

Appendix One: Table on specific policy proposals

Proposal	Details
<i>Part 1: proposals to improve responsiveness and flexibility in the fisheries management system</i>	
<i>Multi-year Catch Limits</i>	<p><u>Proposal:</u></p> <ul style="list-style-type: none"> • I propose to consult on two types of multi-year catch limits: phased adjustments, and temporary adjustments. These would enable a catch limit to be adjusted more than once in a given multi-year period from a single Ministerial decision. • Multi-year catch limits would have a maximum tenure of five years, and the Minister would still be enabled to make additional catch limit decisions via the standard catch limit setting process if circumstances suggest other changes should be made. <p><u>Outcomes:</u> A multi-year catch limit decision would:</p> <ul style="list-style-type: none"> • provide increased certainty to fishers and others around future catch limit adjustments, which will allow businesses to plan ahead with more confidence; • alleviate the time and resource intensity of the current annual sustainability round process, which will create opportunities to focus on other fisheries issues; and • increase the efficiency and responsiveness of the catch limit setting process through programmed change.
<i>Management procedures</i>	<p><u>Proposal:</u></p> <ul style="list-style-type: none"> • I propose to consult on enabling the Minister to approve management procedures that provide the basis for adjusting catch limits for a given period (up to five-years). Procedures would be subject to stakeholder consultation prior to approval. They could apply to the total allowable commercial catch only, or also provide for adjusting catch limits and allocations in fisheries that are shared amongst customary, recreational and commercial fishers. • Powers to adjust a limit within the bounds of the procedure approved by the Minister would be delegated to the Ministry for Primary Industries (MPI) Chief Executive and would not require further review and consultation with stakeholders. • The Fisheries Act 1996 (the Act) could outline the potential scope and content of management procedures (for example, stock objectives, a biomass target (if any), performance measures, an equation that determines a catch limit based on the measures and provision for exceptional circumstances). The management procedures themselves would be set out in secondary legislation. <p><u>Outcomes:</u> Management procedures would:</p> <ul style="list-style-type: none"> • improve responsiveness by enabling quick responses to changes in fish stock abundance; • provide a long-term, approach to managing the relevant stocks by agreeing in advance when and how catch limits will be adjusted, which increases certainty and efficiency in the system; and

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	<ul style="list-style-type: none"> • give fishers, tangata whenua, and interested parties a role in setting the strategy for stock management and factors that inform future TAC changes.
<p><i>Management of low knowledge stocks</i></p>	<p><u>Proposal:</u></p> <ul style="list-style-type: none"> • I propose to consult on changes to improve the process for setting and adjusting catch limits for low knowledge stocks. • This would create a new catch limit setting provision that could be used when the Minister is satisfied it is not possible to manage the stock under section 13 of the Act, because the best available information cannot provide an estimate of stock status or reliable index of abundance, and setting a catch limit under the new provision would better meet the purpose of the Act. • I also propose to consult on implementation options for managing low information stocks, including whether relevant fish stocks should be listed in a Schedule or Notice, or if the Minister should have broad discretion to apply the new provision to any stock (if they are satisfied it is not possible to manage the stock under section 13 of the Act). <p><u>Outcome:</u> Improving management of low knowledge stocks would:</p> <ul style="list-style-type: none"> • allow for the more active management of low information stocks to better ensure sustainability and provide for use; and • increase efficiency and certainty by better aligning legislative requirements with information, value and risks to a particular stock.
<p><i>Better integration of social, cultural and economic factors when adjusting catch limits</i></p>	<p><u>Proposal:</u></p> <ul style="list-style-type: none"> • I propose to consult on amending the Act so that the Minister shall have regard to any social, cultural, and economic factors the Minister considers relevant, alongside biological characteristics, environmental factors, and interdependence of stocks when setting or varying a catch limit (including deciding on the appropriate rebuild period for a stock). <p><u>Outcomes:</u> Better integration of social, cultural and economic factors when adjusting catch limits would:</p> <ul style="list-style-type: none"> • better provide for utilisation while ensuring sustainability by broadening the considerations for setting a catch limit to ensure all relevant factors, including social, cultural, and economic, can be taken into account; • create more transparency and certainty for stakeholders around decision-making; and • ensure the Ministers has appropriate discretion when weighing up benefits and risks of a decision.
<p><i>Recognition of non-regulatory measures</i></p>	<p><u>Proposal:</u></p> <ul style="list-style-type: none"> • I propose to consult on clarifying the Minister's ability to consider non-regulatory (voluntary) measures when deciding on the need for, and extent of, changes to sustainability measures (including setting a catch limit). • The two options I propose to consult on are: <ul style="list-style-type: none"> ○ 1) providing the Minister with discretion to recognise any non-regulatory measure, and ○ 2) a requirement that the Minister must consider annual catch entitlement (ACE) shelving and catch spreading.

