

Appendix B - Themes raised in consultation on digital reporting for commercial fishing.

Key themes raised by stakeholders through the consultation of ER and GPR circulars and the final outcome in circulars based on consideration of feedback, requirements of the regulations and objectives of the Fisheries Change Programme.

Theme	Stakeholder feedback	Outcome
Daily report transmission	Industry feedback was that daily transmission was too costly and unwarranted.	As per the regulations, reports must be provided (i.e. transmitted) on the day that they are completed. The average cost to trawlers that are transmitting reports by satellite is understood to be less than 20c per day. There is no reason to expect that costs will be significantly higher for inshore and land based fishers who will have greater access to cellular/broadband transmission.
Alignment of provision time for all reports	Feedback noted that MPI should streamline the timing for when reports must be provided and make them more consistent.	To align timeframes, MPI will look to enable landing reports to be provided by the end of a day's fishing for all classes of fishers. This means that all reports can be provided at the end of the day. A day fisher may choose to transmit reports via a home based network.
Breakdowns and failures summary	Industry requests a clear process for managing system and transmission failure.	MPI is proposing to amend the regulations to enable it to respond to notifications of device failure, which will include the ability to impose conditions. Guidance will be provided on what to do in the event of equipment malfunction or transmission failure. Currently, operators of trawlers >28m notify MPI if this occurs.
Requirement for satellite GPR transmission	Feedback was that transmission 'from anywhere on the globe' will require a satellite transmission. Satellite transmission is costly and should not be required if a device operating on a 3G/4G network will do.	MPI has revised Circulars to require fishers to use a device capable of transmitting from where they are fishing.
Requirement to retain copies of reports	Industry feedback was that MPI should not require all reports to be retained for at least 7 years.	MPI proposes to remove the requirement for permit holders to keep electronic reports for 7 years, but would require them to retain a copy of reports for at least 90 days after the report is completed. To note; reports are business records and operators will need to consider how best to meet any tax/business record keeping requirements that apply.
Timeframes for recording events	Feedback from industry was that the timeframe for completing disposal reports is too short. It became apparent	For Fish Catch, Disposal and NFPS Reports, MPI proposes that a consistent timeframe applies for completing and providing all three reports. A different timeframe applies to Disposal reports

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	<p>that the timing for disposals was misunderstood.</p> <p>Less than 28m processing trawlers made a case for more time for reporting.</p> <p>Cockle harvesters noted that they sort all taken materials in their operational sheds.</p>	<p>completed on factory vessels; these will completed on a 24 hr basis.</p> <p>The timeframes that apply to providing processing reports will apply to all vessels that are required to provide that report regardless of vessel size.</p> <p>If cockle harvesters are unable to meet the timeframes for reporting and maintain current practices, they will be able to apply for an exemption.</p>
New gear fields	Industry requested that more fields be added to better reflect fishing effort and gear in use.	A small number of new fields have been added to the revised circulars, where they have been supported or requested by industry. Some of the current fields that are no longer required have been removed. The intent was to introduce minimal number of new fields while fishers adjust to the new reporting system. Once implemented, MPI will consider new gear fields that should be added.
Reporting safely	Industry feedback highlighted that there may be health and safety considerations relating to the regulations that time and position co-ordinates within a Catch Report must be recorded 'immediately' and during fishing.	The revised circulars make it clear that time and position co-ordinates must be recorded immediately, but so that generally no data is to be captured during the setting or retrieval of gear. MPI will develop guidance that includes examples of reasonable controls for safely meeting reporting requirements. Ultimately skippers, crews and the companies of which they are employees are responsible for workplace and vessel safety.
Fishery by fishery approach to Catch Reports	Industry sought a fishery-specific lens on the trigger for Catch Reports. There were specific suggestions for 'clustering' a natural fishing event in a different way, and/or using a scale that is greater than one nautical mile.	<p>MPI gave additional consideration to the overall reporting impact for fishers given current practices and what will be required under the new regulations. Some of the triggers for Catch Reports were redefined.</p> <p>Generally less time is likely to be needed to complete Catch Reports electronically, as it is expected that the majority of fields will be auto or pre populated. However, where more fine scale Catch Reporting is a requirement, the number of reports may increase. It is expected that reporting time will be equal or reduced in all fisheries however there may be edge cases where greater reporting times occur.</p>

