



As of 21 September 2021

Fisheries Regulatory System

The Fisheries Regulatory System provides for the regulation of New Zealand's commercial, recreational, and customary fishers and ensures that our fish stocks are managed sustainably.

The regulatory system includes laws about the application and administration of the Quota Management System; the allocation of total allowable catch between customary, recreational, and commercial fishers; and avoiding, remedying, or mitigating any adverse effects of fishing on the aquatic environment.

Objectives

- > New Zealand's fisheries are sustainably managed
- > Commercial, recreational, and customary fishers have access to marine resources

PORTFOLIO	Fisheries
STATUTES	Fisheries Act 1996 (Sections 56 to 57J – Overseas Investment Office. The rest – MPI) Kaikoura (Te Tai o Marokura) Marine Management Act 2014 Māori Commercial Aquaculture Claims Settlement Act 1992 Māori Fisheries Act 2004 Marine Reserves Act 1971 (Department of Conservation) Resource Management Act 1991 (Ministry for the Environment) Treaty of Waitangi (Fisheries Claims) Settlement Act 1992
OTHER GOVERNMENT AGENCIES WITH SUBSTANTIAL ROLES	Department of Conservation Maritime NZ Ministry for the Environment



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Planned regulatory amendments to legislation – 2021/2022

MATTER NAME	POLICY IMPLEMENTATION	PLANNED CONSULTATION	STATUS
<p>Fisheries Amendment Bill</p> <p><i>Matter type: Bills</i></p>	<p>Amends policy settings relating to:</p> <ul style="list-style-type: none"> • which fish must be landed to port and which can be returned to the sea; • the offences and penalties regime to ensure it is fair and appropriate; and • fisheries decision-making processes to streamline them. <p>It also makes technical amendments including enabling camera placement to view discarding and processing of fish.</p>	<p>Public consultation on a discussion document was completed in February 2019.</p>	<p>Cabinet approved</p>
<p>Māori Fisheries Amendment Bill</p> <p><i>Matter type: Bills</i></p>	<p>To improve governance arrangements under the Māori Fisheries Act 2004, and the delivery of settlement assets to Māori.</p>	<p>Legislative processes are anticipated for 2021.</p>	<p>Cabinet approved</p>
<p>Māori Commercial Aquaculture Claims Settlement Bill</p> <p><i>Matter type: Bills</i></p>	<p>To better enable the allocation and transfer of aquaculture settlement assets to iwi.</p>	<p>Consultation closed February 2020.</p>	<p>Second reading</p>
<p>South-East Marine Protection</p> <p><i>Matter type: Regulations</i></p>	<p>To establish a network of marine protected areas on the South East coast of the South Island.</p>	<p>Consultation completed in August 2020.</p>	<p>Analysis of submissions and advice development is underway.</p>
<p>Hector's and Maui Dolphins Threat Management Plan</p> <p><i>Matter type: Regulations</i></p>	<p><i>Hector's and Maui dolphin Threat Management Plan</i>: to implement further fishing controls to reduce fishing-related threats to Hector's dolphins in the South Island.</p>	<p>Public consultation is planned for mid to late 2021.</p>	<p>Under consideration by Minister. Pre-engagement with stakeholders and iwi on potential proposals for consultation is underway.</p>



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<p>Salmon Farm Relocation</p> <p><i>Matter type: Regulations</i></p>	<p>To relocate up to six salmon farms to improve the environmental outcomes of salmon farming in the Marlborough Sounds.</p>	<p>Initial consultation was completed in 2017.</p> <p>Further public comment will be sought should any significant revisions be made to the initial proposal.</p>	<p>Policy development underway.</p>
<p>National Environmental Standard for Marine Aquaculture</p> <p><i>Matter type: Regulations</i></p>	<p>To set nationally consistent consenting and biosecurity management processes on all marine farms.</p>	<p>Public consultation was completed in 2017.</p>	<p>NES-MA introduced without biosecurity processes.</p>
<p>Marine Protected Areas Reform</p> <p><i>Matter type: Bills</i></p>	<p>To provide a flexible set of marine management tools, and enable Government to undertake more efficient, collaborative, and strategic processes.</p>	<p>Public consultation is anticipated in 2021.</p>	<p>Awaiting Ministerial decision on when to proceed to public consultation.</p>

Planned regulatory amendments to legislation – 2020/2021

MATTER NAME	POLICY IMPLEMENTATION	PLANNED CONSULTATION	STATUS
<p>Fisheries Amendment Bill</p> <p><i>Matter type: Bills</i></p>	<p>Amends policy settings relating to:</p> <ul style="list-style-type: none"> • which fish must be landed to port and which can be returned to the sea; • the offences and penalties regime to ensure it is fair and appropriate; and • fisheries decision-making processes to streamline them. <p>It also makes technical amendments including enabling camera placement to view discarding and processing of fish.</p>	<p>Public consultation on a discussion document was completed in February 2019.</p>	<p>Under consideration by Minister.</p>



