

Former *Annual New Zealand Notice to Mariners, No. 12*, published 1 July 2023 is cancelled. This is a repetition of the former Notice.

Authorities: Toitū Te Whenua Land Information New Zealand, Ministry for Primary Industries, Ministry of Foreign Affairs and Trade

### 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*, the *Fisheries Act 1996*, and the *Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012*. 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 and 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 at the end of this Notice 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 outer limits of the New Zealand Extended Continental Shelf (ECS) north of New Zealand are subject to the delimitation of boundaries with relevant countries.

### 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 Toitū Te Whenua 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 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/guidance/marine-information/maritime-boundaries/maritime-boundary-downloads](http://www.linz.govt.nz/guidance/marine-information/maritime-boundaries/maritime-boundary-downloads) or from the Toitū Te Whenua LINZ Data Service at <https://data.linz.govt.nz>

Shapefiles are in terms of WGS84.

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### Policing the Zone

9. Aircraft of the Royal New Zealand Air Force and ships of the Royal New Zealand Navy 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 2182 kHz 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 paragraph 12 below.

### Infringements

#### Foreign-owned New Zealand Fishing Vessels

10. Infringements in the 12 nautical mile Territorial Sea include:
- Trawling by any vessel over 46 metres;
  - Fishing by any foreign-owned New Zealand fishing vessel; and
  - Fishing in closed areas.

Note: Under certain conditions foreign vessels may be permitted to fish within the EEZ operating under a specific licence for a limited period.

#### New Zealand Fishing Vessels

11. Infringements in the 12 nautical mile Territorial Sea include:
- Trawling by any vessel over 46 metres;
  - Fishing in closed areas and seasons; and
  - Fishing using restricted or illegal methods.

#### Reporting Suspected Infringements

12. Reports of suspected infringements should be made to the Ministry for Primary Industries' National Communications Centre, Wellington, without delay by telephone: 0800 4 POACHER (0800 4 76224) or email [info@mpi.govt.nz](mailto:info@mpi.govt.nz).

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

- Date and time of sighting;
- Position of sighting (latitude and longitude to nearest second if possible);
- Method of position fix;
- Description of vessel including type, name, callsign and any registration numbers;
- Direction and speed of vessel; and
- 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 for Primary Industries office, see: [www.fisheries.govt.nz/contact-us/mpi-fisheries-offices](http://www.fisheries.govt.nz/contact-us/mpi-fisheries-offices).

New Zealand's Exclusive Economic Zone and Extended Continental Shelf Boundaries