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Vessels less than 6m in length	<p>Feedback suggested that it will be difficult to capture data in near real-time from a small vessel. Feedback raised potential implications associated with real-time reporting specifically around workplace safety and costs to fishers.</p> <p>Feedback was that requirements should reflect particular constraints for very small vessel operators, or that this class of fishers should be exempt from ER and GPR.</p>	<p>Small vessel fishing is generally concentrated close to coastal and harbour environments and can often have interactions with protected species and their habitat. Small vessels are also more likely to be operating in fisheries that are shared by commercial, recreational and customary fishers. For these reasons more fine scale data is required.</p> <p>MPI expects that suitable technology will be available to enable reporting from small vessels. Operator safety and wellbeing is paramount, and small vessel operators should consider controls that allow for this (see Reporting Safely).</p>
Reporting on everything that is caught	<p>Industry feedback was that it wouldn't be practical to estimate the weight of the top 10 species and want more clarity on methods for estimating catch.</p>	<p>Fish Catch reports will require the estimated weight of the top eight species, regardless of whether they are QMS species or not (reduced from ten)¹. Three clear ways to estimate catch are described in the revised circulars.</p>
Reporting on all catch that is disposed of or landed	<p>Industry asked for clarification of when a Disposal Report is required.</p> <p>Some parts of industry who have not previously reported on sub-MLS fish or non-QMS fish fed back that this was not reasonable.</p> <p>They suggested thresholds be put in place to cap the number of species reported, or that fish can be reported in aggregate.</p>	<p>The Disposal Report is a summary of all catch that is disposed of i.e. is not with a vessel or fish at the end of a trip and is not otherwise captured by a NFPS Report. MPI proposes to amend the regulations to require Disposal Reports to be completed in most cases 8 hours after a fishing event ends, as by that time catch will generally have been sorted into what will be disposed of and what will be landed.</p> <p>Some species can be reported in aggregate as class codes, and MPI will highlight these for fishers.</p> <p>Reporting all catch, including sub-MLS fish, will improve understanding of the interactions between fishing methods, targeted and caught species and impact on the broader marine environment. Reporting needs to be practical and MPI can consider exemptions if a reporting requirement is unduly impracticable.</p>
Predated fish	<p>Industry gave feedback about reporting on predated fish, particularly in relation to ACE. Reporting on predated fish is currently required but expectations are not very clear, and are poorly understood by many fishers.</p>	<p>Predated fish may be further considered through any future policy work on landings and disposals. As an interim position, MPI requires that:</p> <ul style="list-style-type: none"> - only fish that are predated to the extent that they have no sale value should be coded as predated - any fish that is going to be reported under this code must be retained (must not be returned to the sea) - predated fish must be landed via an LFR - greenweight should be the weight of what remains

¹ Note that the requirement for trawlers >28m is to report the top 5 QMS and top 3 non-QMS species.

