

Report from New Zealand on Section 1a (Sharks) of Notification No. 2011/049

New Zealand reports on the following points in Notification 2011/049:

1 a i) report on trade in specimens of these species and to provide information on the implementation of national or regional plans of action for sharks and other available relevant data and information on the species;

a) Trade in specimens of shark species.

New Zealand has minimal trade in the three CITES-listed shark species. Trade information for each of the species is as follows:

- **Basking Shark (*Cetorhinus maximus*):** there have been no recorded imports of specimens of basking shark since listing on CITES. Since 2001, NZ exported 68 fins, all to Singapore between 2004 and 2006. In 2008, NZ exported one consignment of scientific samples to the UK.
- **White Pointer Shark (*Carcharodon carcharias*):** since 2001, NZ has exported two consignments of scientific samples (to the UK), and three consignments of other specimens (bones/teeth, two personal and one travelling exhibition). There has been legal import of one consignment of two teeth from South Africa, and four seizures of various specimens (jaws, soup, teeth).
- **Whale Shark (*Rhincodon typus*):** no reported imports or exports of this species.

b) implementation of NPOA Sharks

New Zealand continues to progress implementation of its National Plan of Action for the Conservation and Management of Sharks (<http://www.fish.govt.nz/NR/rdonlyres/F0530841-CD61-4C3E-9E50-153A281A4180/0/NPOAsharks.pdf>), which was agreed in October 2008. Pursuant to commitments articulated in the NZ-NPOA, protection of various shark species was extended in 2010 through amendments to domestic legislation:

- In July 2010, the **Whale Shark (*Rhincodon typus*)** became absolutely protected under the Wildlife Act, and in December 2010, the **Basking Shark (*Cetorhinus maximus*)** became absolutely protected under the Wildlife Act. The **White Pointer Shark (*Carcharodon carcharias*)** has been absolutely protected under this Act since 2007.
- In December 2010, protection to **Basking Sharks** from New Zealand flagged vessels in the high seas was effected under Fisheries (Basking Shark - High Seas Protection) Regulations 2010. Reporting requirements under the Fisheries (Reporting) Regulations 2001 were amended under the Fisheries (Reporting) Amendment Regulations (No 2) 2010. This amendment ensures information is collected on any incidental catches of **Basking Sharks** (on a Non-Fish and Protected Species Bycatch form).

A review of the NPOA—Sharks is scheduled for early 2012.

c) Provide other available relevant data and information on the species

A recent report was published on the New Zealand Ministry of Fisheries' website regarding bycatch of **Basking Shark** in New Zealand fisheries [M.P. Francis and M.H. Smith. 2010. Basking Shark (*Cetorhinus maximus*) bycatch in New Zealand fisheries, 1994-95 to 2007-08. Wellington, NZ: Ministry of Fisheries.], available at <http://fs.fish.govt.nz/Page.aspx?pk=113&dk=22268>.

1 a ii) submit a list of shark species (Class Chondrichthyes) that they believe require additional action to enhance their conservation and management, including if possible any concrete measures which they believe to be needed. The list should include a summary of additional supporting information;

New Zealand submits the following list of shark and ray species (Class Chondrichthyes) that require additional action to enhance their conservation and management.

a) Species absolutely protected in New Zealand waters, but whose range is much broader:

- **Deepwater Nurse Shark** *Odontaspis ferox*
- **Manta Ray** *Manta birostris**
- **Spinetail Devil Ray (Spinetail Mobula)** *Mobula japonica*

* Manta Ray was added to Appendix I of the Convention on Migratory Species in late 2011 and so range states that are signatories to that convention should be working to strictly protect this species.

b) Species included in Appendix II of the Convention on Migratory Species

- **Shortfin Mako Shark** *Isurus oxyrinchus*
- **Longfin Mako Shark** *Isurus paucus*
- **Porbeagle** *Lamna nasus*

These migratory species have an unfavourable conservation status and would benefit from international cooperation. The Northern Hemisphere population of **Spiny Dogfish (*Squalus acanthias*)** is also listed in Appendix II of CMS, but the species as a whole is not at risk, and so the species is not of concern to New Zealand.

