



Proposed changes to the Fisheries Act

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Fisheries reforms

- Submissions due 11 April.
- Feedback on proposals will inform Bill and regulations.
- Policy decisions by August 2025.
- EDS's draft submission on website.



This webinar

- Some context.
- Reform scope and objectives.
- Deeper dive into some of the changes.

The webinar and slides will be available on EDS's website.



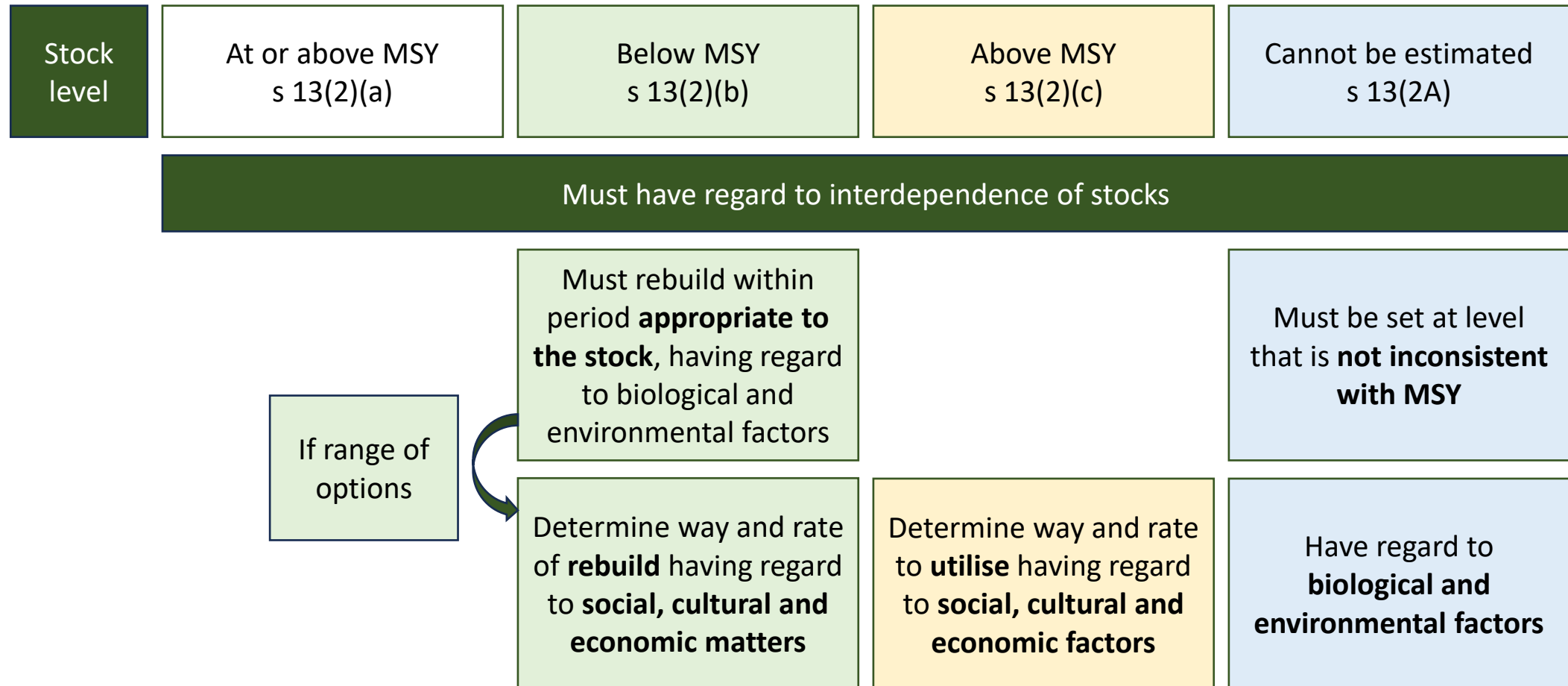
Juvenile koheru - Shaun Lee

Fisheries Act: purpose and principles

- Purpose *“to provide for the utilisation of fisheries resources while ensuring sustainability”*.
- Environmental and information principles.
- *“Create what could be described as an ‘environmental bottom line’ ... complemented by a scheme that favours precaution”* (High Court, 2022).
- Decisions must align with the purpose and principles.