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		- fish coded as predated will count against ACE
Considering some of the current rules for discarding fish	Industry would like MPI to consider new rules for discarding: a) high-graded fish when that supports better management of a fishery; b) contaminated fish at sea (e.g. lice infested); and c) netted catch that is technically taken but is released to avoid taking NFPS such as mammals and protected sharks. Industry have asked for transition arrangements for these scenarios if there is a significant delay between changes to the rules for discarding fish and new reporting requirements.	<p>The rules for legally discarding fish may be revisited through future policy work on landings and discards.</p> <p>MPI will consider scenarios flagged by industry, and the pros, cons, need and mechanisms for interim arrangements for legally discarding in these scenarios.</p>
NFPS reporting	<p>Industry have asked for clarity on the timing for NFPS reporting.</p> <p>They want to quantify benthic material by weight rather than count. Some commented that guidance on identifying NFPS could be improved.</p>	<p>NFPS Reports are now separate from Catch Reports and, with the exception of reporting deckstrikes, must be completed within the same timeframe as Fish Catch reports. Reporting of deck strikes should be completed as soon as the operator becomes aware of NFPS Catch. NFPS Reports must be provided by the end of the day.</p> <p>All seabirds, marine mammals, reptiles, protected species will need to be counted. Sponges, corals and bryozoan material will be estimated by weight to the nearest kilo. MPI never intended that benthic material would be reported as a count.</p> <p>MPI will consider how it can better communicate guidance on classifying NFPS.</p>
Data continuity	Stakeholders' feedback highlighted a risk that long term data series could be lost with the modifications to catch and effort reporting fields.	There will be an impact on data continuity as a result of changes to how fishers report (reporting behaviour). This is likely and unavoidable. MPI has taken steps to ensure that data continuity will not be significantly impacted by changes to reporting fields.
Offences and penalties summary	Industry concerned that new regulations are likely to result in increased detection of offending.	MPI acknowledges a higher likelihood of detection of offending under the new regulations. A review of the offences and penalties framework may be undertaken as part of the future policy work relating to landings and discards.
Implementation summary	Industry requests a high-level of implementation support from MPI.	MPI has a planned programme of implementation support including, but not limited to, the development of guidance materials, early trials/tests (potentially early adoption) to test operationalisation of the changes, regional roadshows to explain the changes to fishers, and is

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		looking into the feasibility of a phased implementation approach to enable 3 rd party technology providers and MPI to better support impacted parties implement the changes.
When GPR must be operated	<p>Industry view is that using GPR to track a vessel from storage location would impinge on privacy and that it would be operationally difficult due to drain on battery supply.</p> <p>Eel fisher feedback was that should not be required when they are on private land.</p>	<p>MPI has revisited when a GPR device must be turned on. The device must be on when a vessel is on the water and first powered on. It must remain on until powered off at berth/mooring (with access by formed road) or is removed from the water.</p> <p>For fishers not using a vessel, the device must be on from when the fisher leaves the vehicle, until fishing activity is complete (including for eelers). It can be turned off overnight when no fishing activity is occurring. The intent is that Fishery Officers will know where they can connect with fishers following fishing activity.</p>
Compatibility with existing VMS systems summary	Industry requests information that clearly states what equipment is acceptable and will still meet regulations. Circular wording amendment to clearly and accurately reflect what will meet requirements.	MPI has confirmed that ALCs can continue to be used and will meet the GPR requirements. No action is necessary on the part of fishers in relation to this.
GPR on tenders	Industry feedback was that GPR devices should not be required on tenders, or should be transferrable between the mothership and the tender (wherever the fishing activity is occurring).	GPR reporting is required to complement the catch reporting information under the digital monitoring programme. GPR is required on both the mothership and tender whenever the tender is untethered and used for fishing activity. This is so that the tender cannot be used to masquerade as the mothership and tranship fish or fish in an undisclosed location.
GPR device portability	Industry have requested that MPI allow for portable devices as Tech providers are developing combined GPR and ER devices that will allow for this. Fishers using trailer-able vessels may want to remove GPR and ER equipment to keep it secure, and transmit ER reports from home. Fishers with a 'fleet' of small vessels want a GPR they can use on whichever vessel is used that day rather than purchase a separate GPR device for each vessel.	<p>Portable and removable devices are to be enabled to allow mobile GPR devices to be removed from a vessel without notifying MPI's Director General, and on multiple vessels or when fishing without a vessel is allowed, providing vessels are: 1) less than 6m* in length, and; 2) are not fishing at the same time.</p> <p>*A length class was considered best for this requirement as trailer-able vessels can be large and take significant catch and should have an exclusive GPR device associated with them. 'Vessels 6m or less' are used in other rules and regulations to distinguish a class of small vessels. This change will also allow mobiles device to be used when fishing without a vessel.</p>

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Data ownership	Stakeholders queried why the circulars specified that MPI owned the data provided.	The intent was to make clear that once transmitted, GPR data could not be viewed or shared by the fisher without MPI's consent. A fisher's ability to view their own GPR data could allow them to avoid detection of illegal behaviour. This has been covered by other sections of the circular and the reference to ownership has been removed.
Certainty of transmission	Tech providers' feedback was it was unreasonable to require that <i>all</i> transmitted data was received in ten minutes.	MPI considered options to set an error rate for transmission but setting a meaningful threshold was difficult prior to systems being tested. MPI will revise the circular to state the intent, that data must be transmitted immediately from one communication provider to another and immediately from the principal communication provider to MPI.

