

Māori fishing rights

Māori fishing rights and the Whitebait Fishing Regulations 2021

Do Whitebait Fishing Regulations 2021 affect Māori whitebait fishing rights?

The Whitebait Fishing Regulations 2021 have never applied to Māori fishing rights. Māori fishing rights are guaranteed to tangata whenua under the Treaty of Waitangi and in the Conservation Act.

Māori whitebait fishing rights have always existed but may be more obvious due to DOC's introduction of a shorter season for non-customary fishing under the Whitebait Fishing Regulations 2021.

What are Māori fishing rights?

Māori fishing rights are founded on tikanga/custom, and potentially treaty settlements, and will vary between iwi, hapū and even whānau.

Māori fishing rights may include whitebait fishing occurring outside the DOC regulated whitebait season (1 September to 30 October), or fishing gear that differs from the DOC regulated standards.

Where does Māori customary fishing occur and who manages it?

Māori customary fishing takes place across the country. The local rūnanga, iwi or hapū manage Māori customary whitebait fishing in their rohe/area.

What does Māori customary fishing look like across the country?

Māori customary fishing setups, such as net styles and fishing times, may differ in different parts of the country.

What is DOC's approach to someone whitebait fishing who claims Māori customary rights/tikanga?

If there is no evidence that fishing is in accordance with custom:

- If the person appears to be in breach of the Whitebait Fishing Regulations 2021, they will be advised of this and any explanation they give will be recorded by DOC rangers.
- If no satisfactory explanation is provided, DOC may undertake further enquiries/information gathering, and compliance action may follow.
- Enquiries will be made with the local rūnanga, iwi or hapū to confirm if appropriate authority has been given.

Can someone fishing under customary rights sell the whitebait they have caught?

It depends on the nature of the customary fishing rights the fisher is exercising. Generally, commercial whitebait harvest and sale are unlikely to take place under Māori customary whitebait fishing.

Can whitebait be caught for hui/tangi?

Taking whitebait for the purpose of hui/tangi is specifically provided for in the Whitebait Fishing Regulations 2021, regulation 23.

How will DOC know that people fishing outside the regulated whitebaiting season have a Māori whitebait fishing right?

DOC rangers will engage with people whitebaiting outside the regulated season. When DOC rangers meet whitebaiters fishing under Māori fishing rights, DOC will work with the local rūnanga, iwi or hapū to confirm this.

www.doc.govt.nz/whitebaiting