Fisheries Act: setting the catch limit

Default pathway (s 13)



Current issues

- Inertia in catch-adjustment process.
- Poor information basis.
- Limitations of stock assessment.
- Weak policy framework.

**Contributed to poor fisheries
management outcomes**



Hauturu – Nick Shears

Scope of reforms

- Targeted changes to Fisheries Act and regulations.
- Part 1: decision-making.
- Part 2: on-board cameras.
- Part 3: landing and discard rules.



Reforms in a nutshell

Purpose and principles retained.

Some **concerning themes**:

- Failure to address systemic issues.
- Minister's powers too wide.
- Increased industry influence.
- Lack of supporting evidence.



Multi-year catch decisions

Proposal to allow pre-approval of catch adjustments (max 5 years)

Phased adjustment

Stepped increase or decrease in catch limit.

Temporary increase

Increase in catch limit for specified period.

Multi-year catch decisions

Inadequate safeguards

“Best available information on the status of the stock”.

“...good information to suggest that a stock has been lightly fished (now and in the past) and is therefore above ...MSY”.

Stronger approach:

- Criteria should align with purpose and principles.
- Minimum information requirements.
- Mandatory performance review.

Management procedures

Proposal to allow approval of automated catch adjustment process

- Dependent on accurate and timely stock assessment.
- Enables overharvesting if parameters set at wrong level.
- Inadequate consideration of environmental factors.

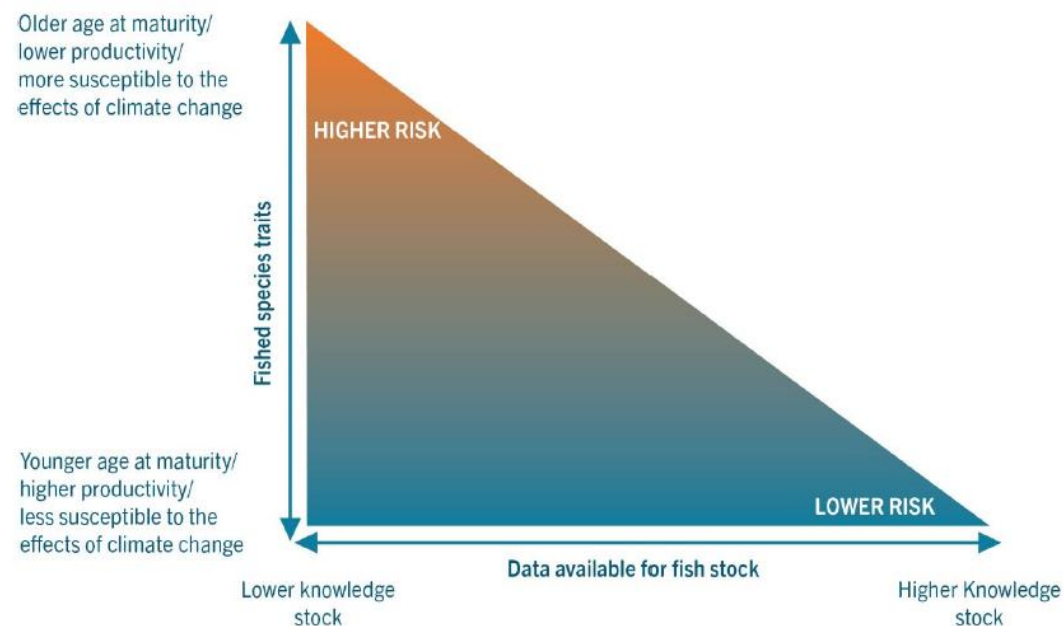
High risk without systemic reform

Low knowledge stocks

Proposed new approach for setting catch limits

- No connection to MSY or other reference limits/targets.
- Vague and subjective criteria.
- Lack of detail around risk categorisation.
- No incentive to collect necessary information.