Fishing method/class	Existing requirements for paper-based reporting			Requirement in Circulars for event-based reporting		
	Event	Spatial scale*	Number of Positions	Event	Spatial Scale*	Number of Positions
Trawl <28m	Per trawl	N/A	Start position only	Per trawl	N/A	Two positions required (start/end tow)
Netting >6m	Clustered	2NM	Start position only	Reporting is the same for all netting vessels regardless of size Clustered – set net and pair set net Per net set – ring net and drift net	1NM – set net and pair set net	Four positions required (start/end set and start/end haul) – set net and pair set net
Netting <6m	Daily – total length of nets hauled	Statistical area	No positions required		N/A – ring net and drift net	Three positions required (start/end set and end haul) – ring net and drift net
Lining <6m	Daily – number of hooks/sets hauled	Statistical area	No positions required		Reporting is the same for all lining vessels regardless of size	N/A
Lining 6-28m	Clustered	2NM	Start position only	Per line set	1NM	Two positions required (start/end haul)
Lining >28m	Per line set	N/A	Start position only			
Dahn line	Daily – number of hooks/sets hauled	Statistical area	No positions required	Clustered	1NM	Two positions required (start/end haul)
Rock lobster (potting)	Daily	Statistical area	No positions required	Clustered	10NM	Two positions required (start/end haul)
Freshwater eel fishing (potting)	Daily	Statistical area	No positions required	Clustered	Sub-statistical area	Two positions required (start/end haul)
Blue cod (potting)	Daily	Statistical area	No positions required	Clustered	2NM	Two positions required (start/end haul)

Potting – all other species (scampi, crab, ling, octopus)	Daily	Statistical area	No positions required	Clustered	1NM	Two positions required (start/end haul)
Diving	Daily for each paua diver For all other species, a combined total for all divers	Statistical area	No positions required	New event required if target species or diving method changes	N/A	Two positions required per dive of individual diver (start/end dive)
Seining	Daily – number of sets/shots	Statistical area	No positions required	Per set – purse seine, Danish seine, beach seine and lampara Clustered – dip net and scoop net	N/A – purse seine, Danish seine, beach seine and lampara 1NM – dip net and scoop net	Two positions required for all methods (start set and end of shot or final lift)
Hand-gathering	Daily – hours spent fishing	Statistical area	No positions required	Clustered	1NM	Two positions required (start/end of gathering)
Dredging – Bluff oyster fishery	Daily – number of shots completed	Statistical area	No positions required	Clustered	Existing 1NM fixed grid used for industry reporting	Two positions required (start of first set and end of final haul)
Dredging - scallops	Daily – number of shots completed	Statistical area	No positions required	Clustered	1NM	Two positions required (start of first set and end of final haul)
Dredging – other species	Daily – number of shots completed	Statistical area	No positions required	Clustered	1NM	Two positions required (start of first set and end of final haul)
Mechanical harvesting	Daily – hours spent fishing	Statistical area	No positions required	Clustered	1NM	Two positions required (start/end of harvesting)

Troll	Daily	N/A	No positions required	New report each time lines in/out of water	N/A	Two positions required (lines in/out)
Hand line / pole and line	Daily	N/A	No positions required	Clustered	2NM	Two positions required (lines in/out of water)
Surface longlining	Set by set	N/A	Start/end set positions required	Per line set	N/A	Four positions required (start/end set and start/end haul)
Squid jigging	Daily	N/A	One position required	Per drift	N/A	Two positions required (start/stop of jig machines)

*Where appropriate, “statistical area” applies to the specific area used to manage that species (Paua, Rock Lobster, Oyster, Scallop and eel).