c) Other species presented in proposals at COP15 for inclusion in the CITES Appendices which were supported by New Zealand:

- **Scalloped Hammerhead Shark** *Sphyrna lewini*
- **Great hammerhead Shark** *Sphyrna mokarran*
- **Smooth Hammerhead Shark** *Sphyrna zygaena*
- **Oceanic Whitetip Shark** *Carcharhinus longimanus*

1 a iii) advise whether they have domestic measures (e.g. laws or regulations) regulating the fishing, retention or landing of shark or ray species in their waters, and whether those measures apply to certain species only or to all species.

- Under Schedule 7A of the Wildlife Act (1953), and its subsequent amendments, the following species of shark and ray are absolutely protected in New Zealand fisheries waters (i.e. within the 200 nautical mile Exclusive Economic Zone):
 - **Basking Shark** *Cetorhinus maximus*
 - **Deepwater Nurse Shark** *Odontaspis ferox*
 - **White Pointer Shark** *Carcharodon carcharias*
 - **Whale Shark** *Rhincodon typus*
 - **Manta Ray** *Manta birostris*
 - **Spinetail Devil Ray (Spinetail Mobula)** *Mobula japonica*
- The Fisheries (White Pointer Shark – High Seas Protection) Regulations 2007 prohibit the taking of any **White Pointer Shark (*Carcharodon carcharias*)** using a New Zealand ship on the high seas, in accordance with the requirements of the Convention on the Conservation of Migratory Species of Wild Animals (1979) to which New Zealand is a signatory.
- The Fisheries (Basking Shark – High Seas Protection) Regulations 2010 prohibit the taking of any **Basking Shark (*Cetorhinus maximus*)** using a New Zealand ship on the high seas, in accordance with the requirements of the Convention on the Conservation of Migratory Species of Wild Animals (1979) to which New Zealand is a signatory.

- The Fisheries Act 1996, which provides for the sustainable utilisation of fisheries (taking into account environmental and international obligations) and provides the framework for the New Zealand Quota Management System. Over 100 shark species have been recorded in New Zealand waters, of which over 70 are caught in commercial fisheries. Of these, the following eleven species (comprising 85% or more of total shark catches) are managed under catch limits set in the Quota Management System:
 - **School Shark** *Galeorhinus galeus*
 - **Pale Ghost Shark** *Hydrolagus bemisi*
 - **Dark Ghost Shark** *Hydrolagus novaezealandiae*
 - **Mako Shark** *Isurus oxyrinchus*
 - **Porbeagle Shark** *Lamna nasus*
 - **Rig** *Mustelus lenticulatus*
 - **Blue Shark** *Prionace glauca*
 - **Spiny Dogfish** *Squalus acanthias*
 - **Northern Spiny Dogfish** *Squalus griffini*
 - **Smooth Skate** *Raja innominata*
 - **Rough Skate** *Raja nasuta*
- The Animal Welfare Act (1999) includes offence provisions that cover the finning of live sharks (with coverage including New Zealand nationals both within and outside of New Zealand fisheries waters); for example, Section 28 makes it an offence to wilfully ill-treat an animal such that it loses a body part. Schedule 6 of the Fisheries Act (1996) allows stocks of three shark species (**Mako Shark** *Isurus oxyrinchus*, **Porbeagle Shark** *Lamna nasus*, and **Blue Shark** *Prionace glauca*) that are commonly finned, to be returned to the sea alive after capture, if they are likely to survive on return to the sea.

1 a iv) advise whether they have domestic measures (e.g. laws or regulations) regulating the import or export of shark parts and products (fins, meat, skin, organs, etc.) and, if so, what those measures are.

Apart from legislation described above for the three shark species listed in the CITES appendices, including two in CMS appendices, there are no laws or regulations regulating the import or export of shark parts and products. The Fisheries Act (1996) requires commercial fish harvest to be landed to Licensed Fish Receivers, and domestic sales must be to authorised Dealers in Fish.

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