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<p>Māori Fisheries Amendment Bill</p> <p><i>Matter type: Bills</i></p>	<p>To improve governance arrangements under the Māori Fisheries Act 2004, and the delivery of settlement assets to Māori.</p>	<p>Legislative processes are anticipated for 2020.</p>	<p>Under consideration by Minister.</p>
<p>Māori Commercial Aquaculture Claims Settlement Bill</p> <p><i>Matter type: Bills</i></p>	<p>To better enable the allocation and transfer of aquaculture settlement assets to iwi.</p>	<p>Consultation closed February 2020.</p>	<p>Policy development underway.</p>
<p>South-East Marine Protection</p> <p><i>Matter type: Regulations</i></p>	<p>To establish a network of marine protected areas on the South East coast of the South Island.</p>	<p>Consultation postponed due to COVID-19.</p>	<p>Policy development underway.</p>
<p>Hector's and Maui Dolphins Threat Management Plan</p> <p><i>Matter type: Regulations</i></p>	<p>To revise the Hector's and Maui Dolphins Threat Management Plan.</p>	<p>Public consultation was completed in August 2019.</p>	<p>Under consideration by Minister.</p>
<p>Salmon Farm Relocation</p> <p><i>Matter type: Regulations</i></p>	<p>To relocate up to six salmon farms to improve the environmental outcomes of salmon farming in the Marlborough Sounds.</p>	<p>Initial consultation was completed in 2017.</p> <p>Further public comment will be sought should any significant revisions be made to the initial proposal.</p>	<p>Policy development underway.</p>
<p>National Environmental Standard for Marine Aquaculture</p> <p><i>Matter type: Regulations</i></p>	<p>To set nationally consistent consenting and biosecurity management processes on all marine farms.</p>	<p>Public consultation was completed in 2017.</p>	<p>Regulations are currently being drafted.</p>
<p>Marine Protected Areas Reform</p> <p><i>Matter type: Bills</i></p>	<p>To provide a flexible set of marine management tools, and enable Government to undertake more efficient, collaborative, and strategic processes.</p>	<p>Dates for public consultation are anticipated 2020.</p>	<p>Policy development underway.</p>



Key service design and operational changes

Ongoing	<p><i>Implement electronic catch and position reporting across all commercial vessels</i></p> <p>Rollout of electronic catch and position reporting requirements has been implemented across all commercial fishing vessels. Fisheries New Zealand will use this real-time, fine-scale data to implement more responsive, finer-scale fisheries management decisions.</p>
Ongoing	<p><i>Establish a pathway to improved environmental and ecosystem performance</i></p> <p>New Zealand has committed to moving towards ecosystem-based management as one of its targets under the Convention on Biological Diversity. We are working with the Department of Conservation and the Ministry for the Environment to manage the environmental effects of fishing and progressing ecosystem-based approaches to fisheries management within current regulatory settings.</p>
Ongoing	<p><i>Rollout of cameras on commercial vessels.</i></p> <p>The first stage of the rollout of on-board cameras has been implemented across 19 vessels using the highest risk fishing methods that generally overlap with Māui dolphin habitat on the West Coast of the North Island.</p> <p>In May 2021, Cabinet agreed to a business case and initial funding for the wider rollout of on-board cameras across the inshore fleet. The scope of the further rollout is up to 300 inshore fishing vessels. Camera monitoring will be targeted to those fisheries that pose the greatest risk to protected species, covering up to 85 percent of the total catch from inshore fisheries.</p> <p>The rollout is now subject to public consultation and procurement. It is expected that final policy decisions on the rollout and selection of the preferred on-board camera provider will be completed by the end of 2021, with the deployment of cameras to commence in mid-2022 (subject to COVID-19 impacts).</p>
2021	<p><i>Approval of National Plan of Action – Seabirds 2020: reducing the incidental catch of seabirds in fisheries</i></p> <p>The National Plan of Action – Seabirds 2020 (NPOA Seabirds 2020) defines overarching objectives for the prevention, monitoring, and management of incidental seabird captures in New Zealand fisheries and sets out how these objectives are to be achieved. Development of the NPOA Seabirds 2020 is a joint process between Fisheries New Zealand and the Department of Conservation. The NPOA Seabirds 2020 was approved by the Minister of Fisheries and the Minister of Conservation in May 2020.</p> <p>An implementation plan has been established annual reporting against the performance measures in the NPOA is underway.</p>
Ongoing	<p><i>Advice on Open Ocean Aquaculture (OOA) framework</i></p> <p>MPI are working with the Department of Conservation and Ministry for the Environment to develop advice to improve the management framework to facilitate the development of open ocean aquaculture.</p>
Ongoing	<p><i>Oceans and Fisheries work programme</i></p> <p>Cabinet has directed a work programme for Oceans and Fisheries, based on a vision for the portfolio – Ensuring the long-term health and resilience of ocean and coastal ecosystems, including the role of fisheries. Agencies will report back on progress on this work programme in mid 2022.</p>