

Summary of Underpinning Analysis: Sports Fish Licences, Fees, and Forms Notice 2026

Agency responsible	Department of Conservation
Portfolio	Hunting and Fishing
Date finalised	25 August 2026
Identification Number	Not Applicable

Good law-making: 9(i)

The importance of consulting, to the extent that is reasonably practicable, the persons or representatives of the persons that the responsible agency considers will be directly and materially affected by the legislation

Inconsistency identified? NO

Summary of agency analysis

The Department of Conservation is advised that the New Zealand Fish and Game Council has consulted with all regional Fish and Game Councils on the types of fishing licences that should be available to anglers, and the fees that should be charged for each type of licence, before recommending licence types and fees to the Minister for Hunting and Fishing. We understand that this consultation, and advice provided by the New Zealand Fish and Game Council, was undertaken in accordance with sections 26C(1)(b) and (e) and 26Q(1)(d)(ii) of the Conservation Act 1987.

Fish and Game Councils are comprised of members elected by sports fishing and game bird hunting licence-holders – that is, those who subsequently purchase the licences. The New Zealand Council is comprised of one member from each of 12 Fish and Game Councils nominated by each council.

Good law-making: 9(j)

The importance of carefully evaluating—

- the issue concerned; and
- the effectiveness of any relevant existing legislation and common law; and
- whether the public interest requires that the issue be addressed; and

- **any options (including non-legislative options) that are reasonably available for addressing the issue; and**
- **who is likely to benefit, and who is likely to suffer a detriment, from the legislation**

Inconsistency identified? NO

Summary of agency analysis

The Department of Conservation is satisfied that it is in the interests of sports fish anglers in Fish and Game Regions that this Notice be made.

In the absence of this Notice, no fishing licences could be issued by Fish and Game Councils, no anglers would be able to buy sports fishing licences nor fish for sports fish, and Fish and Game Councils would have no licence fee revenue to manage the sports fish resource.

The Conservation Act requires licence type and fee to be set through secondary legislation (sections 48(1)(k), 48A(1)(c) and (e), and 48A(2A) of Conservation Act). There are therefore no non-legislative options available to provide for sports fishing licences and determine their fees.

Good law-making: 9(k)

The importance of the responsible agency identifying and developing effective arrangements for implementing the legislation

Inconsistency identified? NO

Summary of agency analysis

This legislation is implemented by the Fish and Game Councils through the councils selling sports fishing licences via a national website or via local agents (using an agent portal into the same website) authorised by the Fish and Game Councils.

Good law-making: 9(l)

Legislation should be expected to produce benefits that exceed the costs of the legislation to the public or persons

Inconsistency identified? NO

Summary of agency analysis

The legislation provides for recovery of the costs of management of the sports fish resource for the benefit of sports fish licence holders. Fish and Game Councils are required to assess the costs that are attributable to the management of sports fish in accordance with section 26Q(1)(d)(i) of the Conservation Act.

Licence fee revenue must be spent in accordance with the functions of Fish and Game councils (section 26S(6) of Conservation Act).

Good law-making: 9(m)

Legislation should be the most effective, efficient, and proportionate response to the issue concerned that is available

Inconsistency identified? NO

Summary of agency analysis

The Notice provides an efficient, proportionate response to the need for sports fishing licences, in accordance with the requirements in the Act.

Rule of Law: 9(a)(i)

The law should be clear and accessible

Inconsistency identified? NO

Summary of agency analysis

The Notice clearly sets out the scope and effect of sports fishing licences, and the fees payable, in accordance with section 48A(2A) of the Conservation Act.

The scope and effect of licences, and the fees payable, are communicated to licence holders via the national website operated by the New Zealand Fish Game Council – both for direct online purchases by anglers and for licence sales via local sales agents.

Rule of Law: 9(a)(ii)

The law should not adversely affect rights and liberties, or impose obligations, retrospectively

Inconsistency identified? NOT APPLICABLE

Summary of agency analysis

The Notice contains no retrospective provisions.

