

Introduction

1. In accordance with international law as reflected in the United Nations Convention on the Law of the Sea of 1982 (UNCLOS), New Zealand legislation establishes, and regulates activities within, a territorial sea, contiguous zone, exclusive economic zone and continental shelf in the maritime area surrounding New Zealand. The principal legislation relating to these areas is the Territorial Sea, Contiguous Zone and Exclusive Economic Zone Act 1977, the Continental Shelf Act 1964 and the Fisheries Act 1996. Other New Zealand legislation also has specific application in whole or in part to some of these maritime zones.

2. The **territorial sea** is the belt of sea adjacent to the coast out to a distance of 12 nautical miles from prescribed baselines over which New Zealand, as the coastal state, has the same rights of sovereignty that it exercises over its land territory subject to the right of innocent passage (and transit passage through any straits used for international navigation) of ships of other states. "Innocent passage" excludes fishing activities.

3. The **contiguous zone** is a zone of 12 nautical miles beyond the territorial sea in which New Zealand, as the coastal state, may take action to prevent or punish any infringement of its customs, fiscal, immigration or sanitary laws or regulations applicable within its land territory or territorial sea.

4. The **exclusive economic zone (EEZ)** is a zone extending from the outer limits of the territorial sea to a distance of 200 nautical miles from the baselines of the territorial sea in which New Zealand, as the coastal state, has sovereign rights over the living and non living resources of the sea and seabed and other states have certain freedoms, including the freedoms of navigation and overflight.

5. The **continental shelf** is the seabed and subsoil of the submarine areas that extend beyond the territorial sea of a coastal state throughout the natural prolongation of its land territory to the outer edge of the continental margin. In New Zealand's case the continental margin extends beyond the EEZ in many places and the outer limits have been established on the basis of the recommendations of the United Nations Commission on the Limits of the Continental Shelf. Under UNCLOS, New Zealand exercises sovereign rights over the continental shelf for the purpose of exploring it and exploiting its natural resources. (The diagram on page 246 depicts the boundaries of the above zones, including, where applicable, the delimitation of the boundaries of the EEZ and continental shelf with Australia under the treaty of 25 July 2004. The delimitation of the maritime boundaries in the north with Fiji, Tonga and possibly France in respect of New Caledonia, have yet to be settled by treaty.)

Baseline of the Territorial Sea and EEZ

6. The baseline from which the breadth of the New Zealand Territorial Sea and EEZ is measured is the low water line around the coast of New Zealand and off-lying islands, and straight baselines across the natural entrance points of bays (not exceeding 24 nautical miles), estuaries and inlets to join points on the low water line.

Official Charts

7. The Territorial Sea, Contiguous Zone and Exclusive Economic Zone Act 1977 provides that for the purpose of the Act the line of low water for any area depicted on charts published under the authority of Land Information New Zealand shall be sufficient evidence of the low water mark. The outer limits of the New Zealand Territorial Sea and EEZ are indicated on special fishing charts, NZ 223F and NZ 224F and the small scale chart series. The outer limits of the Territorial Sea are also indicated on the coastal chart series.

Maritime Boundary Downloads

8. The New Zealand Maritime Boundaries described above are available in Shape file format from

www.linz.govt.nz/hydro/nautical-info/maritime-boundaries/downloads/index.aspx.

Shape files are in terms of WGS 84.

Where maritime boundaries or outer limits are downloaded, reproduced, derived or copied from LINZ material, the following acknowledgement note should be shown on any product or associated media:

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Policing the Zone

9. Aircraft of the RNZAF and ships of the RNZN are frequently engaged in surveillance activities in New Zealand's fisheries waters. The aircraft may illuminate or contact a vessel without notice. All commercial fishing vessels are required to set watch on HF SSB frequency 2182kHz or VHF channel 16 when approached by a New Zealand Government ship or aircraft, and must reply when called.

Note: Other vessels can also assist in surveillance work by reporting suspected infringements of the Territorial Sea and EEZ. Refer to para 12.

Infringements**Foreign Fishing Vessels**

10. Infringements in the 12 nautical mile Territorial Sea include:

- (a) Trawling by any vessel over 46 metres;
- (b) Fishing by any foreign vessel; and
- (c) Fishing in closed areas.

Note: Certain foreign vessels are permitted to fish within the EEZ. These vessels may be under charter to a New Zealand company or operating under a specific licence for a limited period.

Domestic Fishing Vessels:

11. Infringements in the 12 nautical mile Territorial Sea include:

- (a) Trawling by any vessel over 46 metres;
- (b) Fishing in closed areas and seasons;
- (c) Fishing using restricted or illegal methods;

Reporting Suspected Infringements

12. In the event of either scenario a report should be made to the Fisheries Communications Centre, Wellington, without delay by telephone: +64 4 801 5782, facsimile: +64 4 801 5381 or email fcc@fish.govt.nz.