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	<ul style="list-style-type: none"> When considering a measure under option 1), a range of factors (for example, effectiveness, stock status, maintaining system integrity, and robustness) could be specified to support the exercise of ministerial discretion when making sustainability decisions. <p><u>Outcomes:</u> Recognition of non-regulatory sustainability measures would:</p> <ul style="list-style-type: none"> provide incentives for industry to be more responsive to changes in stock abundance; and create greater certainty about management outcomes for industry.
<p><i>Differential ACE carry-forward</i></p>	<p><u>Proposal:</u></p> <ul style="list-style-type: none"> I propose to consult on providing greater flexibility to fishers to carry-forward more ACE when doing so does not create a sustainability risk. To do this, I propose to consult on two options: <ul style="list-style-type: none"> 1) increase the ACE carry-forward limit from ten percent to 15 percent across all eligible stocks, and 2) Allow for a one-off increase in carry forward in exceptional circumstances for a single year where quota owners of more than 75 percent of quota shares in a stock agree. <p><u>Outcomes:</u> The changes to ACE carry-forward would:</p> <ul style="list-style-type: none"> provide more flexibility regarding when ACE can be carried forward; and reduce the economic impacts on fishers from one-off adverse events.
<p><i>Allowing ACE carry-forward for rock lobster</i></p>	<p><u>Proposal:</u></p> <ul style="list-style-type: none"> I propose to consult on two options to enable the carry-forward of uncaught ACE for rock lobster stocks to the subsequent fishing year. The options are <ul style="list-style-type: none"> 1) removing rock lobster from Schedule 5A, which would automatically allow rock lobster ACE holders to carry forward up to ten percent of ACE to the subsequent fishing year, or 2) a bespoke arrangement with the rock lobster industry which would enable up to ten percent of ACE to be carried forward into the subsequent fishing year. This would be for a quota management area, for a particular year only, at the initiative of industry, and with the support of at least 75 percent of quota owners in the area. <p><u>Outcomes:</u> Enabling ACE carry-forward for rock lobster will:</p> <ul style="list-style-type: none"> provide more flexibility for when ACE can be carried forward; and reduce the economic impacts on fishers when they are not able to use all of their ACE in a fishing year.

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<i>Part 2: on-board cameras</i>	
<i>Enhancing privacy protection</i>	<p><u>Proposal:</u></p> <ul style="list-style-type: none"> • I propose to consult on two options to enhance protection for footage from on-board cameras. • The options are: <ul style="list-style-type: none"> ○ 1) working with the Ombudsman to clarify their approach to releases of camera footage, and ○ 2) introducing an exemption in the Act that specifies that the Official Information Act 1982 does not apply to the on-board camera footage held by MPI. <p><u>Outcomes:</u></p> <p>Enhancing protection for on-board camera footage would provide greater certainty for fishers that their private and commercially sensitive information will be protected.</p>
<i>Changes to the scope of on-board cameras</i>	<p><u>Proposal:</u></p> <ul style="list-style-type: none"> • I propose to consult on removing the requirement for bottom longline vessels greater than or equal to 32 metres to operate on-board cameras. Under this option observer coverage would be maintained and use of mitigation devices such as weighted lines would continue. • I also propose to consult on removing the requirement for set net vessels using the mothership and tender model to operate on-board cameras, and to remove the requirement for vessels less than eight metres using a bottom longline methods to operate on-board cameras (other vessels less than eight metres are already excluded from the camera requirements). • I propose to consult on these changes alongside the status quo. <p><u>Outcomes:</u></p> <p>Changes to the scope of on-board cameras would:</p> <ul style="list-style-type: none"> • ensure the programme is workable and fit for purpose across different fishing fleets; and • help provide for cameras to be effectively rolled out to inshore vessels.
<i>Clarifying when cameras must be in use</i>	<p><u>Proposal:</u></p> <ul style="list-style-type: none"> • I propose to consult on clarifying that cameras do not need to be operated when vessels are at anchor, drifting or powered down. <p><u>Outcomes:</u></p> <p>Clarifying when cameras must be in use would:</p> <ul style="list-style-type: none"> • ensure the programme is cost effective by reducing the amount of footage that needs to be transferred and stored; and • provide fishers with more certainty that their activity is not being recorded when it is not necessary to monitor and verify fishing.

<i>Part 3: other regulatory improvements</i>	
<i>Suspension of a fishing permit for non-payment of deemed value</i>	<p><u>Proposal:</u></p> <ul style="list-style-type: none"> I propose to consult on changing the monetary threshold element of the criteria that triggers suspension of a fishing permit for non-payment of deemed value from \$1,000 to \$2,000. <p><u>Outcomes:</u></p> <p>Changing the monetary threshold for the suspension of a fishing permit for non-payment of deemed value would:</p> <ul style="list-style-type: none"> reduce the deemed value payment requirements to avoid the risk of suspension; and ensure fishers continue to meet their payment obligations by maintaining the current payment timeframes.
<i>Part 4: implementing new rules for commercial fishers that set out when QMS fish must be landed and when they can be returned to sea</i>	
<i>Allowing fishers to return QMS species to sea when they are monitored by a fishery observer or on-board cameras</i>	<p><u>Proposal:</u></p> <ul style="list-style-type: none"> Per Cabinet agreement [CAB-24-MIN-0353 refers], I propose to allow commercial fishers to return any QMS species to the sea if the returns are monitored by an observer or on-board camera system. Returns would be counted against a fisher's ACE. To minimise verification and reporting complexities, I propose to remove some existing landing exceptions for species where they have a low likelihood of survival. These species would be able to be returned when they can be monitored but will otherwise need to be landed. For some methods the exception is proposed to remain until reviewed. I also propose to consult on minor amendments to the landing and discard rules, including: <ul style="list-style-type: none"> simplifying the legislative process for the required reviews of finfish minimum legal size exceptions; amending the defence provision for fishery officer authorised returns; and introduce a new provision to enable fish to be deliberately released live at depth when using fishing gear or technology to release fish in a way that the fish have a high chance of survival. <p><u>Outcomes:</u></p> <p>Enabling monitored returns of QMS species would:</p> <ul style="list-style-type: none"> make better use of on-board cameras, which provides greater certainty of fisher reported data; enable a more flexible system and better recognise the complex nature of fisheries; and reduce operating costs for fishers associated with landing and processing unwanted QMS catch.