



# Addition of new destination type code

MPI Discussion Paper No: 2013/12

ISBN No: 978-0-478-40577-4 (online)  
ISSN No: 2253-3907 (online)

March 2013

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# 1 Introduction

This discussion paper provides the Ministry for Primary Industries (MPI's) initial views on proposals to amend the Fisheries (Reporting) Regulations 2001 as they apply to fish or fish product returned to the sea under section 72(5)(c) of the Fisheries Act 1996 (the Act). The views and recommendations outlined in the paper are preliminary and are provided for the purpose of consultation with tangata whenua, industry and other stakeholders.

The purpose of the review is to consider the addition of a new reporting code 'J' to:

- a) allow for fisheries managers to monitor the use of the section 72(5)(c) provision; and
- b) increase clarity around quantities of fish accidentally lost at sea and those legally discarded in the presence of an observer or fishery officer.

## 1.1 CONSULTATION

Tangata whenua, the industry and other stakeholders are encouraged to provide additional information of relevance to, and their views on, these proposals. Submitters' points will be included in final advice to the Minister for Primary Industries on these issues.<sup>1</sup>

Written submissions can be sent in until **Tuesday 7 May 2013** and should be directed to:

Deepwater Fisheries Management  
Ministry for Primary Industries  
PO Box 2526  
WELLINGTON 6140  
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<sup>1</sup> All submissions are subject to the Official Information Act 1982 (OIA) and can be released, if requested under the OIA. If you have specific reasons for wanting to have your submissions withheld, please set out your reasons in the submission. MPI will consider those reasons when making any assessment for the release of submissions if requested under the OIA.

## 2 Proposals

MPI proposes to add a new destination type code ('J') to Part 6 of Schedule 3 of the Fisheries (Reporting) Regulations 2001 to apply to 'fish or fish product returned to the sea under section 72(5)(c) of the Fisheries Act 1996'.

### 2.1 STATUS QUO

Under the Fisheries (Reporting) Regulations 2001, a destination type code must be reported on all landing forms in order to monitor what happens to all fish taken in New Zealand waters.

Currently, destination type code 'A' is used to report fish or fish product of species subject to the Quota Management System (QMS) that are returned to, or abandoned in, or accidentally lost at sea. This includes both accidental losses (from torn nets or nets abandoned for safety reasons), and returns of QMS species to the sea under the observation and authorisation of an MPI observer or Fishery Officer.

### 2.2 THE ISSUE

The use of the 'A' reporting code makes it impossible for fisheries managers to differentiate between accidental losses and returns made under the observation and authorisation of an MPI observer or Fishery Officer. While neither of these comprises a large proportion of commercial landings, it is important for fisheries managers to be able to monitor the extent of observer-authorized returns, as changes in the use of this provision may indicate a change in fishing behaviour that, in turn, may indicate a need for management actions.

All fish returned to the sea under this provision are currently recorded in detail by Ministry observers, however this data is stored separate to the commercial landings database, making it difficult to match up and align quantities. Adding a new reporting code would make it easier to quantify authorised discards and have the information available in the commercial landings database.

### 2.3 OBJECTIVE

There are three main objectives of this proposed new reporting code:

1. So that destination type reporting codes accurately reflect the ultimate fate of all fish taken in New Zealand waters
2. To enable fisheries managers to accurately monitor the use of the observer authorised discard provision
3. To differentiate between accidental losses and those returned to the sea under this provision.

## 3 Relevant Fishery Information

The addition of a new reporting code is relevant to all New Zealand fisheries. However, as the new code would only be used by those making use of the observer authorised discard provision, only vessels that regularly carry observers are likely to use it.

## 4 Management option analyses

The analysis of options discusses the potential impact on customary, recreational and commercial fishers.

<b>Option 1 (<i>status quo</i>)</b>	Maintain the current destination type codes listed in Part 6 of Schedule 3 of the Fisheries (Reporting) Regulations 2001.
<b>Option 2 (<i>Preferred option</i>)</b>	Add a new destination type code ('J') to Part 6 of Schedule 3 of the Fisheries (Reporting) Regulations 2001 to apply to 'fish or fish product returned to the sea under section 72(5)(c) of the Fisheries Act 1996'.

## 4.1 OPTION 1 – STATUS QUO

Option 1 would retain the existing destination type codes for reporting on landing forms.

### 4.1.1 Impacts

Option 1 has no impacts on the industry, customary or recreational fishers.

### 4.1.2 Costs

Continued inability of fisheries managers to accurately monitor the use of the observer authorised discard provision, and lack of information on the true final destination of fish caught in New Zealand waters.

### 4.1.3 Benefits

MPI considers there are no benefits from retaining the status quo.

## 4.2 OPTION 2 – ADDITION OF A NEW DESTINATION TYPE CODE

Option 2 would add a new destination type code ('J') to Part 6 of Schedule 3 of the Fisheries (Reporting) Regulations 2001 to apply to 'fish or fish product returned to the sea under section 72(5)(c) of the Fisheries Act 1996'.

Note that all fish reported under the proposed ('J') code would be counted against a fisher's Annual Catch Entitlement, as is currently the case for fish reported under the 'A' code. This is required by section 72(5)(c) of the Fisheries Act.

### 4.2.1 Impacts

Under this option those fishers who return fish to the sea under the observation and authorisation of an MPI observer or fishery officer must report these quantities under the new 'J' code instead of 'A'.

### 4.2.2 Costs

MPI considers there are no costs to the addition of a new destination type code.

### 4.2.3 Benefits

The addition of a new reporting code enables fisheries managers to more accurately monitor the destination of all landings in New Zealand waters, cross-check reporting, and will contribute to science analyses that underpin fisheries management.

## 5 Proposal

To add an additional Destination type code to Part 6 of Schedule 3 of the Fisheries (Reporting) Regulations 2001 to apply where fish or fish product is returned to the sea under section 72(5)(c) of the Fisheries Act 1996.

## 6 Monitoring and Review

Fish returned to the sea under section 72(5)(c) is currently reported only by the observer or fishery officer authorising the return. To monitor use of the new reporting code, these records will be compared to those quantities reported under code 'J' to ensure that accurate reporting on landing forms is continuing.

## 7 Conclusions

The proposals presented in this paper are intended to improve the information available to inform fisheries management in New Zealand.

MPI's preferred option is Option 2, the addition of a new destination type code.

Tangata whenua, industry and other stakeholders are encouraged to provide their views on, and additional information of relevance to, the proposals outlined in this paper. Submissions will be reflected in final advice to the Minister. Any changes resulting from the Minister's decisions would take effect following Cabinet's confirmation of the Minister's decisions, on 1 October 2013.

In providing submissions, stakeholders should provide information on:

- any use, economic, social and cultural factors that may be relevant in assessing the management options;
- if the situation as described by MPI is an accurate reflection of fishers experiences;
- if there are any alternative options worth considering;
- have the key features and impacts of each option been accurately set out.