As much of the following information as possible should be given:

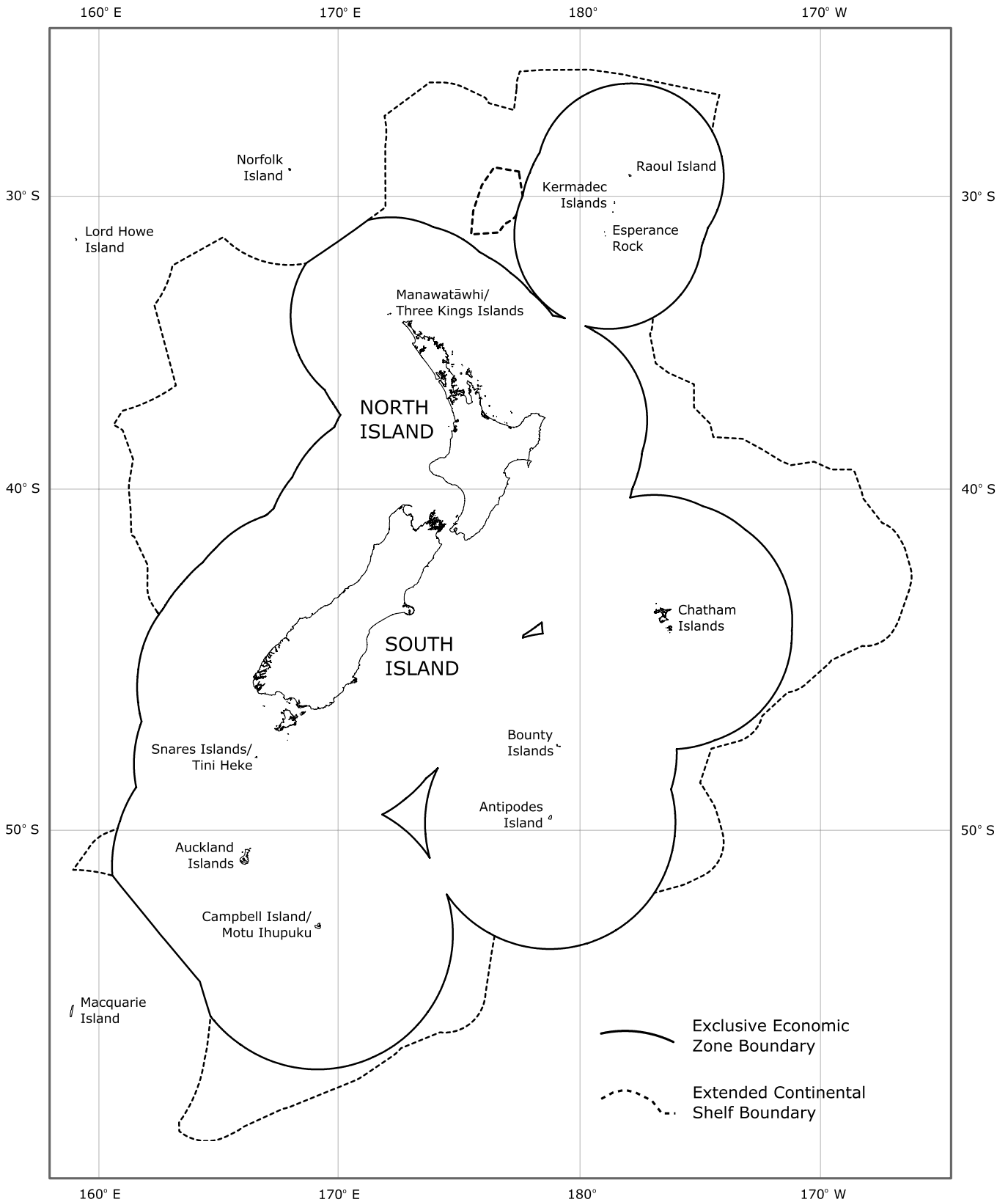
- (a) Date and time of sighting
- (b) Position of sighting (latitude and longitude to nearest second if possible)
- (c) Method of position fix
- (d) Description of vessel including type, name, callsign and any registration numbers
- (e) Direction and speed of vessel
- (f) Activity observed (i.e. fishing, steaming, etc).

If possible photographs should be taken and a written report made. Reporting vessels should not attempt to apprehend suspect vessels as they may be operating under a special licence.

To report any other suspicious or illegal activities, call 0800 4 POACHER (0800 4 76224) immediately.

For further information on regulations please contact your nearest Ministry of Fisheries office or visit www.fish.govt.nz

NEW ZEALAND EXCLUSIVE ECONOMIC ZONE AND EXTENDED CONTINENTAL SHELF



Authorities: Land Information New Zealand; Ministry of Fisheries