Rule of Law: 9(a)(iii)

Every person is equal before the law

Inconsistency identified? YES

Summary of agency analysis

The Notice allows every natural person to purchase a fishing licence. Some licence categories distinguish between classes of licence holder, including distinctions based on age, family composition, and residency status. These distinctions reflect longstanding policy objectives such as encouraging youth participation in sports fishing and supporting intergenerational participation, encouraging participation among people

with lower incomes (such as youth and senior citizens), and reflect the value of fishing experiences for international tourists.

The family licence settings were reviewed during development of the 2026 Notice. The review concluded that no changes to the policy settings were required and that the current settings remain justified in light of their policy objectives.

Rule of Law: 9(a)(iv)

There should be an independent impartial judiciary

Inconsistency identified? NOT APPLICABLE

Summary of agency analysis

Rule of Law: 9(a)(v)

Issues of legal right and liability should be resolved by the application of law, rather than the exercise of administrative discretion

Inconsistency identified? NO

Summary of agency analysis

The Notice contains no provisions involving the exercise of administrative discretion.

Liberties: 9(b)

Legislation should not unduly diminish a person's liberty, personal security, freedom of choice or action, or rights to own, use, and dispose of property, except as is necessary to provide for, or protect, any such liberty, freedom, or right of another person

Inconsistency identified? NOT APPLICABLE

Summary of agency analysis

The Notice contains no provisions affecting liberties.

Taking of property: 9(c)

Legislation should not take or severely impair, or authorise the taking or severe impairment of, property without the consent of the owner unless-

- there is a good justification for the taking or severe impairment; and
- fair compensation for the taking or severe impairment is provided to the owner; and
- the compensation is provided, to the extent practicable, by or on behalf of the persons who obtain the benefit of the taking or severe impairment

Inconsistency identified? NOT APPLICABLE

Summary of agency analysis

The Notice contains no provisions affecting property.

Taxes, fees and levies: 9(d)**The importance of maintaining consistency with section 22(a) of the Constitution Act 1996 (Parliamentary control of taxation)**

Inconsistency identified? NO

Summary of agency analysis

The Notice implements the ability for the Minister to set the fees payable for sports fishing licences as provided for by section 48A(2A) of the Conservation Act.

Taxes, fees and levies: 9(e)**Legislation should impose, or authorise the imposition of, a fee for goods or services only if the amount of the fee bears a proper relation to the cost of providing the good or service to which it relates**

Inconsistency identified? NO

Summary of agency analysis

The Conservation Act requires that sports fishing licence fees be set at a level no more than that required to recover the costs attributable to the management of sports fish (section 26Q(1)(d)(i) and (ii) of Act).

Taxes, fees and levies: 9(f)**Legislation should impose, or authorise the imposition of, a levy to fund an objective or a function only if the amount of the levy is reasonable in relation to both—**

- the benefits that the class of payers is likely to derive, or the risks attributable to the class, in connection with the objective or function; and
- the costs of efficiently achieving the objective or providing the function

Inconsistency identified? NO

Summary of agency analysis

Fish and Game is funded almost entirely from sales of sports fishing and game bird hunting licences, and all licence revenue is directed to the functions of Fish and Game.

The Conservation Act requires that sports fishing licence fees be set at a level no more than that required to recover the costs attributable to the management of sports fish (section 26Q(1)(d)(i) and (ii) of Act).

Role of courts: 9(g)

Legislation should preserve the courts' constitutional role of ascertaining the meaning of legislation

Inconsistency identified? NOT APPLICABLE

Summary of agency analysis

Role of courts: 9(h)

Legislation should make rights and liberties, or obligations, dependent on administrative power only if the power is sufficiently defined and subject to appropriate review

Inconsistency identified? NOT APPLICABLE

Summary of agency analysis

Additional information

Relevant publicly available inquiry, review, or evaluation reports

Relevant international treaties, standards and obligations

Departures from the Legislation Guidelines

Other unusual provisions or features