Figure 4: Low knowledge risk categorisation



Low knowledge stocks

How to strengthen proposed approach

- Mandatory risk assessment.
- Minimum information requirements.
- Limit to stocks in new schedule.



Socio-economic factors

Current requirement for depleted stocks

TAC must enable rebuild:

within a **period appropriate to the stock**, having regard to the biological characteristics of the stock and any environmental conditions affecting the stock

Social, economic and cultural factors are relevant to way and rate of rebuild within scientific limits.

Socio-economic factors

Proposal to provide for greater recognition in decision-making

- Removes scientific limits.
- No guidance on weight to be given to economic matters.
- Enables extended rebuild period despite sustainability risks.
- Overrides recent Supreme Court judgment.

Rebuild period should reflect scientific limits.

Voluntary measures

Proposal to provide for greater recognition in decision-making

- Effectiveness uncertain.
- Implementation not guaranteed.
- Not enforceable.
- Weak assessment criteria.

**Voluntary measures
should not be relied on.**



Longfin perch - Shaun Lee

Annual catch entitlement

Proposals to allow additional carry-forward

- Blanket increase of 5%.
- Additional ACE in *exceptional circumstances*.
- New approach for rock lobster.

Issues:

- Lack of supporting evidence.
- Inadequate consideration of impacts on associated species and ecosystems.



Red rock lobster- Shaun Lee

Annual catch entitlement

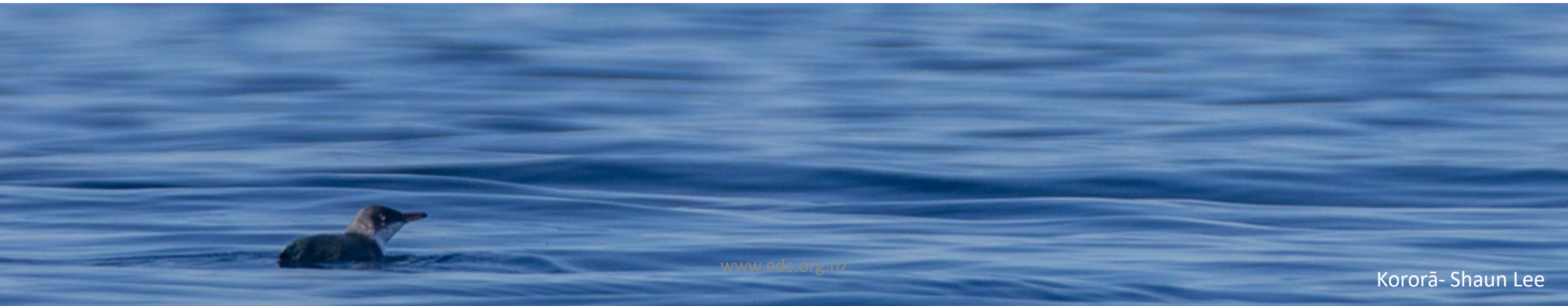
How to strengthen if progressed through reform

- No blanket increase.
- Require applications for *any* additional ACE.
- Set clearer sustainability limits.
- No accumulation beyond 1 year.



On-board cameras

- Cameras have improved accuracy of fisher reported catch data.
- Footage should remain subject to the OIA.
- Cameras should be turned on to capture fishing and related activities. Requiring port-to-port footage creates privacy concerns.
- Reduction in scope unjustified. Exemptions can already be granted.



Landing and discard rules

Some opportunities to strengthen

- No monitored returns unless camera footage enables verification at required level of detail.
- No exception for 'at-depth' discards unless method is proven to be effective.



Blue cod - Shaun Lee



Anchovy feast- Shaun Lee

Taking a step back

- Need to address systemic issues first.
- Invest in improving the information basis for decisions.
- Policy framework needs to be modernised to provide for ecosystem-based fisheries management.
- Retain sustainability guardrails.



Rock lobster - Nick Shears



Questions and discussion