tēnei Ao Marama
Te Ira Taḡata ki te Whaiao ki te Ao Marama
Tihei Mauri Ora!

Uea, waerea

Ka hura kā taḡatā a tai ki roto o Taḡaroa ki
te moana o Whaḡaraupō
Ka tū tonu au ki Pito-one kai raro i te maru
o te Tihi o Kahukura
Kai ruḡai kā kōhatu whakarakaraka o Tamatea
Pokai Whenua e Tamatea-pōkai-whenua.

Ka titiro atu au ki te tihi kahuraḡi o Aoraki
mauḡa ariki,
E tātai mai rā me tona korowai hukahuka
nui e mariḡi mai rā ona roimata wairoa
ki roto i kā mania o kā Pakihi Whakatekateka
o Waitaha,
Ka takitū te uri o Tahupōtiki ki te waka tipuna
o Maui Tikitiki-a-taraḡa e...

Aua, kia eke, eke panuku, eke Taḡaroa,
Tarewa tū ki te Raḡi...
Whano, Whano, Haramai te toki Haumi e...
Hui e...Taiki e!!!





What is a Mātaitai?

Mātaitai Reserves are part of the Fisheries (South Island Customary Fishing) Regulations and are identified as traditional fishing grounds.

The Fisheries (South Island Customary Fishing) Regulations allow Tangata Tiaki/Kaitiaki (Area Managers) to administer and manage customary food gathering by using bylaws that apply to all individuals.

The bylaws can change over time depending on the state of the fishstocks in the Mātaitai Reserve and the management provisions that are administered by the Tangata Tiaki/Kaitiaki (Area Managers).

However, the Fisheries (South Island Customary Fishing) Regulations do not provide for Tangata Tiaki/Kaitiaki to manage commercial and recreational fishing outside of Mātaitai Reserves.

Background

On the 12th of May 1998, the Ministry of Fisheries received an application from Wiremu Gillies, on behalf of Te Hapu o Ngāti Wheke Rūnanga ki Rāpaki, for the creation of a Mātaitai Reserve at Rāpaki, Lyttelton Harbour.

The Ministry of Fisheries and Te Hapu o Ngāti Wheke Rūnanga ki Rāpaki then consulted with the local community and the wider public through a public meeting and two submission processes.

After being satisfied that the application met all the necessary criteria within the Fisheries (South Island Customary Fishing) Regulations 1999 the Minister responsible for Customary

Fisheries declared Rāpaki Bay to be New Zealand's first Mātaitai Reserve on the 18th of December 1998.

Area of Reserve

The Reserve runs from Cass Bay – Church Reserve boundary (at 43° 36.78' S and 172° 41.6' E), to Windy Point (at 43° 36.895 S and 172° 40.4' E), then to the Taukahara boundary (43° 36.951' S and 172° 40.95' E).

Aim of Management

The aims of the management of the Reserve as stated in the initial application are to maintain and improve the local fishery, and to ensure the sustainability of the resources and its environment with the local community hoping it will help return the bay to its former healthy state.

Tangata Tiaki/Kaitiaki (Area Managers)

The Tangata Tiaki responsible for the management of the Rāpaki Bay Mātaitai Reserve are Wiremu Gillies and Henry Couch who are the first two legally gazetted Tangata Tiaki/Kaitiaki in New Zealand.

Bylaws for Rāpaki Reserve

The Fisheries (South Island Customary Fishing) Regulations provide Tangata Tiaki/Kaitiaki with the ability to manage fishing in a Mātaitai Reserve through bylaws. The regulations also enable the Tangata Tiaki/Kaitiaki to enhance fishstocks in the reserve.

Tangata Tiaki/Kaitiaki may make bylaws to manage non-commercial fishing within Mātaitai Reserves.

The bylaws of the Rāpaki Mātaitai Reserve are as follows:

- All fishing within the Rāpaki Mātaitai Reserve is to be reported to the Tangata Tiaki/Kaitiaki of the Reserve within (5) days by filing a catch return form available from the Rāpaki Marae Office.
- The taking or possession of Whairepo (skate and stingray) from within the Rāpaki Mātaitai Reserve is prohibited.
- The taking or possession of pāua from within the Rāpaki Mātaitai Reserve is prohibited.
- The taking or possession of seaweed within the Rāpaki Mātaitai Reserve is prohibited.
- The above bylaw does not apply to the taking or possession of Undaria pinnatifida.
- No person shall in any one day take or possess more than 50 cockles from the Rāpaki Mātaitai Reserve.
- No person shall in any one day take or possess more than 50 pipi from the Rāpaki Mātaitai Reserve.
- The total number of shellfish (whether of same or different species, but with the exception of cockles, pipi and pāua) that may be taken or possessed by any one person on any one day shall be ten (10).

These bylaws are in force until further notice.

Breach of Bylaws is an Offence

A person commits an offence if the person breaches any bylaw notified under Regulation 26 of the Fisheries (South Island Customary Fishing) Regulations 1999.

Bylaws explained

- The reporting requirement will allow the Tangata Tiaki to obtain fishing information, which will ensure that the area can be managed in a sustainable manner. This information can also be included in the wider management of the Lyttelton Harbour and Banks Peninsula areas. Catch return forms can be obtained from the Rāpaki Marae office, from the Ministry of Fisheries, Christchurch or from the Ngai Tahu web site (www.ngaitahu.iwi.nz).
- Whairepo (skates and rays) are considered guardians of the area therefore it is not considered appropriate to allow for the taking of these species.
- There are very limited stocks of pāua within the reserve and the intention is to provide an opportunity for pāua to establish themselves in greater numbers.
- As with pāua there is a limited range of seaweeds in the Mātaitai Reserve. It is considered important to allow for seaweeds previously in abundance in the area to re-establish. The bylaw does not apply to Undaria pinnatifida which is considered detrimental to the area.
- Stocks of cockles and pipi are small. To allow for an improvement of these stocks, but still allow for some to be taken, the daily limits per person are reduced to 50 of each species.
- The bylaw does not apply to Undaria pinnatifida which is considered detrimental to the area.

Offences and Penalties

Offences

It is an offence for any person to take or possess fish for customary food gathering purposes unless:

- They have been authorised and are in possession of an authorisation given by a Tangata Tiaki/Kaitiaki for the area from which the fish is to be taken;
- They are taking fish according to the instructions of the Tangata Tiaki/Kaitiaki on the authorisation.

It is an offence for a person to alter any authorisation granted by a Tangata Tiaki/Kaitiaki.

It is an offence to act in breach of any bylaws notified under the regulations.

Penalties

The first time a person is convicted of an offence against the regulations they will be liable to a fine of up to \$5,000. Any subsequent conviction will be liable to a fine of up to \$10,000.

Note: Fishing activity of a commercial nature will be subject to the provisions of the Fisheries Act, which allows for forfeiture of property used and fines of up to \$250,000.